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House of Representatives

The House met at 10 a.m.

Rev. John Crosby, Christ Presbyterian Church, Minneapolis, Minnesota, offered the following prayer:

God of the heavens and Earth, thank You for the opportunity to gather in this place this morning, in freedom of body, mind and spirit. Just as we have celebrated the birth of our freedom, we ask that You help us offer that same freedom to others.

You have said that if any of us lacks wisdom, we should ask and You will be generous, and so we ask, not only to discern the right but for the will to act on what we discern.

I ask that You give grace to those who lead us, whether they are security guards or Senators, cafeteria workers downstairs or the Representatives on the floor. Whether it is the ladies who clean the toilets at night or the staff who work so hard behind the scenes, I pray that they might be becoming men and women of humility and courage, principle and generosity, even in the middle of trials. We keep before us the welfare mom who looks for any kind of help, the teacher who can't afford $4 for gas, the banker who has to figure out how not to foreclose on a friend, the farmer who looks out at his fields and wonders where help will come from. We pray that this will be a place of that help.

I thank You for those who have served here faithfully on the field of battle, in the fires of the forests, or in these Halls; and in a special way, I ask You to give special peace to those who have served and now return home, as our brother JIM RAMSTAD. May he return with the thanks and blessing of a grateful people, and may he hear Your voice saying to him and so many others, ''Well done; well done, good and faithful servant.''

For all who gather here this day, we ask Your wisdom and Your blessing. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. KIRK 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.

WELCOMING REV. JOHN CROSBY

The SPEAKER. Without objection, the gentleman from Minnesota (Mr. RAMSTAD) is recognized for 1 minute.

There was no objection.

Mr. RAMSTAD. Madam Speaker, it is my special privilege to welcome today's guest chaplain, Senior Pastor John Crosby of Christ Presbyterian Church in Edina, Minnesota.

On behalf of the entire House of Representatives, thank you, John, for your moving and timely prayer, and for serving as guest chaplain today.

Madam Speaker, the Reverend John Crosby is a true servant-leader who personifies faith, compassion and service to those less fortunate. He is a true man of God.

Pastor Crosby has been at Christ Presbyterian Church, one of the most dynamic and vibrant faith communities in the Twin Cities, since 1989.

John and his wife, Laura, came to Minnesota from Washington, DC, where they ministered at the National Presbyterian Church. They have two daughters, Maggie, who is a junior at Denver University, and Katy who worked as a congressional intern in my Washington office and is now working here in Washington for Bread for the World. Knowing Katy as I do, I can personally testify to the wonderful job John and Laura have done in raising their outstanding daughters, and I am pleased that Laura and Katy are here today in the Speaker's gallery to see their husband and father deliver the opening prayer.

Madam Speaker, Pastor Crosby is a thoughtful and caring person who applies his faith to daily life and the major issues of the day. He is very interested and involved in policy matters, and he has been a trusted adviser throughout my 18 years here in Congress. John Crosby also has experience working in the United States Senate for former Chaplain Richard Halvorsen.

Our Twin Cities community is truly blessed by Pastor Crosby's strong and principled leadership, as well as his inspiring commitment to help people in need.

Under Reverend Crosby's tenure, the youth program and community outreach at Christ Presbyterian Church have grown exponentially, and have been a great asset, a great resource for our community at large. Over a thousand young people are involved in the youth program at Christ Presbyterian Church. And I will never forget when that youth group lost one of its own in a car accident a number of years ago, a beautiful young woman whose family I knew well, and a thousand young people from that church gathered spontaneously that Sunday night at the church, and John led them in prayer.

Pastor Crosby is a man of God who lives out the Biblical command to love God, love others and serve the least amongst us, and I am proud and grateful to call him my friend.

Thank you again, John, for serving the House of Representatives today and for doing the Lord's work here on the Earth each and every day.

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ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 one-minute requests from each side of the aisle.

ENERGY FACTS VERSUS FICTION

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

Mr. ISRAEL. Madam Speaker, here is today's energy Facts versus Fiction, Volume II.

According to Gal Luft of the Institute for the Analysis of Global Security, at $137 per barrel of oil, OPEC could potentially buy the Bank of America within 5 weeks of production revenues; Apple Computer within 12 days; General Motors within 5 days, and it would take 2.5 years for OPEC to buy a 20 percent blocking vote in every S&P 500 company.

Fact: The administration's budget slashes $467 million from energy efficiency and renewable energy accounts. The House Appropriations Committee added $1.2 billion. It is a much better investment, Madam Speaker, to add $1.2 billion than to give away the Bank of America, Apple Computer and General Motors to the Saudis.

We need an energy policy that invests in American ingenuity, not Saudi Arabia oil profits.

BALLISTIC MISSILE DEFENSES FOR ISRAEL

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

Mr. KIRK. Mr. Speaker, hours ago Iran fired nine long-range missiles, including the improved Shahab-III that can hit the State of Israel. It is time for the United States to offer full ballistic missile defenses for Israel.

Democracies are best when they stick together. We joined 10 years ago with the U.S. Army and Israeli military to build the medium-range Arrow missile defense system. While good, it offers Israel only a defense in the last minute. Three years ago we gave Israel ''Eyes in the Sky,'' early warning data that gave her warning time an increase from 1 minute to 11 minutes.

Now, in the face of the rapidly growing Iranian threat, the G8 should think about sanctions, like a gasoline quarantine because Iran is totally dependent on half its gas from foreign tankers, most insured by Lloyds of London, and we can work with the British on that.

But most importantly, we should follow the direction of 70 Democrats and Republicans in the Kirk-Harman letter to offer full ballistic missile defenses for Israel. Our defenses have five times the range of Israel's and can do the most to lower the rising tensions in the Middle East.

MIDDLE CLASS SQUEEZE

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

Mr. ELLISON. Mr. Speaker, middle-income Americans are paying a high price for the Bush economic policies that have taken us deep into debt and to economic recession. While the prices of groceries, gas, education, and health care have all gone up, the purchasing power of a middle-income salary has actually fallen over the last 7 years.

Unfortunately, Republicans and President Bush continue to defend the status quo, refusing to support our efforts to help middle class families feeling the economic squeeze. House Democrats are working on new solutions to deal with this immediate economic crisis, and for long-term economic recovery. We have taken action to extend unemployment benefits, insurance benefits, and also so that workers can continue to receive important financial assistance while they look for jobs in these trying economic times. We have also passed legislation to address the Nation's housing crisis so that millions of Americans will not be forced into foreclosure this coming year.

Mr. Speaker, House Democrats also support a second economic recovery plan, and we hope we can gather Republican support for it.

□ 1015

WE NEED TO FIX THE ENERGY PROBLEMS OF THIS COUNTRY IN THIS HOUSE NOW

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

Mr. HAYES. Mr. Speaker, I rise today to talk about gas prices and energy, specifically, the lack of action here in Congress on this issue. Our constituents want us to do something, and the reality is that we have the ability to do something but we're not.

Mr. Speaker, according to media reports, the House leadership is doing everything possible to stop a vote on opening more of the oil and gas reserves available in this Nation. It sounds like the entire appropriations process might be stopped rather than having a vote on using our resources so we aren't so dependent on OPEC. I really don't understand why. Maybe it's being captive to the extreme environmental lobby, or maybe it's a completely different philosophy that says we should not do everything possible to bring gas prices down.

What I do know, Mr. Speaker, is that we are not going above and beyond to fix this problem. This House is going above and beyond to stop a viable solution. That's wrong. I implore the Democrat leadership to let real energy solutions come up for a vote and get gas prices down.

BIG OIL DOESN'T NEED MORE LAND TO DRILL; THEY SHOULD USE IT OR LOSE IT

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

Ms. SHEA-PORTER. Mr. Speaker, gas prices are hovering around $4 a gallon now. Americans are having difficulty just finding the money to drive to the store. The energy policies of the Bush administration over the past 7 years have helped only one group, Big Oil. They're doing just fine, thank you very much.

House Democrats are moving America in a new direction towards energy independence. We raised the miles-per-gallon requirement for the first time in over 30 years. We are putting money into research and development. We're requiring energy-efficient appliances, and we are creating green jobs, among other things.

We're also demanding that oil companies drill now. They have 68 million acres of land that they could drill on. They have their permits. They need to get to work now. Last month, House Republicans could have joined us in sending a strong message to oil companies that they need to start drilling on already approved lands. But instead, House Republicans once again sided with both Big Oil and President Bush.

Mr. Speaker, the oil companies need to use those permits or lose those permits. America wants oil companies to get to work now and stop playing politics.

HOUSE REPUBLICANS STAND READY TO HELP AMERICANS COMBAT INCREASED ENERGY COSTS

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

Ms. GRANGER. Mr. Speaker, House Republicans set forth an energy agenda that addresses the number one concern facing American families today: the high price of gasoline. The high price of gas is costing hardworking families an average of $4.11 a gallon. That's $1.70 more a gallon than it was in January 2007 with no relief in sight.

Skyrocketing gas prices have taken a dramatic toll on almost every area of our lives. Families are having to adjust by tightening budgets and trimming back family vacations. Small businesses, like the ones in my district, are watching their profits shrink while making tough decisions about expanding their companies or being able to make their payroll.

House Republicans have a plan that will increase production of American-made energy in an environmentally safe way. Our plan will promote new, clean, and reliable sources of energy while cutting red tape and increasing the supply of American-made fuel and energy. Our plan also encourages greater energy efficiency by offering conservation tax incentives to Americans

who make their home, car, and businesses more energy efficient.

House Republicans stand ready and willing to help American families combat the increased costs of energy. I invite my colleagues on the other side of the aisle to join us.

CALLING ON THE PRESIDENT TO RESCIND HIS VETO THREAT OF MEDICARE IMPROVEMENTS

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

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I come to the floor today to urge the President to reconsider his veto threat of H.R. 6331, the broadly supported Medicare improvement legislation that was passed by this House on June 24. It is my hope that the other body takes quick action to pass this responsible legislation. The Medicare beneficiaries and veterans who are enrolled in TRICARE are depending on this physician payment fix becoming law.

If this legislation is not passed into law, millions of Americans will no longer be able to visit their physicians and receive the regular quality care that they rely on. I understand that some Members of the Congress have concerns about the pay-for in this legislation. However, this Congress and this government cannot continue to pass the buck on fiscal responsibility whenever we are faced with difficult choices.

I believe we have found a responsible way to pay for the physician payment fix that is in the best interest of all Medicare beneficiaries. And again, I urge the President to rescind his veto threat.

A FEW FACTS ON ENERGY

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

Mr. WILSON of South Carolina. Mr. Speaker, here are a few facts on energy I would like to share. America currently has an estimated 175 trillion cubic feet of natural gas and 1.1 trillion barrels of oil that is off-limits to exploration. In ANWR alone, there is an estimated 10.4 billion barrels of oil. Currently 85 percent of the lower 48 Outer Continental Shelf energy resources remain under the lock and key of the Federal Government. Only 6 percent of the 700 million acres of federally owned subsurface mineral estate has been leased for oil and glass exploration.

The estimated Federal revenue that would be generated by opening up these lands that are currently off-limits to leasing is upwards of $60 trillion. Americans support exploring for these resources and breaking America's dependence on foreign oil. The American people are demanding Congress take action. That is why House Republicans will continue to fight for an all-of-the-above energy plan that will produce more American-made energy while investing in alternative fuels and promoting conservation.

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

RECOGNIZING THE POSITIVE CONTRIBUTIONS OF IMMIGRANTS

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

Mr. BACA. Mr. Speaker, Congress came back this week from celebrating our Nation's Independence Day. This is a special time to reflect on America's difficult history and the true essence of what she stands for. Since the beginning, America has thrived on the contributions of its immigrant labor force. Sadly today, the positive contributions of the immigrant labor force to our society are too often unnoticed.

Hardworking families contribute daily and pay their share into the American system. Hardworking mothers sometimes work three jobs, give up their weekends, and take overtime and night shifts to feed and clothe their children. Hardworking fathers wake up at 4 a.m. to go to work, earn below minimum wages, and manage to provide for their families.

Immigrants contribute in taxes from their paychecks just like the next person through shopping at a variety of stores, restaurants, and gas stations. In fact, the IRS reported that between 1996 to 2003, immigrants contributed $50 billion in Federal taxes.

We cannot afford to ignore the figures, and more importantly, we cannot afford to ignore the positive contributions of immigrants in America. We need comprehensive immigration for the security of our Nation.

MORE CONSERVATION AND MORE DRILLING IS NEEDED FOR OUR ENERGY PROBLEM

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

Mr. KELLER of Florida. Mr. Speaker, I rise today to address the problem of skyrocketing gas prices. We must reduce our dependence on foreign oil. Our constituents deserve straight talk on this issue and here it is: The main component of the price of gasoline at the pump is crude oil. Crude oil is a commodity governed by the law of supply and demand. Therefore, we must reduce our demand and increase our supply.

We should reduce our demand by having tax incentives for hybrids, raising fuel efficiency standards, and investing in alternative renewable energy sources like wind, solar, biomass, and nuclear. We must also increase our domestic supply of oil. We can do that by drilling in Alaska, drilling in the gulf of Mexico, and building more refineries.

The straight talk is we need a comprehensive approach of more drilling and more conservation to achieve long-term energy independence.

JOB LOSSES CONTINUE FOR SIX CONSECUTIVE MONTHS AS ECONOMY GETS WORSE

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

Mr. PAYNE. Mr. Speaker, every month this year the Bush economy has lost more jobs than it has created. In June, 62,000 jobs were lost bringing the total number this year to 428,000 jobs lost. Yet President Bush and some Washington Republicans continue to contend that our economy is not in a recession. These job numbers were particularly devastating to the 3.8 million workers who have lost their jobs and continue to struggle to find new work. It's difficult to find a job when the economy is simply not producing them.

That's why the Democrats fought hard to pass legislation to extend unemployment benefits for an additional 13 weeks to more than 1.6 million Americans who have been hurt by President Bush's economic policies. This money will allow workers in my home State of New Jersey and throughout the Nation to pay their bills and put food on the table while they continue to look for a job.

Extending unemployment insurance is just another example of how Democrats are changing the way business is done in Washington. No longer are the needs of working families forgotten in this Congress.

SAME OLD EXCUSES WON'T WORK ANY LONGER

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

Mrs. MILLER of Michigan. Mr. Speaker, in spite of the fact that the American people have been begging, literally begging this Congress to act on the energy crisis, all we've heard from the majority are excuses for why we cannot access our own domestic supplies of energy. They say that we cannot drill in the ANWR because it will adversely affect the caribou. This despite the fact that the caribou have literally flourished along the north slope of Alaska since the introduction of the pipeline.

They say we cannot drill offshore because of environmental threats. This despite the fact that offshore platforms in the Gulf of Mexico have survived both Hurricanes Katrina and Rita with very limited or no environmental damage.

The majority continues to offer excuse after excuse but offers nothing to the American consumers who want some relief at the pump. With gas prices crashing through $4 per gallon

now and rising at an alarming rate, the time for excuses is over. It is time for action. Many of us saw this coming and have tried to expand supply here at home.

It is time for the majority to recognize this fact and show more concern for the American consumers than for the caribou.

DEMOCRATIC SOLUTIONS ARE NEEDED FOR OIL CRISIS

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

Mr. COURTNEY. Mr. Speaker, yesterday on the ''Lee Elci Show,'' in New London, Connecticut, Bill from Groton called in while I was on and informed us that to lock in for next winter in Connecticut, it costs now $5.80 a gallon.

Mr. Speaker, we've heard a lot about the hardship of high gas prices. If home heating oil stays at those levels, there will be a catastrophe this winter in terms of keeping people alive because they cannot afford those prices. All of the proposals we've heard from the other side are going to take 20 years, even if it goes perfectly according to plan. People need relief now.

President Bush, with one stroke of the pen, could release oil from the Strategic Petroleum Reserve. We would have more oil into the market in 13 days. That's the type of short-term relief that consumers, particularly in the northern parts of this country, need if they are going to survive this winter.

We doubled the size of energy assistance in the Democratic budget. The Bush plan would have cut energy assistance incredibly given the fact that these prices are going through the roof. We need Democratic priorities to provide short-term relief and long-term solutions for the American consumer.

AMERICA NEEDS TO DRILL NOW

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

Mrs. DRAKE. Mr. Speaker, I rise today to express the frustration my constituents feel with a Congress that refuses to address the current energy crisis. I have heard they can't fill their tanks, they're not doing any extras, they're not going out to eat or to movies or on vacation. And last week, a young woman serving in Afghanistan asked me to make sure that gas is not $5 a gallon when she returns home.

Repeatedly, people have asked me to drill now. And yet with all this frustration and economic hardship, the Democratic leadership of this Congress refuses to bring legislation to the floor that addresses the number one concern of our constituents: increasing domestic supply now, dropping gas prices now while we move to the alternative energies of the future.

This week Congress will consider dozens of suspensions, a bill concerning the preservation of White House e-mails, a bill creating a national historic trail in New York, and a bill creating a new section of national wild and scenic rivers in Massachusetts. But nothing to lower gas prices.

CONGRESS WILL CONTINUE TO FIND REAL SOLUTIONS INSTEAD OF CASTING BLAME

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

Mr. ALTMIRE. Mr. Speaker, Congress continues to take action and do everything we can to reduce the price of gas at the pump. Because of legislation this Congress passed last week, as of last week there are over 70,000 more barrels of oil per day every day that are going into the market instead of the Strategic Petroleum Reserve. And during the last week, the price of oil per barrel went down.

We also approved legislation that gives U.S. authorities the ability to prosecute anti-competitive conduct committed by international cartels like OPEC that manipulate the price of oil.

We passed legislation that would invest in biofuels rather than corporate welfare for Big Oil. Energy experts estimate that biofuel blends are keeping the price of gas approximately 15 percent lower than it would otherwise be right now.

This Congress has taken action to address the skyrocketing price of gas, and we will continue to find real solutions rather than pointing fingers and casting blame.

□ 1030

AMERICANS HELD HOSTAGE IN COLOMBIA

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

Mr. POE. Mr. Speaker, for the last 5 years, civilians Keith Stansell, Thomas Howes, and Marc Gonsalves have been held hostage and bound by chains in the jungles of Colombia. Their captors were the Communist thugs: FARC.

The three American captors lived in constant fear and squalor along with hundreds of other hostages, mostly Colombians. These three men were held longer than any other American citizens currently being held captive in the world.

They also had 5 years of their lives stolen from them. During the last 5 years, they were unaware of most world events, including the birth of Stansell's twins, the invasion of Iraq, Hurricanes Katrina and Rita, the Red Sox breaking the curse and winning the World Series, gasoline prices tripling, and the University of Texas defeating Southern Cal in the Rose Bowl for the National Championship.

FARC is an insurgent terrorist group that funds its activities by working with the drug cartels and kidnapping people and holding them for ransom.

But thanks to the people and the Government of Colombia, the three Americans and 20 others were rescued from the outlaws in a stealth, covert operation. We are glad the Americans are home, and our gratitude goes to the people of Colombia.

And that's just the way it is.

ACKNOWLEDGE THE CONTRIBUTIONS OF STAND DOWN HOUSE

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

Mr. KLEIN of Florida. Mr. Speaker, I rise today to acknowledge the contributions of an extraordinary organization in my congressional district: the Stand Down House.

The Stand Down House and its dedicated staff provide support and services for homeless veterans, including transportation, counseling, and job training. These honorable servicemen have fallen on hard times and need a place to stay and a chance to get their lives back on track.

The Stand Down House provides exactly that chance, and it is a lifesaver for many of our veterans.

Mr. Speaker, there are over 200,000 homeless veterans in America today, and up to 2,000 in Palm Beach County alone where I live.

We must never turn our backs on a single one of our servicemembers, and I commend the Stand Down House for serving those who have served our Nation.

ENERGY

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

Mr. PITTS. Mr. Speaker, in a story from The Hill newspaper yesterday, a Democrat staffer is quoted as saying House Democrats' strategy on the issue of skyrocketing gas prices is to ''drive small cars and wait for the wind.''

What a terribly insulting idea to the American people who continue to suffer as the price of gas soars over $4 a gallon.

The truth is, I know there are plenty of my colleagues on the other side of the aisle who would support reasonable bipartisan legislation to increase American production of oil here at home.

Unfortunately, the Democrat leadership controls the floor agenda, and the same article notes that Democratic leadership is terrified their Members might actually support legislation that would open up exploration in the deep waters off our coasts or in ANWR.

It's time for the Speaker to let the Members of this body do their job and represent their constituents' desires and drill for American oil.

When will the Speaker's office hear the cries from the American public?

MEDICARE

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

Ms. CASTOR. Mr. Speaker, we've been working diligently to improve Medicare for America's seniors. In fact, on June 24, the Democratic-led House of Representatives passed by a large bipartisan margin, 355–59, critical Medicare legislation. Unfortunately, it's being blocked by the White House and Republicans across the Capitol.

I urge the White House and Republicans in the other body to stop siding with private health insurance companies and, instead, join us in standing up for families who rely on Medicare.

Our Medicare bill is critical to the health of our neighbors. It helps ensure that seniors have access to high quality health care and the doctor of their choice.

Health care for our military families and retirees is also linked to our Medicare bill, and the Military Officers Association is calling on the White House and Republicans to end their opposition.

Our legislation cuts overpayments and wasteful subsidies to private managed-care insurance companies and redirects these resources to where they belong: the health of our seniors.

IT'S TIME FOR REAL SOLUTIONS, NOT MORE BROKEN PROMISES FROM THE DEMOCRATS

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

Ms. FOXX. Mr. Speaker, more than 2 years ago, then-Minority Leader NANCY PELOSI promised the American people that Democrats had a ''commonsense plan to lower gas prices.'' Well, we're now over $4 a gallon, up more than 76 percent since Democrats took Congress. It's clear that plan never materialized.

American families, truck drivers, and small business owners deserve action from Washington, not more broken Democrat promises. They deserve real solutions, and that's exactly what we Republicans have to offer, initiatives that will make us less dependent on foreign Nations for energy, will create jobs here at home, and will grow the American economy.

In order to put us on a path to energy independence, we must increase the production of our vast amount of resources in an environmentally sound manner, while encouraging conservation. We must continue to invest in renewable energy resources. We must also increase our nuclear capacity, too.

It's time for real solutions, Mr. Speaker, not more broken promises from the Democrats.

RISING COST OF FOOD

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

Mr. MCGOVERN. Mr. Speaker, this fall, the rising cost of food will be felt by schools from Massachusetts to Hawaii, an impact that will severely strain the budgets of school districts across this great land.

Today, Chairman GEORGE MILLER and the Education and Labor Committee will hold a hearing on the rising cost of food and the impact on the school meal programs. Sadly, healthier food choices may be scrapped for cheaper, less nutritious food. After-school meal programs may be scaled back or eliminated. Our kids will pay the price.

There is no easy answer to this problem, but we can all agree that we cannot let this food price crisis result in our school-aged children going without food simply because school districts are struggling with these rising prices.

I commend Chairman MILLER for holding this hearing, and I look forward to working with him on this important issue.

LET'S TAKE ACTION

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

Mrs. BLACKBURN. Mr. Speaker, it's good to be back. I had a wonderful week in my Seventh Congressional District in Tennessee, a great district that has rural areas, suburban and metropolitan areas. And everywhere I went, people were saying: What is Congress going to do right now to get the price down at the pump?

Well, my constituents know this affects every family every day, the price at the pump. They also know it is an energy independence issue, and yes, indeed, they do know that this is an issue of national security.

Yet the Democrat leadership of this House doesn't want to do one thing on debating this issue. Well, we have some bills that are in there.

How about, Mr. Speaker, if we debate H.R. 3089, a bill to promote domestic oil, natural gas, and nuclear energy production? Or there's H.R. 5984, to offer incentives for clean energy production and energy efficiency?

The Democrat solution seems to be simple and ill-advised: just drive a smaller car, take the bus, or walk if you can.

These may not be bad things, but they are often impossible for Tennesseans in my Seventh Congressional District. They want real solutions now.

BIG OIL DOESN'T NEED MORE LAND TO DRILL—THEY SHOULD USE IT OR LOSE IT

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

Ms. WATSON. Mr. Speaker, Americans continue to suffer pain at the gas pump due to 7 years of missed opportunities and outdated policies. President Bush's energy strategy was literally written by the oil companies—give more public resources to the same oil companies that are raking in record profits while Americans are reeling from record prices.

Every day we hear House Republicans demanding the need for more domestic drilling in order to reduce gas prices. What we don't hear is anyone on that side of the aisle demanding that Big Oil drill on the 68 million acres of land they are sitting on, refusing to develop.

Legislation on the floor today will force those oil companies to produce oil and gas or diligently develop the 68 million acres of public land they already have, otherwise they will lose the leases. Experts estimate that these reserves could produce an additional 4.8 million barrels of oil.

THE COOPER-WOLF SAFE COMMISSION: A BIPARTISAN SOLUTION

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

Mr. WOLF. Mr. Speaker, Dietrich Bonhoeffer, the German pastor who stood up to the Nazis, said, ''The ultimate test of a moral society is the kind of world that it leaves to its children.'' And this Congress is failing to serve the American people and failing to serve our children.

We have more than $53 trillion in unfunded liabilities and $9 trillion of debt. China, who violates human rights and religious freedom, holds our debt. The Saudis, who fund radical Wahhabism all over the world, hold our debt.

Standard and Poor's Investment Service predicts loss of AAA bond rating as early as the year 2012.

Is this bleak scenario what the 110th Congress wants to leave our children and grandchildren? If the ultimate test of a moral society is the kind of world it leaves to its children and grandchildren, this Congress is failing miserably.

Congressman COOPER and I have a bill, the SAFE Commission Act that has 105 cosponsors, that would put everything on the table, entitlements and tax policies, in order to rein in Federal spending. If we could come together, both sides of the aisle, we can ensure that our children and our grandchildren don't have to worry about the day when China and Saudi Arabia decide to call in our debt.

ENERGY POLICY

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

Mr. BLUMENAUER. Mr. Speaker, it's amusing to listen to my friends on

the other side of the aisle decrying Democrats as somehow responsible for the problem of the current high energy prices.

The fact is our friends on the Republican side controlled everything, by and large, for the last 7 years. They passed an energy bill in 2005 which was a perfect energy bill for the 1950s.

Nothing that they are proposing in terms of draining America dry by opening up more drilling is going to make any difference for 8 to 20 years, according to all the experts, and oil companies already have 68 million acres available for exploration now that we're encouraging them to use.

It's interesting that after the Republicans blocked even a study of improved fuel efficiency standards for our vehicles, the Democrats for the first time in 30 years have improved those efficiency standards. We're stopping Government competition with the oil companies by suspending Federal purchase of oil for the Strategic Petroleum Reserve. We had to pass legislation to force the administration to do that.

Now, we're looking at squeezing speculators a little bit, and there are a range of choices to help commuters compete now.

It is time for us to talk honestly about the options and what's going to make a difference, not pretending that turning our energy future over to oil companies will make any difference in price or supply for years to come.

FLUOR'S IMPACT IN THE GREENVILLE COMMUNITY

(Mr. INGLIS of South Carolina asked and was given permission to address the House for 1 minute.)

Mr. INGLIS of South Carolina. Mr. Speaker, you know, there's plenty of economic bad news around, coupled here and there, and we've had our share of those in the upstate of South Carolina, but there's also some bright spots, and those are very much worth celebrating.

Fluor Corporation's employment in Greenville, South Carolina, has gone from 2,500 in 2003 to 5,400 today. An additional 3,200 project-based workers help in projects around Greenville. Fluor is currently looking for 2- to 300 engineers to come help with significant new projects that they've won all around the world.

In fact, their growth has been so significant they've been a major cause of the drop in the vacancy rate in class A office space in downtown Greenville, going from 24 percent down to 11.9 percent in the central business district.

That's impressive, Mr. Speaker. It's worth celebrating, and especially worth celebrating is the fact that Fluor will now be taking over the contract at the Savannah River Site, where for 50 years, we've been producing and storing tritium, a radioactive isotope of hydrogen that will give us the opportunity to learn how to store hydrogen and break through to a hydrogen economy.

THE ENERGY DEBATE

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

Mrs. BACHMANN. Mr. Speaker, I actually think that we're at a refreshing point of clarity in the energy debate, because the one thing that we have learned is the only thing standing between the American people and lower energy prices at the pump is the Democrat-controlled Congress.

They've made their position very clear. It is drive less and pay more. Or, as we heard yesterday, drive small cars and wait for the wind. Or, the other suggestion we've heard is the Congress has done such a wonderful job running a railroad, now let's have Congress take over the energy industry and we can run that, too.

It's only been in the last 18 months that we have seen energy prices increase a dramatic 76 percent. At 9 percent approval rating, I don't think we're hearing a clamoring from the American people for Congress to take over and run anything.

The Republican Party now has become the party of the little guy. We want to open up energy exploration, permit expediting so that we can get this online. We don't have to wait 20 years. That's Congress that caused those barriers. Congress can unlock those barriers and bring clarity back to the issue.

□ 1045

ENERGY CRISIS

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

Mr. SHIMKUS. Mr. Speaker, here is the problem: When President Bush took over as President the price of a barrel of crude oil was $23. When the Democrats became the majority, the price of a barrel of crude oil was $58. Today, it's hovering around $140 per barrel of crude oil. All we're trying to do on this side is bring forth some solutions. We're doing that today with a discharge petition on one such technology, coal-to-liquid technologies, H.R. 2208. It's not my bill. It's my Democrat colleague, RICK BOUCHER's, bill.

The United States has the largest coal reserves in the world, 250 billion tons of recoverable coal. China has invested $24 billion in coal-to-liquid technologies. We, in the United States, have invested zero. The largest reserves, zero investments.

This is how it works: We operate a U.S. coal mine, U.S. jobs. We build a coal-to-liquid refinery, U.S. jobs. We have liquid fuel to compete with crude oil fuel, we pipe it in a pipeline, U.S. jobs. We go to our aviation industry with jet fuel. All these budget airlines are going broke because of high cost fuels. This is ''a'' solution, not one, but one of many.

PROVIDING FOR CONSIDERATION OF H.R. 5811, ELECTRONIC MESSAGE PRESERVATION ACT

Mr. WELCH of Vermont. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1318 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1318

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 5811) 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. 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 Oversight and Government Reform 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 Oversight and Government Reform; and (2) one motion to recommit with or without instructions.

SEC. 2. During consideration of H.R. 5811 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 (Mr. HOLDEN). The gentleman from Vermont is recognized for 1 hour.

Mr. WELCH of Vermont. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my good friend, the gentleman from Florida (Mr. LINCOLN DIAZ-BALART). All time yielded during consideration of the rule is for debate only.

GENERAL LEAVE

Mr. WELCH of Vermont. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and insert extraneous materials into the RECORD.

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

There was no objection.

Mr. WELCH of Vermont. I yield myself such time as I may consume.

Mr. Speaker, H. Res. 1318 provides a closed rule for consideration of H.R. 5811, the Electronic Message Preservation Act. The resolution, as you know, provides 1 hour of debate controlled by the Committee on Oversight and Government Reform. The rule makes no amendments in order because no amendments were submitted for consideration.

H.R. 5811 is an important bill introduced by Chairman WAXMAN that modernizes the requirements of the Presidential Records Act and Federal Records Act to ensure that vital government records are preserved for historical posterity.

The Electronic Message Preservation Act will make certain that we retain important Presidential records by directing the Archivist to establish standards for the capture, management, and preservation of White House and Federal agency e-mails. The Archivist of the U.S. will set new standards for tracking Federal e-mail records and annually will certify whether the records management controls put in place by the President meet those standards and comply with the act.

The bill will protect American history so that we will not lose important records in an antiquated record system that exists now, but it will also guide and enforce document retention policies within the executive branch.

The bill is very necessary. Through its investigations, the Oversight and Government Reform Committee discovered that in one instance the current White House had lost hundreds of days of e-mail, and in other instances allowed numerous White House officials, including Senior Advisor Karl Rove, to use Republican National Committee e-mail accounts for government business—improper, obviously. E-mails sent by White House officials over these RNC accounts related to official government business, and potentially hundreds of thousands of these e-mails have been destroyed.

In addition, the White House did grossly mismanage its own e-mail records and ignored concerns that were raised not by Congress, but by the National Archives, about the way it was storing e-mails.

Further, the current print-and-file record retention systems are both unreliable and not in step with modern advances in technology. For example, when President Bush came into office, the White House had an automated system in place for archiving e-mails, but in 2002, the White House decided to abandon this archiving system and replace it with an ad hoc manual system, doing so in an electronic age. White House officials were warned by the technical staff of their own White House staff and by National Archives that this ad hoc manual system for managing e-mails presented an obvious threat and serious threat of losing records. And the White House's own technical expert said the system was, to use the word of that expert, ''primitive'' and carried a high risk that ''data would be lost.'' Yet, despite these warnings, the White House has still not put into place a reliable, up-to-date system for preserving e-mails.

This bill will change that. It will require the Archivist to establish specific standards for the management and preservation of electronic messages, including the capability to retrieve messages through electronic searches. These standards will help prevent a situation like what is happening under this administration. H.R. 5811 directs e-mail records to be stored electronically and removes ambiguity in the current law that was established before we even had e-mail.

The bill and the manager's amendment were approved by voice vote in the committee because it is timely and it's necessary. I urge the passage and a ''yes'' vote on the rule.

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

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I would like to thank my good friend, the gentleman from Vermont (Mr. WELCH), for the time; and I yield myself such time as I may consume.

During an interview last week, the distinguished majority leader, Mr. HOYER, said that he is opposed to a lame-duck session, and that he is committed to adjournment sine die by the previously announced date of September 26. If the majority decides to follow that commitment to adjourn the 110th Congress on September 26, then Congress has only 7 weeks of session left to complete its work for the year.

And so as Congress begins its last 7 weeks of work before recessing, what important pieces of legislation are at the top of the majority's priority list? Well, maybe it's passing the 12 appropriations bills before the end of the fiscal year, or maybe energy legislation to deal with the record gasoline prices consumers are paying each day. No, Mr. Speaker, they've decided that those problems can wait for another day, for another Congress. Instead, their legislative priorities are to designate a 600-mile historic trail and to require preservation of electronic records.

I spent most of last week meeting and speaking with constituents in my district about the issues that matter to them; and, Mr. Speaker, no one mentioned anything closely related to these two bills. These bills may be important in their own right, but there certainly are other issues that are much more pressing issues that we should be debating, that we should be dealing with.

When Americans are paying over $4 per gallon for gasoline, we should be working on legislation to lower gasoline, increasing domestic energy exploration, and reducing our reliance on unstable foreign energy. France produces approximately 80 percent of its electricity from nuclear power, and yet the United States has not built a new nuclear plant in about 30 years.

Why does the majority refuse to consider legislation to deal with our energy and other serious problems? According to an article published in the newspaper The Hill on Tuesday, the majority, and I quote, ''has scrubbed the floor schedule of the energy legislation that it vowed to tackle after the Fourth of July recess.''

Why doesn't the majority schedule energy legislation for debate? Maybe it's because they don't have a real plan. If you read the rest of The Hill article, you find out what a Democratic aid called the majority's plan: ''Right now, our strategy on gas prices is to drive small cars and wait for the wind.'' That's most unfortunate. That ''non-plan'' ignores the urgent call of Americans for Congress to pass serious energy legislation.

I know the majority will claim that they expect to take up energy legislation soon and the committees of jurisdiction are considering possible legislation, but they already pulled legislation they expected to consider after the July 4 recess, and we still have to consider 12 appropriations bills, housing legislation, the Medicare payment fix for physicians, an alternative minimum tax fix, and numerous conference reports. That doesn't leave much time for energy legislation. Maybe if the majority had different priorities, we would be considering energy legislation today instead of legislation designating a 600-mile historic trail and legislation requiring promulgation of regulations to preserve electronic records.

I wish to take this occasion to congratulate the majority on breaking their own record of most closed rules. The proposed rule we are considering now marks the 59th closed rule of this Congress, the most of any Congress in the history of the Nation. It didn't have to be that way.

Before the new majority took over control of the House they laid out their promises for a more civil, more open, and more transparent House in a document entitled ''The New Direction for America.'' The document provides clear guidelines for how legislation should move through the House. One of the promises made in the document is that ''bills should generally come to the floor under a procedure that allows open, full and fair debate, consisting of a full amendment process that grants the minority the right to offer its alternative, including a substitute,'' yet here we are with a closed process that doesn't allow Members from either party the ability to offer amendments.

The majority continues to break their promise on allowing an open, full, and fair debate and their promise to consider energy legislation after the July 4 recess. So much for their promises.

ENERGY BILL OUT OF GAS

(By Jared Allen and Mike Soraghan)

House Democrats are in a bind on the focal point of their energy plan.

Worried that a floor vote on any energy-related measure would trigger a Republican-forced vote on domestic drilling, the leadership has scrubbed the floor schedule of the energy legislation that it vowed to tackle after the Fourth of July recess.

Just before leaving for their districts, a number of House Democrats called a press conference to declare victory on a number of energy bills—including overwhelming passage of a bill to rein in excessive oil market speculation.

Democrats declared victory on a bill they failed to pass on the suspension calendar—their ''use it or lose it bill'' to force energy companies to either start drilling on their federally leased land or give it back—saying they had put 176 Republicans on record as siding with the oil companies over consumers.

And they vowed that the bill, the centerpiece of their energy message, would be back.

''We've taken some bold steps this week, and we're going to build on that [after recess] with the bills we take up,'' Democratic Caucus Vice Chairman John Larson (Conn.) said at the press conference.

But, as of Monday afternoon, neither ''use it or lose it'' nor any other energy measure had been scheduled for floor action this week.

Democrats said they were simply taking a different approach to passing their top energy-related priorities.

Nadeam Elshami, spokesman for House Speaker Nancy Pelosi (D–Calif.), said energy activity this week is taking place at the committee level, noting that there are four hearings planned on the issue of speculation in oil trading.

''Different members have different ideas,'' Elshami said. ''We'll bring forward the best piece of legislation based on the recommendations and hearings we are having this week.''

Republicans pounced, saying Democrats were backtracking after realizing they would be unable to defeat a Republican vote on increased domestic oil drilling in new areas.

''It's panic time for Democrats,'' said a senior Republican aide. ''They are on the wrong side of three-quarters of the American people who support increased production of American-made energy.''

While Democrats were in their districts advocating their plans to end gas price-gouging, rein in speculation, pass ''use it or lose it'' and even call for President Bush to release millions of barrels of crude oil from the Strategic Petroleum Reserve (SPR), Republicans were touting polls showing that a healthy majority of Americans now support increased domestic energy production.

That is proving to be a particular concern for Democrats in that any non-suspension-calendar energy vote would be subject to a Republican alternative, almost certainly calling for offshore and Arctic drilling, that would very likely pass.

''If we could send deepwater drilling over, it would pass the Senate,'' said a Republican leadership aide, highlighting just how much an energy vote could backfire on Democrats.

A senior Democratic leadership aide acknowledged this week that there are plenty of members of the majority caucus ''who want to drill and want to drill where Republicans want to drill.''

Even if Democratic leaders could beat back a GOP motion on drilling, the vote could be used as political ammunition against their vulnerable members this fall.

The Democratic setbacks come after they scored a political victory this spring when they overwhelmingly passed an SPR bill over initial White House objections. But Republicans now claim they have the upper hand, noting that Sen. John McCain (R–Ariz.) is citing drilling repeatedly on the campaign trail.

Further complicating matters for Democrats is the growing number of pro-drilling Democrats who are becoming increasingly worried that voters might throw them in with their anti-drilling leadership.

One pro-drilling Democrat predicted that the backlash against Congress for gas prices could rival the outrage voters felt about the Jack Abramoff lobbying scandal.

Another, Rep. Charlie Melancon (D–La.), is frustrated at not being listened to.

''My concern with my leadership is that they're not letting all the people in the room to present the facts,'' said Melancon, a proponent of more offshore drilling. ''Where are all the pro-oil legislators? I'm not in the room. I don't know who is. My feeling is we are not being all-inclusive to pass legislation that can get through the Senate and avoid a veto.''

For now, though, there will be no legislation to pass, as the only energy-related action this week will occur at the committee level.

Republicans may try to continue a strategy they demonstrated before recess by forcing drilling votes as energy amendments to bills being considered at the committee level, including appropriations bills.

And Republicans may go one step further by trying to get amendments added to the energy and water appropriations bill, a likely contender to see the floor this week.

''We're going to demand a pro-production energy vote before Congress goes home for the month of August,'' said House Republican Conference Chairman Adam Putnam (Fla.). ''We've tried to highlight efforts to solve America's energy problem a thousand ways to Sunday, and [Democrats] keep pulling them from committee, pulling them from the floor and kicking the can down the road.''

Exactly when Democrats will change their present course and bring an energy bill to the floor remains uncertain.

''Right now, our strategy on gas prices is 'Drive small cars and wait for the wind,' '' said a Democratic aide.

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

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

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Texas (Mr. GOHMERT).

Mr. GOHMERT. Mr. Speaker, we're talking about e-mails. We're talking about the rule on e-mails for Federal agencies, for the White House. But the truth is, the e-mails that keep coming in are desperate. What we saw in the last week were people running out of gas in greater numbers than ever before.

The Democratic Party, the once proud party, always talked in terms of helping the little guys. The little guys are suffering. The little guys are hurting. We're losing union jobs because our energy has gotten so expensive in this country and we're overtaxing some of the people providing the jobs.

□ 1100

Gas is going from $4 to $5, and this Congress could make a huge difference, and we're talking about e-mails. The e-mails say we need help, do something. And we can. And I know that we have some courageous Democratic friends across the aisle that want to do something and could do something, but the Democratic leadership seems vested in this idea that really we won't say it publicly but $20 a gallon for gas would be a good thing because people would quit driving and that would save the planet, not realizing when you tank an economy, people quit caring about the environment, as they should, because they're worried about having food, having shelter, taking care of their families. And we could help them if we bring the right bills to drill now, to mine what we have.

Those of us who believe in God have got to believe God is sitting there going, Look at what all I gave you in the way of natural resources. And yet the last bill to come out of our Natural Resources Committee this last month was to put our last best source of uranium off-limits for some made-up, contrived emergency that doesn't exist. I think the bill will end up being unconstitutional, but it still shows we're still putting our resources off-limits.

If you're worried about killing caribou, we have seen that when we put a warm pipeline out there in the middle of the Alaskan wilderness area, then the caribou thrive. They go mate around the pipeline. We're up over ten times the number of caribou we used to have. If you're worried about killing fish off the coast by drilling, we have seen in Texas it creates artificial reefs, and that's where people go fish now.

We can help the people and the environment if we will use what we have got because in the years to come, the archivists are going to come pull e-mails and see that the number one concern of people right now in this country was energy and all we wanted to talk about was e-mails and scenic trails when they haven't got gasoline to drive to those trails.

Let's help Americans where they need help. Let's do the right thing. Let's work on energy and producing what we have got.

Mr. WELCH of Vermont. Mr. Speaker, I continue to reserve the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Illinois (Mr. SHIMKUS).

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

Mr. SHIMKUS. Mr. Speaker, I want to follow up with my colleague from Texas since we are talking about e-mails, and I, in essence, concur with him. The number one message we are getting back from our constituents is high energy prices. And when the historians go back to reclaim our files to write some analysis on what this Congress did at its hour of need and we make sure they can pull our e-mails, they are going to find us inundated with ''energy prices are too high,'' and then they're going to look at the record and ask, well, how did Congress respond? And for the first 18 months of this Congress, and we only have about half a year left, we have done nothing.

This is the problem: $23 a barrel when Bush came into office, $58 a barrel when the Democrats assumed the majority. I didn't check the market today yet. As of yesterday, it was $140 a barrel. What we are saying here is the trend line is bad, and what we are saying is the trend line is not sustainable

if we want a middle class in this country, if we want people in rural America to live in rural America.

In rural America I represent parts of 30 counties of Southern Illinois. We have to drive many miles to get to health care. We have to drive many miles to get to our primary schools, our secondary schools. We have to drive big trucks because we're hauling seed, we're hauling feed, we're hauling livestock. They're working trucks. They can't operate on an electric engine, a plug-in type of vehicle. Now, that may be good for some parts of the country. It's not good for rural Southern Illinois.

So here we are on the floor just back from a week at home, the 4th of July break, thinking that it's time to roll up our sleeves and work to help address the concerns because we know they are going to take a while to fix. It's not like we can snap our finger. A lot of times we get asked, what can we do immediately? What can we do immediately? One of the answers is to lower the Federal gas tax. That's something we can do immediately. What is another thing we can do immediately? Well, the public has to conserve. The individual has to do something immediately, and they're doing it. We are driving fewer miles today but we're paying more. Does that make sense? Drive less, pay more? That's as bad as drive small cars and wait for the wind. The other policy is drive less, pay more. That's not a good energy policy.

So we're ready to come back. We're ready to be open. We are ready to be accessible. Compromise on this floor. Bring some supply to the debate. Bring some efficiency. Bring some renewables. Let's strike an agreement.

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

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield the gentleman an additional 1 minute.

Mr. SHIMKUS. There is a great example of that, Mr. Speaker. My friend PETER ROSKAM from Chicago, he has a bill called the Vision Act, which uses the royalties of the Outer Continental Shelf, uses the Federal money and then plows it into renewables—solar, wind, electric—because it's all going to cost money.

So here's the problem. Here's the solution: The Outer Continental Shelf, coal to liquid, solar, wind, renewable fuels. All the above, that's our policy. American-made energy translates into American-made jobs, which lowers prices for everyone. And the point should be made. It's the middle class, the lower middle class who are exponentially harmed by higher energy prices. They can't afford the new technology. They can't afford the new cars. They have to buy the used car off the lot that gets poor gas mileage because they are trying to make ends meet.

We are on the right side of this issue.

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

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield the gentleman 1 additional minute.

Mr. SHIMKUS. I thank my colleague.

Today, Mr. Speaker, another great opportunity, and I will mention it in 1 minute. The United States has the largest reserve of recoverable coal in the world. Why not take that coal, create United Mine Worker jobs recovering the coal, build a coal-to-liquid refinery, turn that into jet fuel, gasoline, diesel fuel, build it in the central part of the country where the coal fields are so it's not disrupted by the storms in the gulf coast, pump it to our airports so that they have a competitive product versus crude oil jet fuel so that we don't lose our budget airlines.

Four budget airlines have got bankrupt. Four budget airlines. That means ticket takers, stewardesses, pilots, baggage handlers now without a job. Why? High energy costs. And we come to the floor with a national historic trail and protecting e-mails and 15 suspension bills.

Mr. WELCH of Vermont. Mr. Speaker, I continue to reserve the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. Again, I thank my friend from Vermont for his courtesy in yielding the time.

Mr. Speaker, Americans are now paying over $4 a gallon for gasoline; yet the majority fails to bring legislation to the floor to lower gas prices or decrease our dependence on foreign sources of energy. It is time for the House to debate ideas for lowering prices at the pump and addressing the skyrocketing cost of gasoline. So today I urge my colleagues to vote with me to defeat the previous question so this House can finally consider real solutions to rising energy costs. If the previous question is defeated, I will move to amend the rule to allow for consideration of H.R. 2208, the Coal-to-Liquid Fuel Act. This legislation would encourage the use of clean coal-to-liquid technology, authorizing the Secretary of Energy to enter into loan agreements with coal-to-liquid projects that produce innovative transportation fuel.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment and extraneous materials immediately prior to the vote on the previous question.

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

There was no objection.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, by voting ''no'' on the previous question, Members can take a stand against these high fuel prices and for doing something about them. I encourage a ''no'' vote on the previous question.

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

Mr. WELCH of Vermont. Mr. Speaker, I yield myself the balance of my time, and I'm going to approach the podium to use some charts.

Mr. Speaker, this bill is about the preservation of electronic records. The debate has turned into a discussion of our energy policy. And there are two reasons why we would be discussing energy instead of the substance of the actual bill. One is that our friends on the other side don't have anything to say about the importance of the preservation of electronic records. Two is they want to use the opportunity of floor time to make a case, their case, about energy. I intend to respond to both of those issues.

First of all, I want to go back to what this legislation is about. It's about the preservation of the historical record for the American people. It's also about the preservation of the records of the administration so that in the future when any Congress wants to hold any President accountable, there will be documentation of what has happened in that administration.

It is extraordinarily important that this Congress restore its constitutional function of insisting on accountability for the American people. We have three branches of government, and one of them has been asleep for the 6 years going into the year 2006, and that was Congress, the legislative representative of the people of this country, who demand and are entitled to accountability. If you do not have the preservation of the records of their government—these are not records belonging to the President. They're not records that belong to the executive branch. It's not for them to decide ''yes'' or ''no'' that we will preserve these records. This is a right of the American people. It's their property. And what this electronic records preservation does is say that you cannot use the paper system that doesn't work in an electronic age in effect to conceal from the American people what you did. It is overdue. And to take this debate and inject into it another topic, as important as energy is, is to trivialize the fundamentally important responsibility that this Congress has to the American people to restore oversight and accountability.

This government has make enormous mistakes and justified them by concealing information from the American people. What do you need to know more than what happened in the pathway to the war in Iraq? If the truth had been out there for the American people and for many in this body to know what the President knew and when the President knew it, what the administration knew and when they knew it, we would not be in this catastrophe for the American people called the war in Iraq.

So this legislation that says that e-mail records are going to be restored and retained electronically is of profound constitutional importance to the continuation of Congress in its role as the overseer and protector of the American record and the American taxpayer. So on its merits, this legislation should be considered as of absolute

vital importance to the people of this country. And we have heard no objections, and, indeed, this legislation was passed by voice vote.

Now, since the issue was raised, since the debate on this profoundly important question of constitutional oversight has been hijacked to turn it into an energy debate where it really doesn't belong, I am nevertheless going to respond to the arguments.

□ 1115

You start by this proposition. Implicit in many of the arguments that my friends on the other side made was that those of us on the Democratic side somehow don't understand the pain that the American consumer is experiencing with these record high gas prices.

I have got to just speak about Vermont. What I hear about from Vermonters is fear. I've never heard this. And gas prices are tough. They are trying to figure out how to get from here to there and pay for it. They've got cars that they don't get great mileage. They are doubling up. They are doing what they can. But, bottom line, the thing they are terrified about and they have real anxiety is how are they going to heat their homes next year.

We have to heat our homes there. And, folks, when they see that gas delivery truck show up, and last year it was like $2.50 a gallon, it's going to be $5 a gallon next year, and these families don't have the money to pay $1,000, $1,500, $2,000 to fill up a tank. They don't know what they're going to do. And we are going to see Vermonters who are doubling up. Generations are going to be living together because they don't know how they are going to pay that bill.

So, believe me, there's not a single Member in this House, Republican or Democrat, who doesn't profoundly understand the impact that this is having on everyday people, on our small businesses, on our economy.

So we can go back and forth with the accusations and we can go back and forth with the slogans, or we can acknowledge the obvious. The obvious is we have to do everything that we can in the short term to try to bring relief at the pump, to try to bring pressure off the small business and the consumer. Anything in the short-term that we can do, we should do, and we should do it together. But we also have to move to a long-term energy policy that no longer allows oil to have an iron grip on our future. That is what Americans know.

Short-term, what are some of the things we can do? We have done them. We stopped filling up the Strategic Petroleum Reserve. It will reduce demand by 70,000 to 90,000 barrels a day. Second, we are considering legislation for the oil companies to use the leases they have, or lose them.

There's this debate about bringing production online. Obviously, supply is an issue here. In the world, we pump about 86 billion barrels a day. We consume about 87 billion barrels a day. But the fact is that the slogans that I am hearing about just opening up other offshore areas in ANWR totally ignores the current reality, and that is that the oil companies, that are very good at what they do, have leases, existing leases that they pay good money on, on 68 million acres of land. That land, their leases, their leases exceed by 2½ times the area of the State of Ohio, the Minority Leader BOEHNER's district; 2 times the State of Illinois; 2½ times the size of Pennsylvania. These are leases on Federal lands, onshore and offshore.

What are the oil companies doing? Not much. They are producing oil on a fraction of the leaseholds that they have.

Mr. SHIMKUS. Would the gentleman yield?

Mr. WELCH of Vermont. No, I won't.

In reality, if there was full production on all the areas under lease, it could produce 4.8 million barrels of oil a day.

Mr. SHIMKUS. Would the gentleman yield for debate on these lease issues?

Mr. WELCH of Vermont. I am going to take my time. Thank you.

Mr. SHIMKUS. So you don't want to debate the lease issue.

The SPEAKER pro tempore. The gentleman from Vermont controls the time.

Mr. WELCH of Vermont. Thank you, Mr. Speaker.

That could produce 4.8 million barrels of oil a day. Yet the oil companies are not drilling where they have leases to do so. Instead, we are turning this argument into the prospect that we may be able to drill in the future on other places where there aren't leases, waiving away what will be the long-term problems of trying to make that come online, and the fact that it would probably save about a penny and a half a gallon in 10 to 20 years. That is not fair, direct honesty in the debate for the American people.

Mr. SHIMKUS. Would the gentleman yield to debate? You are talking about debate.

Mr. WELCH of Vermont. I thank the gentleman, but I intend to finish. I control the time.

Mr. SHIMKUS. So you don't want to debate the lease issue.

The SPEAKER pro tempore. The gentleman from Vermont controls the time.

Mr. WELCH of Vermont. So what do we have? We have a situation where the oil companies are not drilling where they can, and we are saying to them, Drill where you can. We also have a situation where the oil companies, the longer they wait, the more they make. If you're sitting on leases and oil in the ground, under the sea was $35 a barrel when you bid that lease, then it went to $75, then it went to $100, and now it's $140 a barrel, you're making money just having that in the bank. So the oil companies, the longer they wait, the more they make.

We know that oil company profits are exploding.

Mr. SHIMKUS. Would the gentleman debate the oil profits issue? Will you debate me on the energy debate?

The SPEAKER pro tempore. The gentleman from Illinois is not recognized. The gentleman from Vermont controls the time.

Mr. WELCH of Vermont. Thank you, Mr. Speaker.

The oil companies have made $125 billion. Record profits again this year. How are they spending that money? Are they investing in refineries, are they investing it in renewable energy, are they investing in drilling rigs or offshore facilities to drill in those areas? No. They are buying back their stock.

The oil companies, energy producers, should be part of the solution, and they should be using the technical ability that they have, the extraordinary skills that they have and the extraordinary profits that they have to help us find a way to an energy independent future, and it's not happening.

We know that, bottom line, everything we can do short-term, we can do, but the idea that we can do instantly something is a stretch. But what we can do, we should do.

On speculation, we are considering legislation now, and as we speak, the Chair of the Agriculture Committee, Mr. PETERSON, is conducting 3 days of hearings to try to squeeze the speculator instead of having the speculators squeeze us; on not filling up the Strategic Petroleum Reserve and topping it off.

I am demanding of the oil companies that they start producing oil in those 68 million acres where they actually have leases and the right to be producing that oil. They could produce 4.8 million barrels of oil a day. Do you know what we produce domestically right now? Five million barrels of oil a day. It could lead to a doubling of the production.

So the fact is there are things that can be done that we are promoting that they be done aggressively. We are insisting that the oil companies be accountable to use and produce on the leases that they have, yet they refuse to do it. And we have been consistently and aggressively moving for a new energy policy that is going to create green jobs, that is going to give us much greater independence in foreign affairs, and is going to help us clean up our environment.

A confident nation is one that faces directly the problems that it has. And when it comes to the question of energy, what symbolized for me the energy policy that this country has had was a front page picture of the President of the United States, hand-in-hand with King Abdullah of Saudi Arabia as they were about to go into a meeting. In the custom of the Arab States, they walked into that holding

hands. The purpose of that meeting was for the President of the United States, the greatest country on Earth, to implore the King to increase production of oil.

You know what? A confident nation, a nation that takes on the challenge of solving its own problems, does not go hat in hand to others and ask them, who are not our friends, incidentally, to solve our problems. We take that challenge on ourselves. We take it on because it's our responsibility. We also take it on because we know that in the doing of it, we are going to create jobs, clean our environment, and give us much more latitude in foreign policy.

So this debate on energy, misplaced as it is in this matter of electronic records and restoring the responsibility of Congress to the American people to conduct oversight and to preserve a historical record, important as that is, the argument on energy, the question of energy is the profound question that this country faces economically for the next generation, and the challenge will be whether we are willing to face that squarely and take it upon ourselves to solve our problems, or we are going to continue to be dependent on oil companies that have not played on behalf of the American people and on foreign countries that are not our friends; Venezuela, Middle East States, Russia. We have to take on this challenge ourselves.

Mr. Speaker, I will just close by saying, going back to this bill, that it's an extraordinarily important bill, not just so that we can preserve records, but that we in Congress can restore confidence to the American people that we are a cop on the beat.

This bill makes significant and long overdue changes to document retention systems that were outdated and inefficient. The vast amount of government business that is currently conducted over e-mail requires that we update the law regulating record retention. Government e-mails should not be deleted or destroyed, as they are as important in revealing to the public and historians as paper documents, and we all know that.

Mr. Speaker, I urge a ''yes'' vote on the previous question and on the rule.

The material previously referred to by Mr. LINCOLN DIAZ-BALART of Florida is as follows:

AMENDMENT TO H. RES. 1318 OFFERED BY MR. LINCOLN DIAZ-BALART OF FLORIDA

At the end of the resolution, add the following:

SEC. 3. Immediately upon the adoption of this resolution the House shall, without intervention of any point of order, consider in the House the bill (H.R. 2208) to provide for a standby loan program for certain coal-to-liquid projects. 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 member of the Committee on Energy and Commerce, and the chairman and ranking member of the Committee on Science and Technology; and (2) an amendment in the nature of a substitute if offered by Representative Dingell of Michigan or his designee, 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. WELCH of Vermont. I yield back the balance of my time, and I move the previous question 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 noes appeared to have it.

RECORDED VOTE

Mr. WELCH of Vermont. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

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.

PENSION PROTECTION TECHNICAL CORRECTIONS ACT OF 2008

Mr. POMEROY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6382) to make technical corrections related to the Pension Protection Act of 2006, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6382

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

SECTION 1. SHORT TITLE; REFERENCES TO ACTS.

(a) IN GENERAL.—This Act may be cited as the ''Pension Protection Technical Corrections Act of 2008''.

(b) REFERENCES TO ACTS.—For purposes of this Act:

(1) AMENDMENT OF 1986 CODE.—The term ''1986 Code'' means the Internal Revenue Code of 1986.

(2) AMENDMENT OF ERISA.—The term ''ERISA'' means the Employee Retirement Income Security Act of 1974.

(3) 2006 ACT.—The term ''2006 Act'' means the Pension Protection Act of 2006.

TITLE I—TECHNICAL CORRECTIONS RELATED TO THE PENSION PROTECTION ACT OF 2006

SEC. 101. AMENDMENTS RELATED TO TITLE I.

(a) AMENDMENTS RELATED TO SECTIONS 101 AND 111.—

(1) AMENDMENTS TO ERISA.—

(A) Clause (i) of section 302(c)(1)(A) of ERISA is amended by striking ''the plan is'' and inserting ''the plan are''.

(B) Section 302(c)(7) of ERISA is amended by inserting ''which reduces the accrued benefit of any participant'' after ''subsection (d)(2)'' in subparagraph (A).

(C) Section 302(d)(1) of ERISA is amended by striking '', the valuation date,''.

(2) AMENDMENTS TO 1986 CODE.—

(A) Clause (i) of section 412(c)(1)(A) of the 1986 Code is amended by striking ''the plan is'' and inserting ''the plan are''.

(B) Section 412(c)(7) of the 1986 Code is amended by inserting ''which reduces the accrued benefit of any participant'' after ''subsection (d)(2)'' in subparagraph (A).

(C) Section 412(d)(1) of the 1986 Code is amended by striking '', the valuation date,''.

(b) AMENDMENTS RELATED TO SECTIONS 102 AND 112.—

(1) AMENDMENTS TO ERISA.—

(A) Section 303(b) of ERISA is amended to read as follows:

''(b) TARGET NORMAL COST.—For purposes of this section:

''(1) IN GENERAL.—Except as provided in subsection (i)(2) with respect to plans in at-risk status, the term 'target normal cost' means, for any plan year, the excess of—

''(A) the sum of—

''(i) the present value of all benefits which are expected to accrue or to be earned under the plan during the plan year, plus

''(ii) the amount of plan-related expenses expected to be paid from plan assets during the plan year, over

''(B) the amount of mandatory employee contributions expected to be made during the plan year.

''(2) SPECIAL RULE FOR INCREASE IN COMPENSATION.—For purposes of this subsection, if any benefit attributable to services performed in a preceding plan year is increased by reason of any increase in compensation during the current plan year, the increase in such benefit shall be treated as having accrued during the current plan year.''.

(B) Section 303(c)(5)(B)(iii) of ERISA is amended by inserting ''beginning'' before ''after 2008''.

(C) Section 303(c)(5)(B)(iv)(II) of ERISA is amended by inserting ''for such year'' after ''beginning in 2007)''.

(D) Section 303(f)(4)(A) of ERISA is amended by striking ''paragraph (2)'' and inserting ''paragraph (3)''.

(E) Section 303(h)(2)(F) of ERISA is amended—

(i) by striking ''section 205(g)(3)(B)(iii)(I)) for such month'' and inserting ''section 205(g)(3)(B)(iii)(I for such month)'', and

(ii) by striking ''subparagraph (B)'' and inserting ''subparagraph (C)''.

(F) Section 303(i) of ERISA is amended—

(i) in paragraph (2)—

(I) by striking subparagraph (A) and inserting the following new subparagraph:

''(A) the excess of—

''(i) the sum of—

''(I) the present value of all benefits which are expected to accrue or to be earned under the plan during the plan year, determined using the additional actuarial assumptions described in paragraph (1)(B), plus

''(II) the amount of plan-related expenses expected to be paid from plan assets during the plan year, over

''(ii) the amount of mandatory employee contributions expected to be made during the plan year, plus'', and

(II) in subparagraph (B), by striking ''the target normal cost (determined without regard to this paragraph) of the plan for the plan year'' and inserting ''the amount determined under subsection (b)(1)(A)(i) with respect to the plan for the plan year'', and

(ii) by striking ''subparagraph (A)(ii)'' in the last sentence of paragraph (4)(B) and inserting ''subparagraph (A)''.

(G) Section 303(j)(3) of ERISA—

(i) is amended by adding at the end of subparagraph (A) the following new sentence: ''In the case of plan years beginning in 2008, the funding shortfall for the preceding plan year may be determined using such methods of estimation as the Secretary of the Treasury may provide.'',

(ii) by adding at the end of subparagraph (E) the following new clause:

''(iii) PLAN WITH ALTERNATE VALUATION DATE.—The Secretary of the Treasury shall prescribe regulations for the application of this paragraph in the case of a plan which has a valuation date other than the first day of the plan year.'', and

(iii) by striking ''AND SHORT YEARS'' in the heading of subparagraph (E) and inserting '', SHORT YEARS, AND YEARS WITH ALTERNATE VALUATION DATE''.

(H) Section 303(k)(6)(B) of ERISA is amended by striking '', except'' and all that follows and inserting a period.

(2) AMENDMENTS TO 1986 CODE.—

(A) Section 430(b) of the 1986 Code is amended to read as follows:

''(b) TARGET NORMAL COST.—For purposes of this section:

''(1) IN GENERAL.—Except as provided in subsection (i)(2) with respect to plans in at-risk status, the term 'target normal cost' means, for any plan year, the excess of—

''(A) the sum of—

''(i) the present value of all benefits which are expected to accrue or to be earned under the plan during the plan year, plus

''(ii) the amount of plan-related expenses expected to be paid from plan assets during the plan year, over

''(B) the amount of mandatory employee contributions expected to be made during the plan year.

''(2) SPECIAL RULE FOR INCREASE IN COMPENSATION.—For purposes of this subsection, if any benefit attributable to services performed in a preceding plan year is increased by reason of any increase in compensation during the current plan year, the increase in such benefit shall be treated as having accrued during the current plan year.''.

(B) Section 430(c)(5)(B)(iii) of the 1986 Code is amended by inserting ''beginning'' before ''after 2008''.

(C) Section 430(c)(5)(B)(iv)(II) of the 1986 Code is amended by inserting ''for such year'' after ''beginning in 2007)''.

(D) Section 430(f) of the 1986 Code is amended—

(i) by striking ''as of the first day of the plan year'' the second place it appears in the first sentence of paragraph (3)(A),

(ii) by striking ''paragraph (2)'' in paragraph (4)(A) and inserting ''paragraph (3)'',

(iii) by striking ''paragraph (1), (2), or (4) of section 206(g)'' in paragraph (6)(B)(iii) and inserting ''subsection (b), (c), or (e) of section 436'',

(iv) by striking ''the sum of'' in paragraph (6)(C), and

(v) by striking ''of the Treasury'' in paragraph (8).

(E) Section 430(h)(2) of the 1986 Code is amended—

(i) by inserting ''and target normal cost'' after ''funding target'' in subparagraph (B),

(ii) by striking ''liabilities'' and inserting ''benefits'' in subparagraph (B),

(iii) by striking ''section 417(e)(3)(D)(i)) for such month'' in subparagraph (F) and inserting ''section 417(e)(3)(D)(i) for such month)'', and

(iv) by striking ''subparagraph (B)'' in subparagraph (F) and inserting ''subparagraph (C)''.

(F) Section 430(i) of the 1986 Code is amended—

(i) in paragraph (2)—

(I) by striking subparagraph (A) and inserting the following new subparagraph:

''(A) the excess of—

''(i) the sum of—

''(I) the present value of all benefits which are expected to accrue or to be earned under the plan during the plan year, determined using the additional actuarial assumptions described in paragraph (1)(B), plus

''(II) the amount of plan-related expenses expected to be paid from plan assets during the plan year, over

''(ii) the amount of mandatory employee contributions expected to be made during the plan year, plus'', and

(II) in subparagraph (B), by striking ''the target normal cost (determined without regard to this paragraph) of the plan for the plan year'' and inserting ''the amount determined under subsection (b)(1)(A)(i) with respect to the plan for the plan year'', and

(ii) by striking ''subparagraph (A)(ii)'' in the last sentence of paragraph (4)(B) and inserting ''subparagraph (A)''.

(G) Section 430(j)(3) of the 1986 Code is amended—

(i) by adding at the end of subparagraph (A) the following new sentence: ''In the case of plan years beginning in 2008, the funding shortfall for the preceding plan year may be determined using such methods of estimation as the Secretary may provide.'',

(ii) by striking ''section 302(c)'' in subparagraph (D)(ii)(II) and inserting ''section 412(c)'',

(iii) by adding at the end of subparagraph (E) the following new clause:

''(iii) PLAN WITH ALTERNATE VALUATION DATE.—The Secretary shall prescribe regulations for the application of this paragraph in the case of a plan which has a valuation date other than the first day of the plan year.'', and

(iv) by striking ''AND SHORT YEARS'' in the heading of subparagraph (E) and inserting '', SHORT YEARS, AND YEARS WITH ALTERNATE VALUATION DATE''.

(H) Section 430(k) of the 1986 Code is amended—

(i) by inserting ''(as provided under paragraph (2))'' after ''applies'' in paragraph (1), and

(ii) by striking '', except'' and all that follows in paragraph (6)(B) and inserting a period.

(c) AMENDMENTS RELATED TO SECTIONS 103 AND 113.—

(1) AMENDMENTS TO ERISA.—

(A) Section 101(j) of ERISA is amended—

(i) in paragraph (2), by striking ''section 206(g)(4)(B)'' and inserting ''section 206(g)(4)(A)''; and

(ii) by adding at the end the following: ''The Secretary of the Treasury, in consultation with the Secretary, shall have the authority to prescribe rules applicable to the notices required under this subsection.''.

(B) Section 206(g)(1)(B)(ii) of ERISA is amended by striking ''a funding'' and inserting ''an adjusted funding''.

(C) The heading for section 206(g)(1)(C) of ERISA is amended by inserting ''BENEFIT'' after ''EVENT''.

(D) Section 206(g)(3)(E) of ERISA is amended by adding at the end the following new flush sentence:

''Such term shall not include the payment of a benefit which under section 203(e) may be immediately distributed without the consent of the participant.''.

(E) Section 206(g)(5)(A)(iv) of ERISA is amended by inserting ''adjusted'' before ''funding''.

(F) Section 206(g)(9)(C) of ERISA is amended—

(i) by striking ''without regard to this subparagraph and'' in clause (i), and

(ii) in clause (iii)—

(I) by striking ''without regard to this subparagraph'' and inserting ''without regard to the reduction in the value of assets under section 303(f)(4)'', and

(II) by inserting ''beginning'' before ''after'' each place it appears.

(G) Section 206(g) of ERISA is amended by redesignating paragraph (10) as paragraph (11) and by inserting after paragraph (9) the following new paragraph:

''(10) SECRETARIAL AUTHORITY FOR PLANS WITH ALTERNATE VALUATION DATE.—In the case of a plan which has designated a valuation date other than the first day of the plan year, the Secretary of the Treasury may prescribe rules for the application of this subsection which are necessary to reflect the alternate valuation date.''.

(H) Section 502(c)(4) of ERISA is amended by striking ''by any person'' and all that follows through the period and inserting ''by any person of subsection (j), (k), or (l) of section 101 or section 514(e)(3).''.

(2) AMENDMENTS TO 1986 CODE.—

(A) Section 436(b)(2) of the 1986 Code is amended—

(i) by striking ''section 303'' and inserting ''section 430'' in the matter preceding subparagraph (A), and

(ii) by striking ''a funding'' and inserting ''an adjusted funding'' in subparagraph (B).

(B) Section 436(b)(3) of the 1986 Code is amended—

(i) by inserting ''BENEFIT'' after ''EVENT'' in the heading, and

(ii) by striking ''any event'' in subparagraph (B) and inserting ''an event''.

(C) Section 436(d)(5) of the 1986 Code is amended by adding at the end the following new flush sentence:

''Such term shall not include the payment of a benefit which under section 411(a)(11) may be immediately distributed without the consent of the participant.''.

(D) Section 436(f) of the 1986 Code is amended—

(i) by inserting ''adjusted'' before ''funding'' in paragraph (1)(D), and

(ii) by striking ''prefunding balance under section 430(f) or funding standard carryover balance'' in paragraph (2) and inserting ''prefunding balance or funding standard carryover balance under section 430(f)''.

(E) Section 436(j)(3) of the 1986 Code is amended—

(i) in subparagraph (A)—

(I) by striking ''without regard to this paragraph and'',

(II) by striking ''section 430(f)(4)(A)'' and inserting ''section 430(f)(4)'', and

(III) by striking ''paragraph (1)'' and inserting ''paragraphs (1) and (2)'', and

(ii) in subparagraph (C)—

(I) by striking ''without regard to this paragraph'' and inserting ''without regard to the reduction in the value of assets under section 430(f)(4)'', and

(II) by inserting ''beginning'' before ''after'' each place it appears.

(F) Section 436 of the 1986 Code is amended by redesignating subsection (k) as subsection (m) and by inserting after subsection (j) the following new subsections:

''(k) SECRETARIAL AUTHORITY FOR PLANS WITH ALTERNATE VALUATION DATE.—In the case of a plan which has designated a valuation date other than the first day of the plan year, the Secretary may prescribe rules for the application of this section which are necessary to reflect the alternate valuation date.

''(l) SINGLE-EMPLOYER PLAN.—For purposes of this section, the term 'single-employer plan' means a plan which is not a multiemployer plan.''.

(3) AMENDMENTS TO 2006 ACT.—Sections 103(c)(2)(A)(ii) and 113(b)(2)(A)(ii) of the 2006 Act are each amended—

(A) by striking ''subsection'' and inserting ''section'', and

(B) by striking ''subparagraph'' and inserting ''paragraph''.

(d) AMENDMENTS RELATED TO SECTIONS 107 AND 114.—

(1) AMENDMENTS TO ERISA.—

(A) Section 103(d) of ERISA is amended—

(i) in paragraph (3), by striking ''the normal costs, the accrued liabilities'' and inserting ''the normal costs or target normal costs, the accrued liabilities or funding target'', and

(ii) by striking paragraph (7) and inserting the following new paragraph:

''(7) A certification of the contribution necessary to reduce the minimum required contribution determined under section 303, or the accumulated funding deficiency determined under section 304, to zero.''.

(B) Section 4071 of ERISA is amended by striking ''as section 303(k)(4) or 307(e)'' and inserting ''or section 303(k)(4),''.

(2) AMENDMENTS TO 1986 CODE.—

(A) Section 401(a)(29) of the 1986 Code is amended by striking ''ON PLANS IN AT-RISK STATUS'' in the heading.

(B) Section 401(a)(32)(C) of the 1986 Code is amended—

(i) by striking ''section 430(j)'' and inserting ''section 430(j)(3)'', and

(ii) by striking ''paragraph (5)(A)'' and inserting ''section 430(j)(4)(A)''.

(C) Section 401(a)(33) of the 1986 Code is amended—

(i) by striking ''section 412(c)(2)'' in subparagraph (B)(iii) and inserting ''section 412(d)(2)'', and

(ii) by striking ''section 412(b)(2) (without regard to subparagraph (B) thereof)'' in subparagraph (D) and inserting ''section 412(b)(1), without regard to section 412(b)(2)''.

(D) Section 411 of the 1986 Code is amended—

(i) by striking ''section 412(c)(2)'' in subsection (a)(3)(C) and inserting ''section 412(d)(2)'', and

(ii) by striking ''section 412(e)(2)'' in subsection (d)(6)(A) and inserting ''section 412(d)(2)''.

(E) Section 414(l)(2)(B)(i)(I) of the 1986 Code is amended to read as follows:

''(I) the sum of the funding target and target normal cost determined under section 430, over''.

(F) Section 4971 of the 1986 Code is amended—

(i) by striking ''required minimum'' in subsection (b)(1) and inserting ''minimum required'',

(ii) by inserting ''or unpaid minimum required contribution, whichever is applicable'' after ''accumulated funding deficiency'' each place it appears in subsections (c)(3) and (d)(1), and

(iii) by striking ''section 412(a)(1)(A)'' in subsection (e)(1) and inserting ''section 412(a)(2)''.

(3) AMENDMENT TO 2006 ACT.—Section 114 of the 2006 Act is amended by adding at the end the following new subsection:

''(g) EFFECTIVE DATES.—

''(1) IN GENERAL.—The amendments made by this section shall apply to plan years beginning after 2007.

''(2) EXCISE TAX.—The amendments made by subsection (e) shall apply to taxable years beginning after 2007, but only with respect to plan years described in paragraph (1) which end with or within any such taxable year.''.

(e) AMENDMENT RELATED TO SECTION 116.—Section 409A(b)(3)(A)(ii) of the 1986 Code is amended by inserting ''to an applicable covered employee'' after ''under the plan''.

SEC. 102. AMENDMENTS RELATED TO TITLE II.

(a) AMENDMENT RELATED TO SECTIONS 201 AND 211.—Section 201(b)(2)(A) of the 2006 Act is amended by striking ''has not used'' and inserting ''has not adopted, or ceased using,''.

(b) AMENDMENTS RELATED TO SECTIONS 202 AND 212.—

(1) AMENDMENTS TO ERISA.—

(A) Section 302(b)(3) of ERISA is amended by striking ''the plan adopts'' and inserting ''the plan sponsor adopts''.

(B) Section 305(b)(3)(C) of ERISA is amended by striking ''section 101(b)(4)'' and inserting ''section 101(b)(1)''.

(C) Section 305(b)(3)(D) of ERISA is amended by striking ''The Secretary'' in clause (iii) and inserting ''The Secretary of the Treasury, in consultation with the Secretary''.

(D) Section 305(c)(7) of ERISA is amended—

(i) by striking ''to agree on'' and all that follows in subparagraph (A)(ii) and inserting ''to adopt a contribution schedule with terms consistent with the funding improvement plan and a schedule from the plan sponsor,'', and

(ii) by striking subparagraph (B) and inserting the following new subparagraph:

''(B) DATE OF IMPLEMENTATION.—The date specified in this subparagraph is the date which is 180 days after the date on which the collective bargaining agreement described in subparagraph (A) expires.'', and

(iii) by adding at the end the following new subparagraph:

''(C) FAILURE TO MAKE SCHEDULED CONTRIBUTIONS.—Any failure to make a contribution under a schedule of contribution rates provided under this paragraph shall be treated as a delinquent contribution under section 515 and shall be enforceable as such.''.

(E) Section 305(e) of ERISA is amended—

(i) in paragraph (3)(C)—

(I) by striking all that follows ''to adopt a'' in clause (i)(II) and inserting ''to adopt a contribution schedule with terms consistent with the rehabilitation plan and a schedule from the plan sponsor under paragraph (1)(B)(i),'',

(II) by striking clause (ii) and inserting the following new clause:

''(ii) DATE OF IMPLEMENTATION.—The date specified in this clause is the date which is 180 days after the date on which the collective bargaining agreement described in clause (i) expires.'', and

(III) by adding at the end the following new clause:

''(iii) FAILURE TO MAKE SCHEDULED CONTRIBUTIONS.—Any failure to make a contribution under a schedule of contribution rates provided under this subsection shall be treated as a delinquent contribution under section 515 and shall be enforceable as such.'',

(ii) in paragraph (4)—

(I) by striking ''the date of'' in subparagraph (A)(ii), and

(II) by striking ''and taking'' in subparagraph (B) and inserting ''but taking'',

(iii) in paragraph (6)—

(I) by striking ''paragraph (1)(B)(i)'' and inserting ''the last sentence of paragraph (1)'', and

(II) by striking ''established'' and inserting ''establish'',

(iv) in paragraph (8)(C)(iii)—

(I) by striking ''the Secretary'' in subclause (I) and inserting ''the Secretary of the Treasury, in consultation with the Secretary'', and

(II) by striking ''Secretary'' in the last sentence and inserting ''Secretary of the Treasury'', and

(v) by striking ''an employer's withdrawal liability'' in paragraph (9)(B) and inserting ''the allocation of unfunded vested benefits to an employer''.

(F) Section 305(f)(2)(A)(i) of ERISA is amended by adding at the end the following: ''to a participant or beneficiary whose annuity starting date (as defined in section 205(h)(2)) occurs after the date such notice is sent,''.

(G) Section 305(g) of ERISA is amended by inserting ''under subsection (c)'' after ''funding improvement plan'' the first place it appears.

(H) Section 502(c)(2) of ERISA is amended by striking ''101(b)(4)'' and inserting ''101(b)(1)''.

(I) Section 502(c)(8)(A) of ERISA is amended by inserting ''plan'' after ''multiemployer''.

(2) AMENDMENTS TO 1986 CODE.—

(A) Section 432(b)(3)(C) of the 1986 Code is amended by striking ''section 101(b)(4)'' and inserting ''section 101(b)(1)''.

(B) Section 432(b)(3)(D)(iii) of the 1986 Code is amended by striking ''The Secretary of Labor'' and inserting ''The Secretary, in consultation with the Secretary of Labor''.

(C) Section 432(c) of the 1986 Code is amended—

(i) in paragraph (3), by striking ''section 304(d)'' in subparagraph (A)(ii) and inserting ''section 431(d)'', and

(ii) in paragraph (7)—

(I) by striking ''to agree on'' and all that follows in subparagraph (A)(ii) and inserting ''to adopt a contribution schedule with terms consistent with the funding improvement plan and a schedule from the plan sponsor,'', and

(II) by striking subparagraph (B) and inserting the following new subparagraph:

''(B) DATE OF IMPLEMENTATION.—The date specified in this subparagraph is the date which is 180 days after the date on which the collective bargaining agreement described in subparagraph (A) expires.''.

(D) Section 432(e) of the 1986 Code is amended—

(i) in paragraph (3)(C)—

(I) by striking all that follows ''to adopt a'' in clause (i)(II) and inserting ''to adopt a contribution schedule with terms consistent with the rehabilitation plan and a schedule from the plan sponsor under paragraph (1)(B)(i),'', and

(II) by striking clause (ii) and inserting the following new clause:

''(ii) DATE OF IMPLEMENTATION.—The date specified in this clause is the date which is 180 days after the date on which the collective bargaining agreement described in clause (i) expires.'',

(ii) in paragraph (4)—

(I) by striking ''the date of'' in subparagraph (A)(ii), and

(II) by striking ''and taking'' in subparagraph (B) and inserting ''but taking'',

(iii) in paragraph (6)—

(I) by striking ''paragraph (1)(B)(i)'' and inserting ''the last sentence of paragraph (1)'', and

(II) by striking ''established'' and inserting ''establish'',

(iv) in paragraph (8)—

(I) by striking ''section 204(g)'' in subparagraph (A)(i) and inserting ''section 411(d)(6)'',

(II) by inserting ''of the Employee Retirement Income Security Act of 1974'' after ''4212(a)'' in subparagraph (C)(i)(II),

(III) by striking ''the Secretary of Labor'' in subparagraph (C)(iii)(I) and inserting ''the Secretary, in consultation with the Secretary of Labor'', and

(IV) by striking ''the Secretary of Labor'' in the last sentence of subparagraph (C)(iii) and inserting ''the Secretary'', and

(v) by striking ''an employer's withdrawal liability'' in paragraph (9)(B) and inserting ''the allocation of unfunded vested benefits to an employer''.

(E) Section 432(f)(2)(A)(i) of the 1986 Code is amended—

(i) by striking ''section 411(b)(1)(A)'' and inserting ''section 411(a)(9)''; and

(ii) by inserting at the end the following: ''to a participant or beneficiary whose annuity starting date (as defined in section 417(f)(2)) occurs after the date such notice is sent,''.

(F) Section 432(g) of the 1986 Code is amended by inserting ''under subsection (c)'' after ''funding improvement plan'' the first place it appears.

(G) Section 432(i) of the 1986 Code is amended—

(i) by striking ''section 412(a)'' in paragraph (3) and inserting ''section 431(a)'', and

(ii) by striking paragraph (9) and inserting the following new paragraph:

''(9) PLAN SPONSOR.—For purposes of this section, section 431, and section 4971(g):

''(A) IN GENERAL.—The term 'plan sponsor' means, with respect to any multiemployer plan, the association, committee, joint board of trustees, or other similar group of representatives of the parties who establish or maintain the plan.

''(B) SPECIAL RULE FOR SECTION 404(c) PLANS.—In the case of a plan described in section 404(c) (or a continuation of such plan), such term means the bargaining parties described in paragraph (1).''.

(H) Section 412(b)(3) of the 1986 Code is amended by striking ''the plan adopts'' and inserting ''the plan sponsor adopts''.

(I) Section 4971(g)(4) of the 1986 Code is amended—

(i) in subparagraph (B)(ii), by striking ''first day of'' and inserting ''day following the close of'', and

(ii) by striking clause (ii) of subparagraph (C) and inserting the following new clause:

''(ii) PLAN SPONSOR.—For purposes of clause (i), the term 'plan sponsor' has the meaning given such term by section 432(i)(9).''.

(3) AMENDMENTS TO 2006 ACT.—

(A) Section 212(b)(2) of the 2006 Act is amended by striking ''Section 4971(c)(2) of such Code'' and inserting ''Section 4971(e)(2) of such Code''.

(B) Section 212(e)(1) of the 2006 Act is amended by inserting '', except that the amendments made by subsection (b) shall apply to taxable years beginning after 2007, but only with respect to plan years beginning after 2007 which end with or within any such taxable year'' before the period at the end.

(C) Section 212(e)(2) of the 2006 Act is amended by striking ''section 305(b)(3) of the Employee Retirement Income Security Act of 1974'' and inserting ''section 432(b)(3) of the Internal Revenue Code of 1986''.

SEC. 103. AMENDMENTS RELATED TO TITLE III.

(a) AMENDMENT RELATED TO SECTION 301.—Clause (ii) of section 101(c)(2)(A) of the Pension Funding Equity Act of 2004, as amended by section 301(c) of the 2006 Act, is amended by striking ''2008'' and inserting ''2009''.

(b) AMENDMENTS RELATED TO SECTION 302.—

(1) AMENDMENT TO ERISA.—Section 205(g)(3)(B)(iii)(II) of ERISA is amended by striking ''section 205(g)(3)(B)(iii)(II)'' and inserting ''section 205(g)(3)(A)(ii)(II)''.

(2) AMENDMENTS TO 1986 CODE.—

(A) Section 417(e)(3)(D)(i) of the 1986 Code is amended by striking ''clause (ii)'' and inserting ''subparagraph (C)''.

(B)(i) Section 415(b)(2)(E)(v) of the 1986 Code is amended to read as follows:

''(v) For purposes of adjusting any benefit or limitation under subparagraph (B), (C), or (D), the mortality table used shall be the applicable mortality table (within the meaning of section 417(e)(3)(B)).''.

(ii)(I) Except as provided in subclause (II), the amendment made by clause (i) shall apply to years beginning after December 31, 2008.

(II) A plan sponsor may elect to have the amendment made by clause (i) apply to any year beginning after December 31, 2007, and before January 1, 2009, or to any portion of any such year.

SEC. 104. AMENDMENTS RELATED TO TITLE IV.

(a) AMENDMENT RELATED TO SECTION 401.—Section 4006(a)(3)(A)(i) of ERISA is amended by striking ''1990'' and inserting ''2005''.

(b) AMENDMENT RELATED TO SECTION 402.—Section 402(c)(1)(A) of the 2006 Act is amended by striking ''commercial airline'' and inserting ''commercial''.

(c) AMENDMENT RELATED TO SECTION 408.—Section 4044(e) of ERISA, as added by section 408(b)(2) of the 2006 Act, is redesignated as subsection (f).

(d) AMENDMENTS RELATED TO SECTION 409.—Section 4041(b)(5)(A) of ERISA is amended by striking ''subparagraph (B)'' and inserting ''subparagraphs (B) and (D)''.

(e) AMENDMENTS RELATED TO SECTION 410.—Section 4050(d)(4)(A) of ERISA is amended—

(1) by striking ''and'' at the end of clause (i), and

(2) by striking clause (ii) and inserting the following new clauses:

''(ii) which is not a plan described in paragraph (2), (3), (4), (6), (7), (8), (9), (10), or (11) of section 4021(b), and

''(iii) which, was a plan described in section 401(a) of the Internal Revenue Code of 1986 which includes a trust exempt from tax under section 501(a) of such Code, and''.

SEC. 105. AMENDMENTS RELATED TO TITLE V.

(a) AMENDMENT RELATED TO SECTION 501.—Section 101(f)(2)(B)(ii) of ERISA is amended—

(1) by striking ''for which the latest annual report filed under section 104(a) was filed'' in subclause (I)(aa) and inserting ''to which the notice relates'', and

(2) by striking subclause (II) and inserting the following new subclause:

''(II) in the case of a multiemployer plan, a statement, for the plan year to which the notice relates and the preceding 2 plan years, of the value of the plan assets (determined both in the same manner as under section 304 and under the rules of subclause (I)(bb)) and the value of the plan liabilities (determined in the same manner as under section 304 except that the method specified in section 305(i)(8) shall be used),''.

(b) AMENDMENTS RELATED TO SECTION 502.—

(1) Section 101(k)(2) of ERISA is amended by filing at the end the following new flush sentence:

''Subparagraph (C)(i) shall not apply to individually identifiable information with respect to any plan investment manager or adviser, or with respect to any other person (other than an employee of the plan) preparing a financial report required to be included under paragraph (1)(B).''.

(2) Section 4221 of ERISA is amended by striking subsection (e) and by redesignating subsections (f) and (g) as subsections (e) and (f), respectively.

(c) AMENDMENTS RELATED TO SECTION 503.—

(1) AMENDMENTS TO ERISA.—

(A) Section 104(b)(3) of ERISA is amended by—

(i) striking ''section 103(f)'' and inserting ''section 101(f)'', and

(ii) striking ''the administrators'' and inserting ''the administrator''.

(B) Section 104(d)(1)(E)(ii) of ERISA is amended by inserting ''funding'' after ''plan's''.

(2) AMENDMENTS TO 2006 ACT.—Section 503(e) of the 2006 Act is amended by striking ''section 101(f)'' and inserting ''section 104(d)''.

(d) AMENDMENT RELATED TO SECTION 505.—Section 4010(d)(2)(B) of ERISA is amended by striking ''section 302(d)(2)'' and inserting ''section 303(d)(2)''.

(e) AMENDMENTS RELATED TO SECTION 506.—

(1) Section 4041(c)(2)(D)(i) of ERISA is amended by striking ''subsection (a)(2)'' the second place it appears and inserting ''subparagraph (A) or the regulations under subsection (a)(2)''.

(2) Section 4042(c)(3)(C)(i) of ERISA is amended—

(A) by striking ''and plan sponsor'' and inserting '', the plan sponsor, or the corporation'', and

(B) by striking ''subparagraph (A)(i)'' and inserting ''subparagraph (A)''.

(f) AMENDMENTS RELATED TO SECTION 508.—Section 209(a) of ERISA is amended—

(1) in paragraph (1)—

(A) by striking ''regulations prescribed by the Secretary'' and inserting ''such regulations as the Secretary may prescribe'', and

(B) by striking the last sentence and inserting ''The report required under this paragraph shall be in the same form, and contain the same information, as periodic benefit statements under section 105(a).'', and

(2) by striking paragraph (2) and inserting the following:

''(2) If more than one employer adopts a plan, each such employer shall furnish to the plan administrator the information necessary for the administrator to maintain the records, and make the reports, required by paragraph (1). Such administrator shall maintain the records, and make the reports, required by paragraph (1).''.

(g) AMENDMENT RELATED TO SECTION 509.—Section 101(i)(8)(B) of ERISA is amended to read as follows:

''(B) ONE-PARTICIPANT RETIREMENT PLAN.—For purposes of subparagraph (A), the term 'one-participant retirement plan' means a retirement plan that on the first day of the plan year—

''(i) covered only one individual (or the individual and the individual's spouse) and the individual (or the individual and the individual's spouse) owned 100 percent of the plan sponsor (whether or not incorporated), or

''(ii) covered only one or more partners (or partners and their spouses) in the plan sponsor.''.

SEC. 106. AMENDMENTS RELATED TO TITLE VI.

(a) AMENDMENTS RELATED TO SECTION 601.—

(1) AMENDMENTS TO ERISA.—

(A) Section 408(g)(3)(D)(ii) of ERISA is amended by striking ''subsection (b)(14)(B)(ii)'' and inserting ''subsection (b)(14)(A)(ii)''.

(B) Section 408(g)(6)(A)(i) of ERISA is amended by striking ''financial adviser'' and inserting ''fiduciary adviser''.

(C) Section 408(g)(11)(A) of ERISA is amended—

(i) by striking ''the participant'' each place it appears and inserting ''a participant'', and

(ii) by striking ''section 408(b)(4)'' in clause (ii) and inserting ''subsection (b)(4)''.

(2) AMENDMENTS TO 1986 CODE.—

(A) Section 4975(d)(17) of the 1986 Code, in the matter preceding subparagraph (A), is amended by striking ''and that permits'' and inserting ''that permits''.

(B) Section 4975(f)(8) of the 1986 Code is amended—

(i) in subparagraph (A), by striking ''subsection (b)(14)'' and inserting ''subsection (d)(17)'',

(ii) in subparagraph (C)(iv)(II), by striking ''subsection (b)(14)(B)(ii)'' and inserting ''(d)(17)(A)(ii)'',

(iii) in subparagraph (F)(i)(I), by striking ''financial adviser'' and inserting ''fiduciary adviser,'',

(iv) in subparagraph (I), by striking ''section 406'' and inserting ''subsection (c)'', and

(v) in subparagraph (J)(i)—

(I) by striking ''the participant'' each place it appears and inserting ''a participant'',

(II) in the matter preceding subclause (I), by inserting ''referred to in subsection (e)(3)(B)'' after ''investment advice'', and

(III) in subclause (II), by striking ''section 408(b)(4)'' and inserting ''subsection (d)(4)''.

(3) AMENDMENT TO 2006 ACT.—Section 601(b)(4) of the 2006 Act is amended by striking ''section 4975(c)(3)(B)'' and inserting ''section 4975(e)(3)(B)''.

(b) AMENDMENTS RELATED TO SECTION 611.—

(1) AMENDMENT TO ERISA.—Section 408(b)(18)(C) of ERISA is amended by striking ''or less''.

(2) AMENDMENTS TO 1986 CODE.—Section 4975(d) of the 1986 Code is amended—

(A) in the matter preceding subparagraph (A) of paragraph (18)—

(i) by striking ''party in interest'' and inserting ''disqualified person'', and

(ii) by striking ''subsection (e)(3)(B)'' and inserting ''subsection (e)(3)'',

(B) in paragraphs (19), (20), and (21), by striking ''party in interest'' each place it appears and inserting ''disqualified person'', and

(C) by striking ''or less'' in paragraph (21)(C).

(c) AMENDMENTS RELATED TO SECTION 612.—Section 4975(f)(11)(B)(i) of the 1986 Code is amended by—

(1) inserting ''of the Employee Retirement Income Security Act of 1974'' after ''section 407(d)(1)'', and

(2) inserting ''of such Act'' after ''section 407(d)(2)''.

(d) AMENDMENTS RELATED TO SECTION 624.—Section 404(c)(5) of ERISA is amended by striking ''participant'' each place it appears and inserting ''participant or beneficiary''.

SEC. 107. AMENDMENTS RELATED TO TITLE VII.

(a) AMENDMENTS TO ERISA.—

(1) Section 203(f)(1)(B) of ERISA is amended to read as follows:

''(B) the requirements of section 204(c) or 205(g), or the requirements of subsection (e), with respect to accrued benefits derived from employer contributions,''.

(2) Section 204(b)(5) of ERISA is amended—

(A) by striking ''clause'' in subparagraph (A)(iii) and inserting ''subparagraph'', and

(B) by inserting ''otherwise'' before ''allowable'' in subparagraph (C).

(3) Subclause (II) of section 204(b)(5)(B)(i) of ERISA is amended to read as follows:

''(II) PRESERVATION OF CAPITAL.—An applicable defined benefit plan shall be treated as failing to meet the requirements of paragraph (1)(H) unless the plan provides that an interest credit (or equivalent amount) of less than zero shall in no event result in the account balance or similar amount being less than the aggregate amount of contributions credited to the account.''.

(b) AMENDMENTS TO 1986 CODE.—

(1) Section 411(b)(5) of the 1986 Code is amended—

(A) by striking ''clause'' in subparagraph (A)(iii) and inserting ''subparagraph'', and

(B) by inserting ''otherwise'' before ''allowable'' in subparagraph (C).

(2) Section 411(a)(13)(A) of the 1986 Code is amended—

(A) by striking ''paragraph (2)'' in clause (i) and inserting ''subparagraph (B)'',

(B) by striking clause (ii) and inserting the following new clause:

''(ii) the requirements of subsection (a)(11) or (c), or the requirements of section 417(e), with respect to accrued benefits derived from employer contributions,'', and

(C) by striking ''paragraph (3)'' in the matter following clause (ii) and inserting ''subparagraph (C)''.

(3) Subclause (II) of section 411(b)(5)(B)(i) of the 1986 Code is amended to read as follows:

''(II) PRESERVATION OF CAPITAL.—An applicable defined benefit plan shall be treated as failing to meet the requirements of paragraph (1)(H) unless the plan provides that an interest credit (or equivalent amount) of less than zero shall in no event result in the account balance or similar amount being less than the aggregate amount of contributions credited to the account.''.

(c) AMENDMENTS TO 2006 ACT.—

(1) Section 701(d)(2) of the 2006 Act is amended by striking ''204(g)'' and inserting ''205(g)''.

(2) Section 701(e) of the 2006 Act is amended—

(A) by inserting ''on or'' after ''period'' in paragraph (3),

(B) in paragraph (4)—

(i) by inserting ''the earlier of'' after ''before'' in the matter preceding subparagraph (A), and

(ii) by striking ''earlier'' and inserting ''later'' in subparagraph (A),

(C) by inserting ''on or'' before ''after'' each place it appears in paragraph (5), and

(D) by adding at the end the following new paragraph:

''(6) SPECIAL RULE FOR VESTING REQUIREMENTS.—The requirements of section 203(f)(2) of the Employee Retirement Income Security Act of 1974 and section 411(a)(13)(B) of the Internal Revenue Code of 1986 (as added by this Act)—

''(A) shall not apply to a participant who does not have an hour of service after the effective date of such requirements (as otherwise determined under this subsection); and

''(B) in the case of a plan other than a plan described in paragraph (3) or (4), shall apply to plan years ending on or after June 29, 2005.''.

SEC. 108. AMENDMENTS RELATED TO TITLE VIII.

(a) AMENDMENTS RELATED TO SECTION 801.—

(1) Section 404(o) of the 1986 Code is amended—

(A) by striking ''430(g)(2)'' in paragraph (2)(A)(ii) and inserting ''430(g)(3)'', and

(B) by striking ''412(f)(4)'' in paragraph (4)(B) and inserting ''412(d)(3)''.

(2) Section 404(a)(7)(A) of the 1986 Code is amended—

(A) by striking the next to last sentence, and

(B) by striking ''the plan's funding shortfall determined under section 430'' in the last sentence and inserting ''the excess (if any) of the plan's funding target (as defined in section 430(d)(1)) over the value of the plan's assets (as determined under section 430(g)(3))''.

(b) AMENDMENT RELATED TO SECTION 802.—Section 404(a)(1)(D)(i) of the 1986 Code is amended by striking ''431(c)(6)(C)'' and inserting ''431(c)(6)(D)''.

(c) AMENDMENT RELATED TO SECTION 803.—Clause (iii) of section 404(a)(7)(C) of the 1986 Code is amended to read as follows:

''(iii) LIMITATION.—In the case of employer contributions to 1 or more defined contribution plans—

''(I) if such contributions do not exceed 6 percent of the compensation otherwise paid or accrued during the taxable year to the beneficiaries under such plans, this paragraph shall not apply to such contributions or to employer contributions to the defined benefit plans to which this paragraph would otherwise apply by reason of contributions to the defined contribution plans, and

''(II) if such contributions exceed 6 percent of such compensation, this paragraph shall be applied by only taking into account such contributions to the extent of such excess.

For purposes of this clause, amounts carried over from preceding taxable years under subparagraph (B) shall be treated as employer contributions to 1 or more defined contributions plans to the extent attributable to employer contributions to such plans in such preceding taxable years.''.

(d) AMENDMENTS RELATED TO SECTION 824.—

(1) Section 408A(c)(3)(B) of the 1986 Code, as in effect after the amendments made by section 824(b)(1) of the 2006 Act, is amended—

(A) by striking the second ''an'' before ''eligible'',

(B) by striking ''other than a Roth IRA'', and

(C) by adding at the end the following new flush sentence:

''This subparagraph shall not apply to a qualified rollover contribution from a Roth IRA or to a qualified rollover contribution from a designated Roth account which is a rollover contribution described in section 402A(c)(3)(A).''

(2) Section 408A(d)(3)(B), as in effect after the amendments made by section 824(b)(2)(B) of the 2006 Act, is amended by striking ''(other than a Roth IRA)'' and by inserting at the end the following new sentence: ''This paragraph shall not apply to a distribution which is a qualified rollover contribution from a Roth IRA or a qualified rollover contribution from a designated Roth account which is a rollover contribution described in section 402A(c)(3)(A)''.

(e) AMENDMENT TO SECTION 827.—The first sentence of section 72(t)(2)(G)(iv) of the 1986 Code is amended by inserting ''on or'' before ''before''.

(f) AMENDMENTS RELATED TO SECTION 829.—

(1) Section 402(c)(11) of the 1986 Code is amended—

(A) by inserting ''described in paragraph (8)(B)(iii)'' after ''eligible retirement plan'' in subparagraph (A), and

(B) by striking ''trust'' before ''designated beneficiary'' in subparagraph (B).

(2)(A) Section 402(f)(2)(A) of the 1986 Code is amended by adding at the end the following new sentence: ''Such term shall include any distribution to a designated beneficiary which would be treated as an eligible rollover distribution by reason of subsection (c)(11), or section 403(a)(4)(B), 403(b)(8)(B), or 457(e)(16)(B), if the requirements of subsection (c)(11) were satisfied.''

(B) Clause (i) of section 402(c)(11)(A) of the 1986 Code is amended by striking ''for purposes of this subsection''.

(C) The amendments made by this paragraph shall apply with respect to plan years beginning after December 31, 2008.

(g) AMENDMENT RELATED TO SECTION 832.—Section 415(f) of the 1986 Code is amended by striking paragraph (2) and by redesignating paragraph (3) as paragraph (2).

(h) AMENDMENTS RELATED TO SECTION 833.—

(1) Section 408A(c)(3)(C) of the 1986 Code, as added by section 833(c) of the 2006 Act, is redesignated as subparagraph (E).

(2) In the case of taxable years beginning after December 31, 2009, section 408A(c)(3)(E) of the 1986 Code (as redesignated by paragraph (1))—

(A) is redesignated as subparagraph (D), and

(B) is amended by striking ''subparagraph (C)(ii)'' and inserting ''subparagraph (B)(ii)''.

(i) AMENDMENTS RELATED TO SECTION 841.—

(1) Section 420(c)(1)(A) of the 1986 Code is amended by adding at the end the following new sentence: ''In the case of a qualified future transfer or collectively bargained transfer to which subsection (f) applies, any assets so transferred may also be used to pay liabilities described in subsection (f)(2)(C).''

(2) Section 420(f)(2) of the 1986 Code is amended by striking ''such'' before ''the applicable'' in subparagraph (D)(i)(I).

(3) Section 4980(c)(2)(B) of the 1986 Code is amended by striking ''or'' at the end of clause (i), by striking the period at the end of clause (ii) and inserting '', or'', and by adding at the end the following new clause:

''(iii) any transfer described in section 420(f)(2)(B)(ii)(II).''.

(j) AMENDMENTS RELATED TO SECTION 845.—

(1) Subsection (l) of section 402 of the 1986 Code is amended—

(A) in paragraph (1)—

(i) by inserting ''maintained by the employer described in paragraph (4)(B)'' after ''an eligible retirement plan'', and

(ii) by striking ''of the employee, his spouse, or dependents (as defined in section 152)'' ,

(B) in paragraph (4)(D), by—

(i) inserting ''(as defined in section 152)'' after ''dependents'', and

(ii) striking ''health insurance plan'' and inserting ''health plan'', and

(C) in paragraph (5)(A), by striking ''health insurance plan'' and inserting ''health plan''.

(2) Subparagraph (B) of section 402(l)(3) of the 1986 Code is amended by striking ''all amounts distributed from all eligible retirement plans were treated as 1 contract for purposes of determining the inclusion of such distribution under section 72'' and inserting ''all amounts to the credit of the eligible public safety officer in all eligible retirement plans maintained by the employer described in paragraph (4)(B) were distributed during such taxable year and all such plans were treated as 1 contract for purposes of determining under section 72 the aggregate amount which would have been so includible''.

(k) AMENDMENTS RELATED TO SECTION 854.—

(1) Section 3121(b)(5)(E) of the 1986 Code is amended by striking ''or special trial judge''.

(2) Section 210(a)(5)(E) of the Social Security Act is amended by striking ''or special trial judge''.

(l) AMENDMENTS RELATED TO SECTION 856.—Section 856 of the 2006 Act, and the amendments made by such section, are hereby repealed, and the Internal Revenue Code of 1986 shall be applied and administered as if such sections and amendments had not been enacted.

(m) AMENDMENT RELATED TO SECTION 864.—Section 864(a) of the 2006 Act is amended by striking ''Reconciliation''.

SEC. 109. AMENDMENTS RELATED TO TITLE IX.

(a) AMENDMENT RELATED TO SECTION 901.—Section 401(a)(35)(E)(iv) of the 1986 Code is amended to read as follows:

''(iv) ONE-PARTICIPANT RETIREMENT PLAN.—For purposes of clause (iii), the term 'one-participant retirement plan' means a retirement plan that on the first day of the plan year—

''(I) covered only one individual (or the individual and the individual's spouse) and the individual (or the individual and the individual's spouse) owned 100 percent of the plan sponsor (whether or not incorporated), or

''(II) covered only one or more partners (or partners and their spouses) in the plan sponsor.''.

(b) AMENDMENTS RELATED TO SECTION 902.—

(1) Section 401(k)(13)(D)(i)(I) of the 1986 Code is amended by striking ''such compensation as exceeds 1 percent but does not'' and inserting ''such contributions as exceed 1 percent but do not''.

(2) Sections 401(k)(8)(E) and 411(a)(3)(G) of the 1986 Code are each amended—

(A) by striking ''an erroneous automatic contribution'' and inserting ''a permissible withdrawal'', and

(B) by striking ''ERRONEOUS AUTOMATIC CONTRIBUTION'' in the heading and inserting ''PERMISSIBLE WITHDRAWAL''.

(3) Section 402(g)(2)(A)(ii) of the 1986 Code is amended by inserting ''through the end of such taxable year'' after ''such amount''.

(4) Section 414(w)(3) of the 1986 Code is amended—

(A) in subparagraph (B), by inserting ''and'' after the comma at the end,

(B) by striking subparagraph (C), and

(C) by redesignating subparagraph (D) as subparagraph (C).

(5) Section 414(w)(5) of the 1986 Code is amended by striking ''and'' at the end of subparagraph (B), by striking the period at the end of subparagraph (C) and inserting a comma, and by adding at the end the following:

''(D) a simplified employee pension the terms of which provide for a salary reduction arrangement described in section 408(k)(6), and

''(E) a simple retirement account (as defined in section 408(p)).''.

(6) Section 414(w)(6) of the 1986 Code is amended by inserting ''or for purposes of applying the limitation under section 402(g)(1)'' before the period at the end.

(c) AMENDMENTS RELATED TO SECTION 903.—

(1) AMENDMENT OF 1986 CODE.—Section 414(x)(1) of the 1986 Code is amended by adding at the end of paragraph (1) the following new sentence: ''In the case of a termination of the defined benefit plan and the applicable defined contribution plan forming part of an eligible combined plan, the plan administrator shall terminate each such plan separately.''

(2) AMENDMENTS OF ERISA.—Section 210(e) of ERISA is amended—

(A) by adding at the end of paragraph (1) the following new sentence: ''In the case of a termination of the defined benefit plan and the applicable defined contribution plan forming part of an eligible combined plan, the plan administrator shall terminate each such plan separately.'', and

(B) by striking paragraph (3) and by redesignating paragraphs (4), (5), and (6) as paragraphs (3), (4), and (5), respectively.

(d) AMENDMENTS RELATED TO SECTION 906.—

(1) Section 906(b)(1)(B)(ii) of the 2006 Act is amended by striking ''paragraph (1)'' and inserting ''paragraph (10)''.

(2) Section 4021(b) of ERISA is amended by inserting ''or'' at the end of paragraph (12), by striking ''; or'' at the end of paragraph (13) and inserting a period, and by striking paragraph (14).

SEC. 110. AMENDMENTS RELATED TO TITLE X.

(a) AMENDMENTS TO RAILROAD RETIREMENT ACT.—

(1) Section 14(b) of the Railroad Retirement Act of 1974 (45 U.S.C. 231m(b)) is amended by adding at the end the following:

''(3)(A) Payments made pursuant to paragraph (2) of this subsection shall not require that the employee be entitled to an annuity under section 2(a)(1) of this Act: Provided, however, That where an employee is not entitled to such an annuity, payments made pursuant to paragraph (2) may not begin before the month in which the following three conditions are satisfied:

''(i) The employee has completed ten years of service in the railroad industry or, five years of service all of which accrues after December 31, 1995.

''(ii) The spouse or former spouse attains age 62.

''(iii) The employee attains age 62 (or if deceased, would have attained age 62).

''(B) Payments made pursuant to paragraph (2) of this subsection shall terminate upon the death of the spouse or former spouse, unless the court document provides for termination at an earlier date. Notwithstanding the language in a court order, that portion of payments made pursuant to paragraph (2) which represents payments computed pursuant to section 3(f)(2) of this Act shall not be paid after the death of the employee.

''(C) If the employee is not entitled to an annuity under section 2(a)(1) of this Act, payments made pursuant to paragraph (2) of this subsection shall be computed as though the employee were entitled to an annuity.''.

(2) Subsection (d) of section 5 of the Railroad Retirement Act (45 U.S.C. 231d) is repealed.

(b) EFFECTIVE DATES.—

(1) SUBSECTION (a)(1).—The amendment made by subsection (a)(1) shall apply with respect to payments due for months after August 2007. If, prior to the effective date of such amendment, payment pursuant to paragraph (2) of section 14(b) of the Railroad Retirement Act of 1974 (45 U.S.C. 231m(b)) was terminated because of the employee's death, payment to the former spouse may be reinstated for months after August 2007.

(2) SUBSECTION (a)(2).—The amendment made by subsection (a)(2) shall take effect upon the date of the enactment of this Act.

SEC. 111. AMENDMENTS RELATED TO TITLE XI.

(a) AMENDMENT RELATED TO SECTION 1104.—Section 1104(d)(1) of the 2006 Act is amended by striking ''Act'' the first place it appears and inserting ''section''.

(b) AMENDMENTS RELATED TO SECTION 1105.—Section 3304(a) of the 1986 Code is amended—

(1) in paragraph (15)—

(A) by redesignating clauses (i) and (ii) of subparagraph (A) as subclauses (I) and (II),

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

(C) by striking the semicolon at the end of clause (ii) (as so redesignated) and inserting '', and'',

(D) by striking ''(15)'' and inserting ''(15)(A) subject to subparagraph (B),'', and

(E) by adding at the end the following:

''(B) the amount of compensation shall not be reduced on account of any payments of governmental or other pensions, retirement or retired pay, annuity, or other similar payments which are not includible in the gross income of the individual for the taxable year in which it was paid because it was part of a rollover distribution;'', and

(2) by striking the last sentence.

(c) AMENDMENTS RELATED TO SECTION 1106.—Section 3(37)(G) of ERISA is amended by—

(1) striking ''paragraph'' each place it appears in clauses (ii), (iii), and (v)(I) and inserting ''subparagraph'',

(2) striking ''subclause (i)(II)'' in clause (iii) and inserting ''clause (i)(II)'',

(3) striking ''subparagraph'' in clause (v)(II) and inserting ''clause'', and

(4) by striking ''section 101(b)(4)'' in clause (v)(III) and inserting ''section 101(b)(1)''.

SEC. 112. EFFECTIVE DATE.

Except as otherwise provided in this title, the amendments made by this title shall take effect as if included in the provisions of the 2006 Act to which the amendments relate.

TITLE II—OTHER PROVISIONS

SEC. 201. AMENDMENTS RELATED TO SECTIONS 102 AND 112 OF THE PENSION PROTECTION ACT OF 2006.

(a) AMENDMENT OF ERISA.—The last sentence of section 303(g)(3)(B) of ERISA is amended to read as follows: ''Any such averaging shall be adjusted for contributions, distributions, and expected earnings (as determined by the plan's actuary on the basis of an assumed earnings rate specified by the actuary but not in excess of the third segment rate applicable under subsection (h)(2)(C)(iii)), as specified by the Secretary of the Treasury.''.

(b) AMENDMENT OF 1986 CODE.—The last sentence of section 430(g)(3)(B) of the 1986 Code is amended to read as follows: ''Any such averaging shall be adjusted for contributions, distributions, and expected earnings (as determined by the plan's actuary on the basis of an assumed earnings rate specified by the actuary but not in excess of the third segment rate applicable under subsection (h)(2)(C)(iii)), as specified by the Secretary.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the provisions of the 2006 Act to which the amendments relate.

SEC. 202. MODIFICATION OF INTEREST RATE ASSUMPTION REQUIRED WITH RESPECT TO CERTAIN SMALL EMPLOYER PLANS.

(a) IN GENERAL.—Subparagraph (E) of section 415(b)(2) of the 1986 Code (relating to limitation on certain assumptions) is amended by adding at the end the following new clause:

''(vi) In the case of a plan maintained by an eligible employer (as defined in section 408(p)(2)(C)(i)), clause (ii) shall be applied without regard to subclause (II) thereof.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to years beginning after December 31, 2007.

SEC. 203. DETERMINATION OF MARKET RATE OF RETURN FOR GOVERNMENTAL PLANS.

(a) AMENDMENT OF ADEA.—Section 4(i)(10)(B)(i)(III) of the Age Discrimination in Employment Act of 1967 (29 U.S.C. 623(i)(10)(B)(i)(III)) is amended by adding at the end the following: ''In the case of a governmental plan (as defined in the first sentence of section 414(d) of the Internal Revenue Code of 1986), a rate of return or a method of crediting interest established pursuant to any provision of Federal, State, or local law (including any administrative rule or policy adopted in accordance with any such law) shall be treated as a market rate of return for purposes of subclause (I) and a permissible method of crediting interest for purposes of meeting the requirements of subclause (I), except that this sentence shall only apply to a rate of return or method of crediting interest if such rate or method does not violate any other requirement of this Act.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect as if included in the provisions of the Pension Protection Act of 2006 to which such amendment relates.

SEC. 204. TREATMENT OF CERTAIN REIMBURSEMENTS FROM GOVERNMENTAL PLANS FOR MEDICAL CARE.

(a) IN GENERAL.—Section 105 of the 1986 Code (relating to amounts received under accident and health plans) is amended by adding at the end the following new subsection:

''(j) SPECIAL RULE FOR CERTAIN GOVERNMENTAL PLANS.—

''(1) IN GENERAL.—For purposes of subsection (b), amounts paid (directly or indirectly) to the taxpayer from an accident or health plan described in paragraph (2) shall not fail to be excluded from gross income solely because such plan, on or before January 1, 2008, provides for reimbursements of health care expenses of a deceased plan participant's beneficiary.

''(2) PLAN DESCRIBED.—An accident or health plan is described in this paragraph if such plan is funded by a medical trust that is established in connection with a public retirement system and that—

''(A) has been authorized by a State legislature, or

''(B) has received a favorable ruling from the Internal Revenue Service that the trust's income is not includible in gross income under section 115.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to payments before, on, or after the date of the enactment of this Act.

SEC. 205. ROLLOVER OF AMOUNTS RECEIVED IN AIRLINE CARRIER BANKRUPTCY TO ROTH IRAS.

(a) GENERAL RULE.—If a qualified airline employee receives any airline payment amount and transfers any portion of such amount to a Roth IRA within 180 days of receipt of such amount (or, if later, within 180 days of the date of the enactment of this Act), then such amount (to the extent so transferred) shall be treated as a qualified rollover contribution described in section 408A(e) of the Internal Revenue Code of 1986, and the limitations described in section 408A(c)(3) of such Code shall not apply to any such transfer.

(b) DEFINITIONS AND SPECIAL RULES.—For purposes of this section—

(1) AIRLINE PAYMENT AMOUNT.—

(A) IN GENERAL.—The term ''airline payment amount'' means any payment of any money or other property which is payable by a commercial passenger airline carrier to a qualified airline employee—

(i) under the approval of an order of a Federal bankruptcy court in a case filed after September 11, 2001, and before January 1, 2007, and

(ii) in respect of the qualified airline employee's interest in a bankruptcy claim against the carrier, any note of the carrier (or amount paid in lieu of a note being issued), or any other fixed obligation of the carrier to pay a lump sum amount.

The amount of such payment shall be determined without regard to any requirement to deduct and withhold tax from such payment under sections 3102(a) and 3402(a).

(B) EXCEPTION.—An airline payment amount shall not include any amount payable on the basis of the carrier's future earnings or profits.

(2) QUALIFIED AIRLINE EMPLOYEE.—The term ''qualified airline employee'' means an employee or former employee of a commercial passenger airline carrier who was a participant in a defined benefit plan maintained by the carrier which—

(A) is a plan described in section 401(a) of the Internal Revenue Code of 1986 which includes a trust exempt from tax under section 501(a) of such Code, and

(B) was terminated or became subject to the restrictions contained in paragraphs (2) and (3) of section 402(b) of the Pension Protection Act of 2006.

(3) REPORTING REQUIREMENTS.—If a commercial passenger airline carrier pays 1 or more airline payment amounts, the carrier shall, within 90 days of such payment (or, if later, within 90 days of the date of the enactment of this Act), report—

(A) to the Secretary of the Treasury, the names of the qualified airline employees to whom such amounts were paid, and

(B) to the Secretary and to such employees, the years and the amounts of the payments.

Such reports shall be in such form, and contain such additional information, as the Secretary may prescribe.

(c) EFFECTIVE DATE.—This section shall apply to transfers made after the date of the enactment of this Act with respect to airline payment amounts paid before, on, or after such date.

SEC. 206. MODIFICATION OF PENALTY FOR FAILURE TO FILE PARTNERSHIP RETURNS.

Section 6698 of the 1986 Code is amended by adding at the end the following new subsection:

''(e) MODIFICATIONS.—In the case of any return required to be filed after December 31, 2008, the dollar amount in effect under subsection (b)(1) shall be increased by $4.''.

SEC. 207. MODIFICATION OF PENALTY FOR FAILURE TO FILE S CORPORATION RETURNS.

Section 6699 of the 1986 Code is amended by adding at the end the following new subsection:

''(e) MODIFICATIONS.—In the case of any return required to be filed after December 31, 2008, the dollar amount in effect under subsection (b)(1) shall be increased by $4.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Dakota (Mr. POMEROY) and the gentleman from Minnesota (Mr. RAMSTAD) each will control 20 minutes.

The Chair recognizes the gentleman from North Dakota.

Mr. POMEROY. Mr. Speaker, I ask unanimous consent that 10 minutes of my time be controlled by Mr. ANDREWS of New Jersey of the Education and Labor Committee.

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

There was no objection.

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

I rise today in favor of moving this bill, H.R. 6382, the Pension Protection Technical Corrections Act, forward in an expedited manner. This bill is important to workers so that their retirement years will be more secure, and to employers so that the cost of the defined benefit pension which they are committed to offering their employees will be more predictable.

The Tax Code and the Employee Retirement Income Security Act, known as ERISA, are complex and broad reaching laws. When Congress enacts laws to change them, such as in the Pension Protection Act, the interactions between the Code and ERISA are difficult, and we need to make corrections of drafting areas in other aspects of the law that come to light after the bill is passed. That is why we are here today.

We need to act quickly. The Pension Protection Act became effective more than 6 months ago, imposing sweeping reforms that affect how employers fund the promises that they make to their employees in the defined benefit pensions. In addition, the bill includes many significant reforms to multi-employers' pension plans that cover union workers.

Three months ago, this House unanimously passed a bill that included many of the provisions that are before us this morning, but that bill did not address several key issues of special importance to those employers who continue to weather the storm and are persistently committed to providing a secured lifetime pension benefit to workers.

At that time, there was a bipartisan agreement that Congress needed to take further action. It is important that we are here today to complete our work because American workers are anxious about their retirement security.

In April, the Employee Benefit Research Institute reported that worker confidence in their financial prospects for retirement have reached a 7-year low. Their 2008 Retirement Confidence Survey found only 18 percent of workers very confident they will have enough money to live comfortably through their retirement years. This is down from 27 percent 1 year ago, a drop of nearly a third.

I commend the Chairman of the Ways and Means Committee, the Chairman of the Education and Labor Committee for bringing a bill to the floor that gives both public and private sector defined benefit plans the added clarity they need to comply with the Pension Protection Act.

□ 1130

Let me also extend thanks to the staff of the Ways and Means Committee, the Education and Labor Committee and their counterparts in the Senate. Their hard work brings us to this point with a bill that provides the needed clarifications of congressional intent that the Treasury Department and Internal Revenue Service need to implement the provisions of the Pension Protection Act.

Today we also have an opportunity to pass a bill that will help the beneficiary of a 401(k) plan who would like to keep the money for retirement savings since the bill before us clarifies the application of a non-spousal rollover provision and the construction worker whose pension may experience underfunding since this bill also clarifies how the notice he or she will get alerts him or her to any benefit reductions.

I want to speak for a minute about the asset smoothing provision of this bill, which I believe is substantively very important. Importantly, H.R. 6382 does not leave the gaps that were not included in this bill in this body when it passed a few months ago, because the bill before us today gives relief to plan sponsors from volatility in plan costs faced by employers who provide defined benefit pensions.

It allows plan sponsors to use a tool called ''asset smoothing'' to balance out the ups and downs that occur with investments. Several months ago, one of my colleagues from the other side of the aisle called on this body to pass asset smoothing quickly. Today we have that opportunity.

As we have seen a sharp market downturn occur in the stock market, this tool becomes even more important to help employers plan for pension expenses. With this clarification of congressional intent, employers will not be forced to base pension plan contributions on shifting marked-to-market values. For some large employers, this can mean a difference of several million dollars. Our economy has gone through a patch where over 400,000 jobs have been lost in the last 6 months alone. We do not want to put employers in this pinch between providing pensions or keeping employees on their jobs.

Some might think if the employer has to put more money in the pension, it is really a great thing for workers. But there is an important hitch to this consideration. Our Nation's pension plan is a voluntary system and employers can decide that offering a pension simply no longer makes good business sense.

We have businesses struggling in this recession. Many plans have been frozen as employers ask, can we continue to provide pension plan coverage? 3.3 million workers have seen their benefit plans frozen in some way, and, unfortunately, when the Department of Labor analyzed the Pension Protection Act, they conducted no research on whether the new stringent funding requirements would accelerate the freezing of pension plans. I believe there is no question the Pension Protection Plan has accelerated the freezing of pension plans, and if we don't pass this act and that smoothing provision in this technical corrections bill, more plans will be frozen.

Another important fix included in this bill is the defined benefit pension plans that State and local governments offer their employers. These public plans were caught in the provisions of a Pension Protection Act designed only to cover cash balance conversions. It was never intended to apply to public pension plans. But, unfortunately, the Treasury Department has held that the credited interest provision of public pension plans is limited to a rate no greater than a market rate of return.

Under long-existing law that has been in place for decades, the public plans themselves and the political subdivisions or States that sponsor those plans determined what the credited interest rate would be. As a former employee of the State of North Dakota, for example, I have a credited rate of interest on a pension accrual that I had, a vested pension benefit that I have, of 7.5 percent that was determined by the State of North Dakota. It ought to be recognized, as it has been in the past. But under the Treasury provision, no greater than market rate of return would be allowed.

Well, public plans not subject to ERISA, but with their unique protections and plan designs, should benefit from this clarification to ensure rates of interest provided by State and local governments. Who in the world are we in Congress, without even thinking that this applied to public pension plans in the first place, to say what the credited rate of interest should be? We have got to trust State and local political subdivisions with this call, and this bill fixes that problem.

In conclusion, just let me say that American workers are anxious about their retirement security. Today, Congress can act to address and reduce this uneasiness. It is a very important technical fix before us, and I urge its adoption.

I reserve the balance of my time.

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

Mr. Speaker, I rise in strong support of H.R. 6382, the Pension Protection Technical Corrections Act. Pension technical corrections, Mr. Speaker, are hardly considered glamorous bills. The Tax Code and ERISA which govern pension plans are complicated, to say the least, and the interaction between the

two sets of laws is very complex. So it is no surprise that a pension technical corrections bill is, as named, highly technical.

But that doesn't detract from the importance of this bill. Because of the complexity of this area of law, a number of glitches have been discovered that prevent pension laws from operating the way Congress has intended. This bill will fix those glitches, will correct those errors, whether they are drafting or other errors. This will give much-needed certainty to plan administrators, government regulators, and, most importantly, the people who depend on pensions for their financial security in retirement.

That is the bottom line. This is all about making these corrections so that the people who depend on pensions for their financial security in retirement will have certainty and security.

Mr. Speaker, I realize some people do not fully appreciate what a difficult and painstaking process is involved in technical corrections. In fact, until I got involved directly, I didn't realize how complex a process this was, involving both caucuses, five committees in both bodies of Congress and three executive branch agencies.

In the case of the bill before us today, the process is led by the staff of the Joint Committee on Taxation, which did a marvelous job, and includes collaboration from the bipartisan staff of the Ways and Means Committee and Education and Labor Committee, as well as their counterparts from the Senate Finance and Senate Health Committees. All of those staffers should be commended, Mr. Speaker, for the excellent work they did on this legislation. Also involved were representatives from the Treasury and Labor Departments and the Pension Benefit Guaranty Corporation.

Sometimes, Mr. Speaker, there are disagreements about what should and should not be considered technical. Each participant in the process has a veto. Thus, only items that were unanimously viewed as correcting a drafting mistake are included in the technical title of the measure before us. Getting all these players to agree that the sky is blue is certainly not an easy task, so I can't overstate how monumental it is that we now have a bill that survived that rigorous process.

There is also another title in the bill containing a few other pension-related items that are not purely technical. I want to thank Chairman RANGEL and his staff, as well as the Members here before us today, the outstanding Members on the other side the aisle from the committee, Mr. POMEROY and also the gentleman from New Jersey, for their cooperation and collaboration on the bill.

I also want to thank Mildeen Worrell from Chairman RANGEL's staff for working to include the provision that I authored that solves an urgent problem for State employees back home in Minnesota, including many, many first responders, police, firefighters and other first responders, as well as teachers. I am also grateful to Ranking Member MCCRERY and his excellent staff for their assistance.

Mr. Speaker, let me conclude by saying it is time to provide much-needed certainty to our Nation's pension plans and the people who rely on them. I urge my colleagues to support this bill.

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

Mr. ANDREWS. Mr. Speaker, I rise to claim the 10 minutes of the Committee on Education and Labor.

The SPEAKER pro tempore. The gentleman from New Jersey is recognized for 10 minutes.

Mr. ANDREWS. Mr. Speaker, I rise in support of the legislation and would like to echo the comments of my friend from Minnesota in thanking the efforts of so many people to make this bill possible, beginning with Chairman RANGEL, Mr. MCCRERY, Chairman MILLER of the Education and Labor Committee, Ranking Member MCKEON, Subcommittee Chair POMEROY, Mr. RAMSTAD and others. This has been a very cooperative and good effort.

Healthy pensions are healthy for the economy of the United States. When the tens of millions of people who are covered by pension funds feel more confident about the security of their money and the likelihood that it will continue on into the future, they are more likely to be consumers and investors and engines of economic opportunity for the rest of us in the economy.

This act makes a number of important corrections that will strengthen and therefore make more healthy the pension funds of our country. I embrace and support each of those changes. I would like to highlight three of them that I believe are of significant and important relevance.

The first has to do with the so-called smoothing provisions, which will particularly benefit the larger employers. We have significant and rigid new standards under the 2006 act which require underfunded plans to catch up so that they are fully funded as soon as reasonably possible. But it is important that those rigid standards do not choke off the economic activity of the plan sponsor, and when they are too rigid, they run that risk. So these smoothing provisions give the plan sponsor, the employer, the flexibility to make a rational judgment about how much money is needed to be put into the fund to catch it up how soon.

In my view, this reform is a win for the taxpayers, it is a win for the pensioners and employees and a win for the employer. It is a win for the taxpayers in that a plan that is caught up in a rational way by a successful employer is qualitatively less likely to go into default, to go into insolvency and to call for a bailout by the Pension Benefit Guaranty Corporation. Ultimately, the taxpayers of the country stand behind the PBGC. The fewer claims of insolvency, the less risk to the taxpayer.

Second, I believe that these provisions are very good for pensioners and employers because these provisions substantially increase the likelihood that the pension fund will be stable, permanent and a source of income for the person for the rest of his or her life.

Finally, this is most certainly an advantage for all those who benefit from the pension system. So I think that this is a very important change.

This is an important change for small business as well. One particular change that lets small businesses rely upon a fixed 5.5 percent rate of interest in their pension calculations means that the person running a dental practice or a small manufacturing plant does not have to incur unnecessary legal or accounting or actuarial fees to calculate and recalculate changing assumptions. The matter of a few thousand dollars for that plan sponsor is very important, and it leads to the result that more employers will keep these plans, as my friend Mr. POMEROY expressed concern about earlier on.

Finally, I would join with the comments of Mr. POMEROY and Mr. RAMSTAD about the very significant importance of the public employee pension fund provisions in this bill. The history of public employee pension funds in this country is a very stable and positive one. With a few rare exceptions, fund trustees around this country have made proper fiduciary choices with the investment decisions for the men and women who rely upon those decisions, and one of those decisions they make is the credit interest rate that ought to be used in calculating certain distributions to retired firefighters, teachers, police officers and other public employees.

There is a saying that is not unique to pension law, but unique to common sense, which is if it ain't broke, don't fix it. Public employee trustees around the country have done an excellent job in managing their funds, by and large. This bill has a provision in it that assures that those trustees will continue to have the freedom and flexibility to make their own determination as to what that credit interest rate ought to be and that that determination should not be supplanted by the judgment of any Federal agency or by this Congress.

You might say, well, what about the issue of exposure of the Federal taxpayer? Aren't we subjecting the Federal taxpayer to risk if the State and local trustees make the wrong decision?

□ 1145

Mr. Speaker, we are most emphatically not, because the plans about which I speak are not backed by the Pension Benefit Guaranty Corporation. So the idea of Federal regulation imposing itself upon the decisions of these trustees is without any merit or

justification. This will mean that police officers and firefighters and teachers and other public employees will get the fair pension for which they bargained and to which they are entitled.

I would like to express my appreciation to the minority and majority staff for their hard work on this bill. I think it well serves the country. I would urge my colleagues on both sides of the aisle to support it.

I reserve the balance of my time.

Mr. POMEROY. Mr. Speaker, I yield such time as he may consume to the gentleman from Georgia, my colleague on the Ways and Means Committee, Mr. LEWIS.

Mr. LEWIS of Georgia. Mr. Speaker, I want to thank my good friend Mr. POMEROY for yielding.

Mr. Speaker, people are suffering, people are barely getting by. Some people are using their retirement savings today to pay their credit card bills or to avoid foreclosure on their home. This is a choice people should not have to make. Today, we offer just a little bit of help.

Mr. Speaker, after a lifetime of hard work, people need to know that they can retire and their pensions will be there for them. This bill will help thousands of Delta employees who live and work in my district, thousands of pilots and airline workers, whose retirement savings slipped away when the airline went bankrupt.

The payments they are receiving through the bankruptcy agreement are not going to make up for that loss. This bill will allow these workers to take their bankruptcy payment and put their money into a retirement account. Pilots and airline workers are asking for this help so they can help put their money back where it belongs, growing into a nest egg for retirement.

Mr. Speaker, I want to thank Chairman RANGEL and the great staff of the Ways and Means Committee and my own staff who worked with me to help pilots and airline workers in this bill today. We must do more to help people earn enough money and save enough money so they can live well when they retire. We must protect the hopes and dreams of America's workers.

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

Just briefly, I rise again in strong support of the Pension Protection Technical Corrections Act. It truly is a vital piece of legislation for the people of America. I want to again thank Chairman RANGEL, Chairman MILLER, Ranking Member MCCRERY, Mr. POMEROY, and Mr. ANDREWS for their collaboration on this legislation, and last but not least the unsung heroes who worked tirelessly to put this product together, all the staff members of the respective committees.

I urge passage of the bill.

I yield back the balance of my time.

Mr. ANDREWS. I would just reiterate that we urge passage of this well-thought-out bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The gentleman from North Dakota has 30 seconds remaining.

Mr. POMEROY. Mr. Speaker, I just want to thank Mr. RAMSTAD, a committee member who meant so much to the Ways and Means Committee, Mr. LEWIS for his work with the Delta pilots and the provision he speaks to, as well as Mr. ANDREWS, the pension retirement benefits expert on the Ways and Means and the Ed and Labor Committee.

I would like to think that, as we get this finished today, this sets the stage for joint collaboration further as we work on pension and advancing retirement security.

Mr. GEORGE MILLER of California. Mr. Speaker, I want to thank the Ways and Means Committee for sheparding this bill, the Pension Protection Technical Corrections Act, to the floor.

The Pension Protection Act contained major changes to the funding rules for defined benefit pension plans. The final bill was over 900 pages long.

As can be expected with any massive legislative vehicle, the final law contained dozens of mistakes, some technical and some not so technical.

The bill before us today primarily fixes only the technical errors that have been found in the bill. It does not seek to make any changes in pension policy.

The bill was put together by the staffs of all the committees of jurisdiction, both in the House and Senate and on both sides of the aisle. The bill has been vetted by the key regulatory agencies—the Department of Labor, Treasury Department, and the Pension Benefit Guaranty Corporation (PBGC).

The bill mostly fixes incorrect punctuation and citations. It also contains a few substantive changes in places where the language of the PPA was unclear and clarification was needed for the agencies to be able to carry out the purposes of the law.

I would like to address some confusion created by the Treasury Department, in which it, as part of its PPA interpretation, provided guidance on the wear-away of workers' accrued pension benefits in cash balance plans.

An important part of the Pension Protection Act was to make clear that the wear-away of workers' benefits was illegal in cash balance plans, not only with respect to normal retirement benefits, but also with respect to early retirement benefits. As a political compromise, Congress made this rule prospective only, with the question of wear-away under the pre-PPA law to be decided by the Federal courts.

The Treasury Department issued a first ruling last year that undermined this carefully crafted compromise. Treasury recently issued new rules in which it indicated it will not rule on pre-PPA wear-away. There are many court cases pending on this matter and it must remain solely to the courts to decide whether pre-PPA pension law permitted employers to wear-away workers' otherwise legally protected accrued benefits.

Although I did not support the PPA, I hope that the House can pass these technical changes and then move on to the more pressing retirement issues of the day.

With the faltering economy and housing market crisis, more and more individuals are withdrawing their 401(k) pension monies in order to pay their mortgages and other bills.

These families are being forced to sacrifice their retirement security in order to survive day to day.

The Congress needs to address the real retirement security crisis facing working families.

The Pension Protection Act only made the problem worse. The law forced companies to speed up pension plan funding regardless of the financial status of the company or the pension plan. While faster funding had some superficial appeal, the real result is to encourage employers to terminate their pension plans or seek access to the accumulated assets.

Workers are increasingly dependent on 401(k) savings plans for their retirement security.

But as my Committee has found over the past year, 401(k) plans are being decimated by below average investment returns and excessive fees.

The Congress needs to start thinking about these more pressing issues.

Mr. POMEROY. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Dakota (Mr. POMEROY) that the House suspend the rules and pass the bill, H.R. 6382.

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.

GENERAL LEAVE

Mr. POMEROY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on H.R. 6382.

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

There was no objection.

HONORING THE GOAL OF THE INTERNATIONAL YEAR OF ASTRONOMY

Mr. LAMPSON. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 375) to honor the goal of the International Year of Astronomy, and for other purposes.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 375

Whereas the year 2009 represents the 400th Anniversary of Galileo's astronomical use of the telescope;

Whereas the year 2009 has been designated the International Year of Astronomy (IYA) by the United Nations and UNESCO;

Whereas astronomical observations and discoveries have profound implications for the development of science, philosophy, culture, and our general conception of our place in the Universe;

Whereas astronomy is one of the oldest basic sciences and contributes fundamentally to the ultimate context of all other sciences;

Whereas astronomy and astronomical discoveries continue to capture the imagination of the American people;

Whereas the United States is the home of the most advanced astronomical research in the world;

Whereas the many creative programs and activities planned in the United States for IYA 2009 are strongly supported by the staff, missions, and observatories of the National Science Foundation and the National Aeronautics and Space Administration;

Whereas science and technology awareness and education play a critical role in the economic success of the United States; and

Whereas the astronomical sciences inspire students to study science, mathematics, engineering, and technology: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress—

(1) honors the goal of the International Year of Astronomy to celebrate astronomical discoveries;

(2) encourages the public to participate in IYA celebrations and activities and discover more about the Universe and the science of astronomy; and

(3) applauds the efforts of the employees, centers, and laboratories of the National Aeronautics and Space Administration and the National Science Foundation in promoting public understanding of the astronomical sciences during the celebration of the International Year of Astronomy.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. LAMPSON) and the gentleman from Florida (Mr. FEENEY) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. LAMPSON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on House Concurrent Resolution 375, the resolution now under consideration.

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

There was no objection.

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

I rise in support of H. Con. Res. 375, honoring the goal of the International Year of Astronomy. Astronomy seems to capture the imagination of the public more than almost any other discipline of science. Children everywhere gaze with wonder and amazement at the night sky. Images from the Hubble telescope grace the screensavers and wallpaper of our computers.

Millions of people every year visit the many planetariums around the country, including the historic Adler Planetarium in Chicago, and the Burke Baker Planetarium in Houston, which is also used to train space shuttle astronauts in identifying starfields.

The International Year of the Astronomy Committee is taking advantage of the public's enthusiasm by engaging ordinary citizens in real scientific projects, such as tracking binary stars and their eclipses from many different locations. In fact, three of the major goals for IYA 2009 are: One, increase scientific awareness; two, promote widespread access to new knowledge and observing experiences; and, three, support and improve formal and informal science education. These are also priorities for the Science and Technology Committee as reflected in last year's landmark COMPETES Act.

I applaud the astronomy community for making the 2009 International Year of Astronomy not just a celebration of science by scientists but an opportunity to share the wonders and relevance of science with all citizens across the globe.

As a Texan, I am particularly proud of the role that NASA and NASA centers, including the Johnson Space Center in my district, will have in celebrating the International Year of Astronomy and in promoting astronomy and space exploration. I thank Ms. GIFFORDS for offering this resolution to recognize these important efforts and honor the goals of the International Year of Astronomy.

I reserve the balance of my time.

Mr. FEENEY. Mr. Speaker, I rise in support of House Concurrent Resolution 375, to honor the goal of the International Year of Astronomy, along with the gentleman from Texas.

In 1609, Galileo Galilei turned a telescope to the night sky and saw an amazing array of astronomical wonders. From that point on, mankind has been fascinated by the secrets of the universe and has been committed to understanding Earth and everything beyond through extraordinary scientific leaps.

In honor of the 400th anniversary of Galileo's discovery, the United Nations has designated 2009 the International Year of Astronomy. The purpose of the International Year of Astronomy is to help citizens of the world discover the impact astronomy has had on their daily lives and create a greater knowledge of what the universe has to offer. The International Year of Astronomy will be a worldwide celebration aiming to stimulate interest in astronomy and science, particularly in younger generations, coalescing around the central theme of, ''The Universe, Yours to Discover.''

There are eight major goals of the International Year of Astronomy. They include:

Increasing scientific awareness in the general public through the communication of scientific breakthroughs;

Promoting widespread access to the universal knowledge of fundamental science through astronomy and sky-observing experiences;

Empowering astronomical communities in developing countries by engaging in international collaboration;

Supporting and improving formal and informal science education in schools and science centers;

Providing a modern image of science and scientists to reinforce the connection between science education and science careers;

Facilitating new and strengthen existing astronomical networks by connecting amateur astronomers with educators and scientists on a local, regional, and national level;

Improving the gender balance of scientists at all levels and promote greater involvement by underrepresented minorities in scientific and engineering careers; and, finally

Facilitating the preservation of the world's dark skies in places such as national parks and astronomical sites.

The U.S. is taking a lead role in the International Year of Astronomy by heading up four of the 11 cornerstone projects outlined by the International Astronomical Union. They include the Galileoscope initiative, which aims to provide millions of people with an inexpensive telescope in order to make their own discoveries just as Galileo did so many years ago; and Dark Skies Awareness, a wide-ranging effort to preserve and protect the world's heritage of Dark Night Skies in astronomical observation sites.

The U.S. is also taking part in From the Earth to the Universe, an exhibit of astronomical photographs from ground and space-based observatories to be displayed in public locations accessible to all. These projects are designed to help achieve one or more of the eight main goals that I went through before.

The International Year of Astronomy is an effort in which the United States is pleased to take a leading role, and I applaud the efforts of the United Nations and the International Astronomical Union. Therefore, I am pleased to join today with the gentleman from Texas, and I urge all of my colleagues to support House Concurrent Resolution 375.

I reserve the balance of my time.

Mr. LAMPSON. Mr. Speaker, I yield such time as the gentlelady from Arizona (Ms. GIFFORDS) would consume.

Ms. GIFFORDS. I thank the gentleman.

Next year will be the 400th anniversary of when the Italian astronomer Galileo Galilei first pointed a telescope into the night sky. Galileo did not invent the telescope, but he was the first one to use it for astronomy. The observations he made ultimately revolutionized humanity's understanding of the solar system and of the universe.

Though his telescope was crude, certainly by modern day standards, he was able to see craters and shadows and mountains on the Moon. He also saw the planet Venus go through phases just like our moon does. And he saw moons orbiting the planet Jupiter. He saw all of this at a time when conventional wisdom held that all celestial objects orbited our planet, the planet Earth. These discoveries marked the beginning of modern astronomy.

It is because of the importance of these discoveries that countries all around the world have chosen to recognize the 400th anniversary year, 2009, as the International Year of Astronomy. This celebration of astronomical discoveries is designed to increase interest in astronomy and science. Throughout next year, a wide variety of events

and activities and meetings at parks and museums and other public spaces will promote a greater understanding and appreciation of astronomy and science throughout the United States and throughout the world.

It is only befitting that the United States is taking a lead role in this international celebration, because today the United States is at the forefront in astronomical research. We have built telescopes that would astound Galileo and his contemporaries. We have telescopes on earth with mirrors 400 inches across. We also have telescopes that orbit our planet far above the earth's surface. Indeed, NASA's space-based telescopes, including Hubble Space Telescope, Spitzer, Chandra, and many others, regularly produce images that amaze and inspire people around the world and yield scientific discoveries on everything from the formation of stars and the solar systems to the fate of our universe itself.

Now, I am particularly excited about the opportunity to use the International Year of Astronomy to engage and inspire young people in mathematics and science generally and particularly. I am pleased that the 110th Congress has come to great lengths to increase our Nation's emphasis on science and math, most notably by passing the America COMPETES Act last year. But we can always do more. And nothing captures and engages the mind of students, young and old alike, than the process of discovery. This is the fundamental essence of astronomy, and it is my hope that the events and the activities sponsored by the International Year of Astronomy will inspire many new young people to embrace worlds that will open them through the study of math and science.

□ 1200

Astronomy has a strong history in my southern Arizona district, and one of the brightest stars we have is Dr. Roger Angel, a professor of astronomy and recipient of a MacArthur Foundation genius award. In Dr. Angel's own words, ''from the study of astronomy, students today can learn about energy in all of its forms, as well as gain an appreciation for the beauty of the universe. They learn practical tools needed to address the energy and climate crisis. Astronomy know-how even has practical value. I am using it to figure out good ways to harness the sun's energy on Earth with big, telescope-like mirrors.''

Thus, we see an example of how students today can build a foundation, and exactly the kind of scientific understanding and technological skill that we need to solve some of society's most pressing problems, climate change, global warming, and our energy needs in the future.

In the United States, some key organizations sponsoring, promoting and organizing events and activities for the International Year of Astronomy include the American Astronomical Society, the Astronomical Society of the Pacific, the Astronomical League, the American Association of Variable Star Observers, NASA, and the National Science Foundation.

Ultimately, astronomy is the study of everything that is not on Earth. It appeals to our sense of wonder and curiosity and our place in the vast cosmos. The German astronomer Johannes Kepler, whose laws of planetary motion are still used today said, ''The treasures hidden in the heavens are so rich that the human mind shall never be lacking in fresh nourishment.''

It is those treasures of the heavens, and the men and women who study them, that we will celebrate and honor and discover in 2009 with the International Year of Astronomy.

Mr. FEENEY. Mr. Speaker, I want to thank again the gentleman from Texas. All humanity has a common interest in what astronomy can provide to us, and I encourage all of my colleagues to support the bill.

I want to thank staff on both sides for their work on this bill, including a young woman named Susan Gleiser. This is one of the first bills she has had a chance to work on. I urge unanimous adoption of this resolution.

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

Mr. LAMPSON. Mr. Speaker, I have no further speakers, and I concur with Mr. FEENEY and would ask that this bill pass.

I yield back the balance of my time.

The SPEAKER pro tempore (Mr. SERRANO). The question is on the motion offered by the gentleman from Texas (Mr. LAMPSON) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 375.

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

A motion to reconsider was laid on the table.

CELEBRATING THE 25TH ANNIVERSARY OF THE FIRST AMERICAN WOMAN IN SPACE, DR. SALLY K. RIDE, AND HONORING HER CONTRIBUTIONS TO THE SPACE PROGRAM AND TO SCIENCE EDUCATION

Mr. LAMPSON. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1313) celebrating the 25th anniversary of the first American woman in space, Dr. Sally K. Ride, and honoring her contributions to the space program and to science education.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1313

Whereas Sally K. Ride of Los Angeles, California, a physicist by training and an accomplished athlete, was selected as a National Aeronautics and Space Administration (NASA) astronaut candidate in 1978, as part of the eighth class of NASA astronauts and one of only six women in the class;

Whereas on June 18, 1983, Dr. Ride was lofted into space aboard the Space Shuttle Challenger as part of the STS–7 crew, making her the first American woman in space;

Whereas the STS–7 crew launched two communications satellites from the Shuttle and accomplished many first steps for the United States space program, including the first release and capture of a satellite using the Shuttle's robotic arm, the first demonstration of a Shuttle's flight in formation with a free-flying satellite, and the first United States-German cooperative material science experiments aboard the Shuttle, as well as the conduct of other science experiments;

Whereas on October 5, 1984, Dr. Ride made her second spaceflight as a mission specialist on STS 41–G, a mission that demonstrated the ability to refuel satellites in orbit and launched NASA's Earth Radiation Budget Satellite, which spent over 20 years providing valuable scientific data on the Earth's absorption and re-radiation of solar energy;

Whereas when training for Dr. Ride's third spaceflight assignment ceased after the tragic loss of the Space Shuttle Challenger and her crew in 1986, Dr. Ride was called to serve on the Presidential Commission on the Space Shuttle Challenger Accident;

Whereas Dr. Ride has continued to serve the Nation's space program with distinction, authoring the 1987 report, Leadership and America's Future in Space, and serving on the Columbia Accident Investigation Board;

Whereas, as an educator, author of children's books, and advocate for the next generation of women in science, mathematics, and technology, Dr. Ride's work has contributed to the wellbeing of our youth; and

Whereas Dr. Ride has worked tirelessly and passionately to encourage young women to follow the sciences, mathematics, and technology by promoting science festivals, camps, and other opportunities through which young women can acquire hands-on learning about science: Now, therefore, be it

Resolved, That the House of Representatives—

(1) celebrates the 25th anniversary of Dr. Sally K. Ride as the first American woman in space; and

(2) extends its appreciation and gratitude for Dr. Ride's excellence in service to the Nation as an astronaut, educator, and advocate for the next generation of women scientists and engineers.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. LAMPSON) and the gentleman from Florida (Mr. FEENEY) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. LAMPSON. Mr. 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 on H. Res. 1313, the resolution now under consideration.

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

There was no objection.

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

Mr. Speaker, I introduced H. Res. 1313 which celebrates the 25th anniversary of the first American woman in

space, Dr. Sally K. Ride. I was pleased that the gentlewoman from California (Mrs. DAVIS), the gentleman from Florida (Mr. FEENEY), and the gentleman from Colorado (Chairman UDALL), joined me as original cosponsors and I want to thank them for their support. This is a very special woman who has done something significant for the United States of America and a project which has touched this world.

On June 18, 1983, Dr. Sally Ride made history with her groundbreaking space shuttle flight. However, that has been by no means her only accomplishment. Dr. Ride has had a distinguished career of service to America as a veteran NASA astronaut and as an unwavering advocate for the next generation of women in space, mathematics and engineering.

She first flew as a member of the STS–7 crew, which achieved several firsts for the United States space program, including the first release and capture of a satellite using the orbiter's robotic arm and the first demonstration of a shuttle flying in formation with a free-flying satellite. And she then flew again in 1984.

She has served the space program in other ways as well. In 1987, she wrote the thoughtful report on future directions of the U.S. space program, entitled ''Leadership and America's Future in Space.'' And when tragedy struck the human space flight program, she served with distinction on both the *Challenger* and *Columbia* accident investigation boards.

In addition, Dr. Ride has worked tirelessly to encourage young women to pursue careers in science, engineering and mathematics through her science festivals and camps. She also has sought to engage young people through other creative approaches such as the EarthKAM program she established to allow middle school students to participate directly in the excitement of space exploration. That is one of the programs that we have seen dwindle and we hope to have a rekindling of support because it is a magnificent one to encourage students to stay involved and become involved in math and science and engineering courses.

As many of you know, I am passionate about the need to get our kids interested in math and science, and I think the Nation owes Dr. Ride a debt of gratitude for her efforts in that regard.

So to sum up, Dr. Sally Ride has done much to serve our Nation since she rode the shuttle into space 25 years ago. I urge my colleagues to join me in saluting her on this 25th anniversary of her first flight.

I reserve the balance of my time.

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

I am pleased to join Mr. LAMPSON in cosponsoring House Resolution 1313 which honors the life and accomplishments of an amazing woman, astronaut Dr. Sally K. Ride.

Sally Ride was born in Los Angeles, California, on May 26, 1951, and is perhaps best known as the first American woman in space. She was selected for NASA's astronaut program in January 1978, and became a mission specialist on the seventh space shuttle mission, which launched from the Kennedy Space Center, Florida, on June 18, 1983. This was the second flight of the space shuttle *Challenger*, and the first mission with a five-person crew. During the mission, Dr. Ride operated the shuttle's remote manipulator arm to perform the first deployment and retrieval exercise from the shuttle's cargo bay. These early demonstrations paved the way for routine, yet vitally important, operations necessary to build the International Space Station.

Prior to her service with NASA, Sally Ride received a bachelor of science in physics and a bachelor of arts in English, and went on to receive a master of science and doctorate degree in physics from Stanford University.

What is perhaps less well known about Sally Ride is the work she has done to motivate girls and young women to pursue careers in math and science and technology. She has written five science books for children, and initiated and directed education programs to encourage a fascination with science among middle school students.

Dr. Ride also served the Nation in other capacities, including as a member of the Presidential Commission investigating the Space Shuttle *Challenger* accident, and later the *Columbia* Accident Investigation Board. She has been a member of the President's Committee of Advisers on Science and Technology, and the National Research Council's Space Studies Board, as well as served on the Boards of Congressional Office of Technology Assessment.

Indeed, our country does owe a great debt of gratitude to this amazing woman, Dr. Sally Ride.

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

Mr. LAMPSON. Mr. Speaker, I recognize the gentlewoman from California (Mrs. DAVIS) and grant her as much time as she may consume.

Mrs. DAVIS of California. Mr. Speaker, I rise today to honor the 25th anniversary of Dr. Sally K. Ride's historic journey as the first American woman in space.

Dr. Ride also happens to be one of my constituents, and I have had the pleasure of meeting her. Twenty-five years ago, Dr. Ride and the STS–7 crew of the Space Shuttle *Challenger* were propelled into space. It had been over two decades since Neil Armstrong took one giant leap for mankind. But on June 18, 1983, Sally K. Ride took a large stride for women everywhere by becoming the first American woman in space.

A gifted athlete, Dr. Ride had opted out of a promising tennis career to pursue college degrees in physics and English at Stanford University.

In 1977, Dr. Ride's interest was piqued by a NASA announcement seeking young scientists to serve as mission specialists on shuttle flights. Hers would be the first NASA class ever to accept women.

Out of thousands of applications, NASA selected Dr. Ride to be one of six women out of 35 new astronauts, and the class became known as the ''35 New Guys.''

To be sure, Mr. Speaker, on her historic space mission, Dr. Ride wasn't simply along for the ride. She was the mission's flight engineer, tested a robotic arm which deployed and retrieved satellites, and assisted the commander and pilot during flight.

Six years later, Dr. Ride flew into space again. Her experience and success earned her the respect of our Nation and her colleagues.

In 1986, she was asked to served on the Presidential Commission investigating the tragic *Challenger* explosion. Dr. Ride left her position at NASA in 1987, but has never stopped inspiring and encouraging the next generation to explore the world of science and space. Her impact on young women has been particularly profound.

She is a professor of physics at the University of California, San Diego and director of the University of California's California Space Institute. And she has also founded her own company, Sally Ride Science, which encourages students and their parents and teachers to learn about and enjoy the field of science. And I know from personal experience that at the science and math fairs, she is the hit. She is the highlight, and all of the young people really line up to talk with her.

Capturing the essence of Dr. Ride's life work, her company's motto is ''All Science, All the Time.''

It is this undying dedication to her field and to informing and inspiring young people that has been so characteristic of Dr. Ride since her barrier-breaking space mission a quarter of a century ago. With women like her leading the way, it is no wonder that the number of females to obtain degrees in science and engineering has increased dramatically in the last 30 years.

Ensuring that women are equitably represented in science and technology fields will mean a new level of global competitiveness for our country. This is something we need as we continue to fall behind as a Nation in math and the sciences.

While Dr. Ride's mission landed safely 25 years ago, the task of achieving gender parity in her field is far from over.

As Dr. Ride's Congresswoman and as the grandmother to a young and curious granddaughter, I urge my colleagues to support this resolution.

Mr. FEENEY. I have no further speakers, and again, I am pleased to be an original cosponsor of Mr. LAMPSON's resolution honoring a great American. I urge its adoption by the House.

I yield back the balance of my time.

Mr. LAMPSON. Mr. Speaker, it has been an honor to work with those who

have believed so very much in helping change young people's lives across this country of ours. Mr. FEENEY, Mrs. DAVIS and Mr. UDALL all saw the impact that Dr. Sally Ride had on so many young minds across this Nation to encourage them to study science and math and engineering-related classes. I think this is a wonderful way of saying thank you to another pioneer who has made a difference in so many people's lives.

I thank the gentleman for working with us on the resolution. I ask support for the resolution.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in strong support of H.R. 1313, Celebrating the 25th Anniversary of the first American Woman in Space, Dr. Sally K. Ride. This legislation gives us the opportunity to extend our appreciation and gratitude for Dr. Ride's excellence in service to the Nation as an astronaut, educator, and advocate for the next generation of women scientists and engineers. I would like to thank my distinguished colleague from Texas, Congressman LAMPSON, for introducing this important legislation.

Mr. Speaker, Sally K. Ride of Los Angeles, California, a physicist by training and an accomplished athlete, was selected as a National Aeronautics and Space Administration, NASA, astronaut candidate in 1978, as part of the eighth class of NASA astronauts and one of only six women in the class. On June 18, 1983, Dr. Ride was lofted into space aboard the Space Shuttle *Challenger* as part of the STS–7 crew, making her the first American woman in space. As a representative from "Space City Houston", I am personally inspired by Dr. Ride's accolades and triumph over the status quo.

The STS–7 crew launched two communications satellites from the shuttle and accomplished many first steps for the United States space program, including the first release and capture of a satellite using the shuttle's robotic arm, the first demonstration of a shuttle's flight in formation with a free-flying satellite, and the first United States-German cooperative material science experiments aboard the shuttle, as well as the conduct of other science experiments.

On October 5, 1984, Dr. Ride courageously made her second spaceflight as a mission specialist on STS 41–G, a mission that demonstrated the ability to refuel satellites in orbit and launched NASA's Earth Radiation Budget Satellite, which spent over 20 years providing valuable scientific data on the Earth's absorption and re-radiation of solar energy. However, training for Dr. Ride's third spaceflight assignment ceased after the tragic loss of the Space Shuttle *Challenger* and her crew in 1986. Following this, Dr. Ride was called to serve on the Presidential Commission on the Space Shuttle Challenger Accident.

Refusing to let the tragic loss of her crewmen deter her from her passion, Dr. Ride continued to serve the Nation's space program with distinction, authoring the 1987 report, Leadership and America's Future in Space, and serving on the Columbia Accident Investigation Board. As an educator, author of children's books, and advocate for the next generation of women in science, mathematics, and technology, Dr. Ride's work has contributed to the wellbeing of our youth.

Dr. Ride has worked tirelessly and passionately to encourage young women to follow the sciences, mathematics, and technology by promoting science festivals, camps, and other opportunities through which young women can acquire hands-on learning about science.

Mr. Speaker, I encourage my colleagues to join me in recognizing Dr. Sally K. Ride. This legislation gives us the opportunity to extend our appreciation and gratitude for Dr. Ride's excellence in service to the Nation as an astronaut, educator, and advocate for the next generation of women scientists and engineers.

□ 1215

Mr. LAMPSON. 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 Texas (Mr. LAMPSON) that the House suspend the rules and agree to the resolution, H. Res. 1313.

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. LAMPSON. 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.

COMMEMORATING THE 25TH ANNIVERSARY OF THE SPACE FOUNDATION

Mr. LAMPSON. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1312) commemorating the 25th anniversary of the Space Foundation.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1312

Whereas, on March 21, 1983, the United States Space Foundation was founded by a small group of pioneering individuals in Colorado Springs, Colorado;

Whereas 2008 marks the 25th year of excellence and service of the Space Foundation;

Whereas the mission of the Space Foundation is to advance space-related endeavors to inspire, enable, and propel humanity;

Whereas the Space Foundation has become the leading nonprofit organization advancing the exploration, development, and use of space and space education for the benefit of all humankind;

Whereas the Space Foundation embraces all aspects of space including commercial, civil, and national security;

Whereas the current national security environment requires extensive use and advancement of space-based assets;

Whereas the Space Foundation has contributed to space education programs in all 50 States and also in Europe and Asia;

Whereas the Space Foundation is regarded internationally as a leading space advocacy organization, and is a member of the United States Delegation to the United Nations Committee on the Peaceful Uses of Outer Space; and

Whereas the Space Foundation hosts the National Space Symposium and Strategic Space and Defense, 2 of the top conferences for space professionals: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the contributions made by the Space Foundation; and

(2) commemorates the Space Foundation's 25 years of excellence and support to the Nation.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. LAMPSON) and the gentleman from Florida (Mr. FEENEY) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. LAMPSON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on H. Res. 1312, the resolution now under consideration.

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

There was no objection.

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

Mr. Speaker, I rise in strong support of H. Res. 1312 which commemorates the 25th anniversary of the Space Foundation. The Space Foundation was founded in 1983 in Colorado Springs, Colorado, with the purpose of helping to advocate the Nation's space-related endeavors. Over the past 25 years, it has carried out that mission in an impressive fashion. It has grown to the point where it now undertakes space advocacy and space education initiatives in all 50 States.

As someone who feels passionately about the importance of getting our young people interested and educated in math and science, I want to call particular attention to the foundation's educational activities. The Space Foundation has recognized that space exploration is something that can really inspire kids and propel them to study hard so that some day they, too, can be a part of the Nation's endeavors in space. The foundation is doing work, important work in promoting science education, and I salute them for it.

In addition, the Space Foundation has involved itself in seeking the best path forward for the Nation across a range of commercial, civil, and national security space issues, and it consistently provides a respected forum for policy discussion and debates. In short, the Space Foundation is at the forefront of promoting the development and use of space for all humankind.

I want to join Mr. LAMBORN and other Members in congratulating the Space Foundation on 25 years of accomplishment and in wishing the foundation all the best for another 25 years of service.

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

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

Mr. Speaker, I rise in support of House Resolution 1312 which commemorates the 25th anniversary of the Space Foundation. I want to thank its sponsors, Mr. LAMBORN of Colorado and Mr. LAMPSON from Texas, for this very important resolution honoring the Space Foundation.

The Space Foundation was established in Colorado Springs in 1983 to provide a nonpartisan source of credible information to a wide variety in the space community, from professionals to the general public.

Over the last 25 years, the Space Foundation's mission has been to advance space-related endeavors to inspire, enable, and propel humanity. The Space Foundation has developed alongside the space community by fostering and promoting a greater understanding and awareness and practical uses of space for the benefit of civilization in all aspects of space: commercial, civil, and national security.

Perhaps the most notable has been the Space Foundation's commitment to space education programs. Since its inception, the Space Foundation has been a leading champion for bringing space science into the classroom. The Space Foundation's Summer Institute provides a unique educational environment in which teachers can continue their space studies and help enhance their students' classroom experience.

In addition to the Summer Institute, the Space Foundation hosts the National Space Symposium and Strategic Space and Defense, two of the top three conferences for space professionals worldwide. I might say I had the honor of attending a recent conference in Colorado Springs. The Space Foundation has been useful in efforts to bring together all aspects of the space industry and has established itself a crucial member of the space community.

I'm proud to support this resolution honoring a significant organization, and I urge my colleagues to also support House Resolution 1312.

With that, I would reserve the balance of my time.

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

Mr. FEENEY. Mr. Speaker, I would like to yield 4 minutes to the sponsor of the resolution, the gentleman from Colorado (Mr. LAMBORN).

Mr. LAMBORN. I thank my colleague from Florida.

I rise today, Mr. Speaker, in support of this resolution, H. Res. 1312, commemorating the 25th anniversary of the United States Space Foundation. Founded in March of 1983 by a small group of pioneering individuals in Colorado Springs, Colorado, the Space Foundation serves to advance America's space-related endeavors to inspire, enable, and propel humanity. This nonprofit organization is a leader in advancing space exploration, development, and use of space and space education for the benefit of all humankind and embraces all aspects of space including commercial, civilian, and national security components.

The Space Foundation's leadership in international space advocacy has led to their membership in the United States Delegation to the United States Committee on the Peaceful Uses of Outer Space.

I urge my colleagues to support this resolution and recognize the contributions made by the Space Foundation and commemorate their 25 years of excellence in support of this Nation.

Mr. FEENEY. I have no further speakers. I am prepared to close.

With that, I want to thank Mr. LAMBORN and urge the resolution's adoption by the full House.

I yield back the balance of my time.

Mr. LAMPSON. Mr. Speaker, I, too, want to congratulate Mr. LAMBORN for his recognition of this legislation, and I encourage my colleagues to support it. The most important thing that I saw as a physical science teacher in high school for many years, particularly during the years of the Apollo missions to and from the Moon, was the excitement of young people, and this is exactly what this resolution is about and what the space advocacy has been about.

I urge support of House Resolution 1312.

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 Texas (Mr. LAMPSON) that the House suspend the rules and agree to the resolution, H. Res. 1312.

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 50TH ANNIVERSARY OF THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Mr. LAMPSON. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1315) commemorating the 50th Anniversary of the National Aeronautics and Space Administration.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1315

Whereas the National Aeronautics and Space Administration was established on July 29, 1958;

Whereas on May 5, 1961, NASA successfully launched America's first manned spacecraft, Freedom 7, piloted by Alan B. Shepard, Jr.;

Whereas in July of 1969 President John Kennedy's vision of landing a man on the moon and returning him safely to Earth was realized with the Apollo 11 mission, commanded by Neil A. Armstrong, Lunar Module Pilot Edwin ''Buzz'' Aldrin, Jr., and Command Module pilot Michael Collins;

Whereas on April 12, 1981, NASA began a new era of human space flight and exploration with the launch of the first Space Shuttle Columbia, commanded by John W. Young and piloted by Robert L. ''Bob'' Crippen;

Whereas NASA has greatly expanded our knowledge and understanding of our planet and solar system through various unmanned vehicles utilized on numerous missions;

Whereas, during the Cold War, NASA's achievements served as a source of national pride and captured the imagination of the world by demonstrating a peaceful use of our technological capabilities;

Whereas NASA now serves as a model for international cooperation and American leadership through the International Space Station and other scientific endeavors;

Whereas thanks to NASA and the far-reaching gaze of the Hubble Space Telescope, we have seen further into our universe than ever before;

Whereas NASA space probes have landed on or flown by eight of the planets in our solar system;

Whereas the aeronautics research by NASA has led to great discoveries and advances in aircraft design and aviation;

Whereas the work done by NASA has expanded the scope of human knowledge, created new technologies, and inspired young men and women to enter scientific and engineering careers;

Whereas in the last fifty years, NASA has positively impacted almost every facet of our lives; and

Whereas, thanks to the heroism, courage, and supreme sacrifice of our astronaut corps over the last five decades, we are now able to live and work in space for the benefit of all men: Now, therefore, be it

Resolved, That the House of Representatives—

(1) honors the men and women of the National Aeronautics and Space Administration on the occasion of its 50th Anniversary;

(2) acknowledges the value of NASA's discoveries and accomplishments; and

(3) pledges to maintain America's position as the world leader in aeronautics and space exploration and technology.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. LAMPSON) and the gentleman from Texas (Mr. MCCAUL) each will control 20 minutes.

The Chair recognizes the gentleman from Texas (Mr. LAMPSON).

GENERAL LEAVE

Mr. LAMPSON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on H. Res. 1315, the resolution now under consideration.

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

There was no objection.

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

I rise today to commemorate the 50th anniversary of the National Aeronautics and Space Administration, whose many outstanding achievements have provided many immeasurable benefits for the United States and the world.

It was 50 years ago this month, specifically July 29, that President Eisenhower signed the National Aeronautics and Space Act of 1958 that established NASA. At that time, the American public was still reeling from the impact of the Soviet Union's successful

launch of Sputnik 1 in late 1957 which led to the space race with the Soviets. That race came to an end less than 12 years later when American astronauts successfully landed on the Moon and returned safely to Earth. NASA was the agency that led the effort to create a human space flight program from scratch and make America preeminent in space.

Yet as remarkable as NASA's achievements were in getting America to the Moon as well as to building the Shuttle and Skylab and the International Space Station, NASA has excelled in many other areas. NASA's aeronautics research and development activities over the past half century have led to significant advances in both civil and military aircraft. NASA's aeronautics programs have also helped to make America's aviation system a world leader in safety and have improved our quality of life in numerous ways.

In addition to human space flight and aeronautics, NASA has created space and Earth science programs that are second to none in the world in terms of advancing knowledge of our planet and of our universe. One only has to look at the ways in which the Hubble telescope, for example, has rewritten the astronomy textbook since its launch in 1990 to know that NASA's space-based science programs are really some of the Nation's premier research endeavors.

In addition, NASA's technology developments have rippled through our economy in countless ways, delivering new materials, new processes, and new systems that have had a major impact on things as diverse as health care and weather forecasting.

And finally, NASA continues to be a source of inspiration to our young people and a symbol to the world of America's technological and scientific preeminence. These are important realities that we should not overlook when we debate funding for NASA.

Mr. Speaker, investing in NASA has been and continues to be an investment in our future. I'm proud to be an original cosponsor of this resolution along with Mr. MCCAUL. I urge all of our Members to support it.

I reserve the balance of my time.

Mr. MCCAUL of Texas. Mr. Speaker, I yield myself such time as I may consume.

I want to thank my colleague and friend from the Houston area for his support in this resolution.

I rise today in support of H. Res. 1315, to commemorate the 50th anniversary of the National Aeronautics and Space Administration, otherwise known as NASA. NASA was founded on July 29, 1958. On May 5, 1961, the first American was launched into space on Freedom 7, and that was Alan Shepard. On July 20, 1969, President Kennedy's dream was fulfilled when Apollo 11 landed on the Moon. Neil Armstrong became the first man to walk on the Moon at that time, and the first space shuttle Columbia launched on April 12, 1981.

NASA has inspired generations of interest in science and engineering in young people. I remember taking one of the astronauts through my school district all the way from Houston to Austin, Texas, and just the hope and the dreams that she and NASA's program inspires in our young people, particularly in the fields of math and science, is truly an inspiration, I think, for all of us as Members of Congress.

NASA's work has really led to technological and scientific advantages that benefit everyone in society, including satellite communications. We all use cell phones. Lord knows we all use our BlackBerrys here in Congress and elsewhere. We have a great understanding of the human body because of the knowledge gained during man's space flight.

□ 1230

This program, based at the Johnson Space Center in Mr. LAMPSON's district and not too far from mine, is an important part of the Houston area economy. More than 15,000 people are employed at the Johnson Space Center, and NASA's work is an example of how the government and the private sector can work together to make this world a better place.

It's vital that the Congress act, in my view, to minimize the gap between the retirement of the space shuttle and the start of Orion, to maintain our leadership role in space exploration. And through the International Space Station, NASA currently serves as a model of international cooperation.

NASA's work has greatly expanded our knowledge of our universe. The Hubble Telescope, as my colleague from Houston talked about, launched in 1990, is still providing us with useful data and bringing the schoolchildren the wonders of space. NASA has sent probes to eight different planets in the solar system.

We can't think about the space program without the President who launched it, President Kennedy, and when he explained why space exploration is so important and so necessary, he said, ''The exploration of space will go ahead, whether we join it or not, and it is one of the greatest adventures of all time, and no Nation which expects to be the leader of other Nations can expect to stay behind in this race for space . . . We set sail on this new sea because there is new knowledge to be gained and new rights to be won, and they must be won and used for all people.''

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

Mr. LAMPSON. Mr. Speaker, at this time, I yield 5 minutes to the gentlelady from California (Ms. RICHARDSON).

Ms. RICHARDSON. Mr. Speaker, I rise in strong support of H. Res. 1315, commemorating the 50th anniversary of NASA.

With the exception of apple pie and baseball, few reflections resonate across America of how proud we are of all of the work that NASA has done.

Since its inception in 1958, NASA has been the leading agency for American and global innovation. Indeed, the creation of NASA was responsible for introducing a whole new generation of scientists, engineers, and mathematicians here in the United States.

Likewise, as we celebrate the 50th anniversary of the creation of NASA, it is important to adhere to the continuing commitment we should make as a Nation to embrace innovation, and reach the unachievable, but we, as Members of Congress, must back that up with funding.

As a member of the Science and Technology Committee, I was fortunate to view in person the launch of the Space Shuttle Endeavor on March 10, 2008, where I witnessed at night the best and the brightest orchestrated through its operations and through its making history.

From making commercial aviation safer, to studying climate change, and strengthening international partnerships, which we desperately need at this time, the scientists at NASA continue to do advanced research on the issues that affect our daily lives.

I would like to applaud my colleague on the Science and Technology Committee, Representative MCCAUL, for bringing this thoughtful resolution to the floor and also to Mr. LAMPSON for his commitment to this issue.

I urge all of my colleagues to support H. Res. 1315, commemorating the 50th anniversary, and we hope that there will be many to come.

Mr. MCCAUL of Texas. Mr. Speaker, at this time, I yield to the distinguished gentleman from Georgia (Mr. GINGREY) for 4 minutes.

Mr. GINGREY. Mr. Speaker, I thank the gentleman for yielding, and I rise in strong support of this resolution, H. Res. 1315, honoring NASA on its 50th anniversary.

As an original cosponsor of this resolution, I'd like to commend my colleagues from the Science Committee, the chairman of the subcommittee, Mr. LAMPSON, the ranking member, Mr. MCCAUL of Texas, for introducing the thoughtful resolution commemorating NASA on this important milestone for our country.

Mr. Speaker, over the years, NASA has not only been the leader in human space exploration, but has successfully used technological capabilities like, as mentioned by my colleagues, the Hubble Telescope and GPS systems. I anticipate the men and women of NASA, they will continue being the true leaders and innovators in the years to come.

Mr. Speaker, as we speak today, NASA is undergoing aggressive research to convert domestic energy sources, coal, natural gas, biomass, oil shale, into cleaner and more economical alternatives to traditional jet fuel. Now, why is that important? It's important, Mr. Speaker, because in the

year 2003, the NASA agency spent $4.5 million on their jet fuel, 4.6 million gallons. In 2007, 4 years later, they spent $18.3 million. So they're doing this research in conjunction with the Department of Defense and the United States Air Force to try to find alternative sources of fuel to lower the costs to the government.

And everybody in this chamber, everybody in this Nation, knows that we are suffering tremendously from a lack of supply and a tremendous demand, and that's why we're paying $4.11 a gallon for regular gasoline.

We can solve this problem, but there's one little glitch, and that's the Democrat Energy Independence and Security Act of 2007, which absolutely prohibits NASA and the Department of Defense from utilizing any petroleum source other than conventional petroleum if it's not as clean.

Well, in times like these, when the country's on the verge of bankruptcy, I think the first priority, Mr. Speaker, should be to lower the price of gasoline, and let NASA continue to research so that we can make the conversion of shale which has something like 1.3 trillion barrels of petroleum embedded in that rock and that we can convert coal to liquid, to petroleum. We have 1.5 trillion tons of coal in this country, and we only use about 1 billion tons a year. We have a tremendous excess amount of coal right here in River City, and yet, this energy bill the Democrats passed last year prohibits us from going after this source, increasing the supply so that the price of gasoline at the pump goes down.

And I would implore my colleagues to bring these bills to the floor. They're over there. There's a discharge petition. Republicans have signed them, just a handful of Democrats. We need to bring these issues to the floor, have an up-or-down vote. At least give NASA and the Department of Defense a waiver of section 526 so that we can solve this problem and we're not so dependent on these foreign Nations that hate our guts, countries such as Venezuela and countries in the Middle East.

It's time to act. I commend the committee for bringing this resolution. It's a great resolution honoring NASA on its 50th anniversary. I support it fully, but I also support a balanced approach to solving our energy needs.

Mr. Speaker, I rise in strong support of H. Res. 1315 honoring NASA on its 50th anniversary. As an original cosponsor of this resolution, I would like to commend my colleague from the Science Committee, Mr. MCCAUL of Texas, for introducing this thoughtful resolution to commemorate NASA on this important milestone for our country.

Mr. Speaker, there is no Federal agency that has risen to the challenge of innovation over the last 50 years like NASA. We, as a nation, are today the fortunate heirs of NASA's legacy: conviction, resolve, achievement.

When the Soviets put a man into orbit, NASA was challenged by President Kennedy—in the truest form of the American competitive spirit—to put men on the moon. Many of our NASA pioneers paved the way for the crew of *Apollo 11*—Neil Armstrong, Buzz Aldrin, and Michael Collins—to reach that once unattainable goal. Now, those famous words, "One small step for a man, one giant leap for mankind" exemplify the legacy that NASA has established.

Over the years, NASA has not only been the leader in human space exploration, but has successfully used technological capabilities like the Hubble Telescope to explore the far reaches of our galaxy. Given the precedent of achievement that NASA has set, I anticipate the men and women of NASA to continue being among the true leaders and innovators in the years to come.

While this resolution represents a time for us to celebrate the achievements of NASA over the past 50 years, this is also a time to reflect and memorialize those who gave their lives in their service to NASA and the Nation—particularly the crews of *Apollo 1* in 1967, the *Challenger* in 1986, and the *Columbia* in 2003. The sacrifices that these men and women made in the service of our country will always remind us of the fragile nature of human life, and the risks associated with successes that NASA has accomplished.

With that, Mr. Speaker, I ask all of my colleagues to take this time to think about the impact and legacy that NASA has left our great Nation over the last 50 years, and I urge all of my colleagues to support H. Res. 1315.

Mr. LAMPSON. Mr. Speaker, I will reserve the balance of my time for right now.

Mr. MCCAUL of Texas. Mr. Speaker, I yield 4 minutes to the gentleman from Florida (Mr. FEENEY).

Mr. FEENEY. I thank the gentleman from Texas, and I'm thrilled to be part of the celebration of NASA's 50th anniversary with this House Resolution 1315.

NASA was created 50 years ago in the wake of the former Soviet Union's launch of Sputnik. Sputnik provided the perception of Soviet superiority in military power and scientific achievement.

To counter that challenge, the National Aeronautics and Space Administration was founded for conducting America's civilian space program.

NASA actually succeeded the National Advisory Committee for Aeronautics, a splendid organization founded in 1915 that produced gems of aeronautical research. Now the task was to extend America's reach from the air to space.

NASA did so. Satellites were launched to monitor the weather, relay communications, and explore our solar system. America's human spaceflight program, Project Mercury, began. Astronauts were selected in 1959, and in 1960, NASA began planning a manned lunar landing.

The rest became an integral part of the American identity, not just for us but for how the rest of the world views the American experience: our journeys to the Moon; the space shuttle; the International Space Station; Apollo 13's harrowing journey; the tragedies of Apollo 1, the Shuttle Challenger, and the Shuttle Columbia; the Hubble Space Telescope; the robotic exploration of other planets; the monitoring of our dynamic Earth; and of course, the wonder of flight itself. All done in the full view of the world.

Today, America is the world's premier spacefaring Nation. For 50 years, the men and women of the NASA family have brought great honor and prestige to this country. Today, the House of Representatives honors those people, past and present.

We will continue that legacy. Last month, this House overwhelmingly passed a NASA reauthorization bill that lays out a comprehensive blueprint for sustaining a healthy and vigorous NASA. Considerable care has been devoted to all elements of NASA's portfolio, human spaceflight, Earth and space sciences, and aeronautics. We must never relinquish our leadership in space.

And yet, today in the Washington Post, the Washington Post points out that just like competition on Earth, space is now a global competitive environment, and I quote the Washington Post from today's edition. "Space, like Earth below, is globalizing. And as it does, America's long-held superiority in exploring, exploiting and commercializing 'the final frontier' is slipping away, many experts believe."

I agree with that assessment. Slowly but steadily, we are allowing our historic lead in space to slip away, and this House and the Senate and the next administration needs to step to the forefront. We're experiencing increasing competition from China, from India, from Japan, from Russia, from the European Space Agency, and increasingly, many others.

In the aftermath of the Shuttle Columbia accident, America rededicated itself to human spaceflight. We vowed to resume flying the shuttle, complete the International Space Station, and then build and fly a new generation of spacecraft that will take America beyond orbiting the Earth. The Moon will be the first of many destinations.

When this vision was announced, one of the first responses came in an editorial in The Daily Telegraph. Sometimes those living "across the pond" are the best way to observe the American people. Here's what the editorial said. "Americans, thank Heaven, are a restless, inquisitive, pioneering people. The concept of exploration, of an ever-expanding frontier, is central to their identity in a way that some Europeans find hard to understand."

As the world watches, NASA displays this fundamental part of our American character, and that is appropriate. For we explore space not just for ourselves, we do so for all of humankind.

Mr. LAMPSON. I yield myself 2 minutes, Mr. Speaker.

I've listened with interest to Congressman GINGREY's comments a few minutes ago about the advancements that NASA has made with regard to its energy usage. It has been tremendous.

On last Tuesday, I happened to have been at the Johnson Space Center watching the operation of the new lunar rover. It is a six-wheeled, actually double wheels, vehicle that runs entirely on battery power and has a magnificent amount of strength and longevity. It's the research that NASA has done in the development of better batteries, longer life for batteries, and the fact that they have been able to develop solar power to the extent that the International Space Station is entirely powered with solar collectors that are on that station, and the research that they are doing to increase the opportunity for us to be able to gather solar power in space and beam it down to Earth for our use, that continues to show the technological advancements and capabilities of our NASA, of our National Aeronautics and Space Administration.

The work that they have done on the development of fuel cells and hydrogen, all of these magnificent technologies have come because of the commitment that they have had to look at new and different and better ways of doing things. And thank goodness they have looked at it in exactly the way Dr. GINGREY was saying, balanced.

We've got to find a way to make sure that we're looking at all sources of energy, and NASA is showing exactly how to accomplish that task.

I reserve the balance of my time.

Mr. MCCAUL of Texas. Mr. Speaker, let me say once again how proud I am have to have introduced this resolution. I appreciate the support of the gentleman from Texas, my friend and colleague, and the support of the colleagues on my side of the aisle as well.

The NASA space program has proven to provide a great return on our investment in terms of Federal research and development dollars, and I would urge this Congress to continue that investment.

□ 1245

A recent article in The Washington Post today outlined that the U.S. finds it's getting crowded out in terms of dominance in space as other nations step up their efforts. China plans to conduct its first spacewalk in October. The European Space Agency is building a roving robot to land on Mars. And India recently launched a record 10 satellites into space on a single rocket. We cannot fall behind. That is not the intent, the purpose, the vision of NASA.

''Space, like Earth below, is globalizing. And as it does, America's long-held superiority in exploring, exploiting and commercializing the final frontier is slipping away,'' according to this article, ''many experts believe.''

And although the United States remains dominant in most space-related fields and owns half the military satellites currently orbiting Earth, experts say the Nation's superiority is diminishing and many other nations are expanding their civilian and commercial space capabilities at a far faster pace.

Michael Griffin said, ''We spent tens of billions of dollars during the Apollo era to purchase a commanding lead in space over all nations on Earth.'' However, this agency's budget is down 20 percent since 1992. According to Mr. Griffin, ''We've been living off the fruit of that purchase for 40 years and have not chosen to invest at a level that would preserve that commanding lead.''

We have authorized funding for NASA. I was proud to support that; I think we can do better. We need to continue to support this very important program which provides not only great scientists and engineers for this country, but allows us to be competitive globally in all areas, including science and technology and energy, but also in the wonders of space.

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

Mr. LAMPSON. Mr. Speaker, I thank the gentleman from Texas (Mr. MCCAUL) for his work on this legislation to bring attention to the wonderful work of the people who have run our National Aeronautics and Space Administration. Mr. MCCAUL made reference earlier to teachers and students going and visiting the Johnson Space Center in Houston. I remember taking students and classes myself back around 1970—actually, before we stepped foot on the Moon in 1969—and the wonderment, the excitement that all of the people who have had anything at all to do with NASA have been able to instill in young people, causing them to want to go and study math and science and engineering. What a great thing to do. And what a great day to be able to stand and say congratulations on 50 years of service and operation and advances in technology for our country and for the world.

So this is fitting that we support House Resolution 1315 in commemoration for NASA in its 50 years of operation. I ask all of my colleagues to support the bill.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise in support of H. Res. 1315, commemorating the 50th anniversary of the National Aeronautics and Space Administration.

NASA has made a major impact on our national competitiveness in space and aeronautics research.

Since the Sputnik era of the late 1950s, the United States has established world leadership in space flight. Along with that accomplishment, our Nation's investments in NASA have created a strong aeronautics and engineering workforce. This intelligent, talented, well-prepared workforce is one of NASA's most powerful legacies.

NASA is of great economic importance to Texas. Johnson Space Center employs 15,000 civil servants and contractors. An untold number of small spin-off companies have been formed as a result of good ideas from the brain power at NASA.

Research discoveries from our time in space have also greatly benefited our populace.

Each year since 1976, NASA has published a list of every commercialized technology and product linked to its research.

The NASA journal ''Spinoff'' highlights these products, which have included things like improved pacemakers, state-of-the-art exercise machines and satellite radio.

All of these everyday products have stemmed from NASA-funded research: Invisible braces; scratch-resistant lenses; memory foam; the ear thermometer; shoe insoles; long-distance telecommunications; adjustable smoke detectors; cordless tools; and water filters.

During my 15 years on the House Committee on Science and Technology, I have proudly advocated for strong support of NASA.

Its education activities, particularly its efforts to encourage under-represented minorities to pursue engineering and science careers, are exemplary.

I want to congratulate the great work that NASA has done in its 50 years of existence to conduct research that benefits all members of our society.

May the next 50 years be as productive and as successful as the first.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in strong support of H. Res. 1315, Commemorating the 50th Anniversary of the National Aeronautics and Space Administration, NASA. As we mark the 50th anniversary of the establishment of the United States space program, this legislation reaffirms the ever growing and changing role of NASA, providing resources to carry the agency forward with its ambitious agenda of research, exploration, and discovery. I would like to thank Congressman MCCAUL for introducing this important legislation, as well as the Science Committee Chairman for his leadership in bringing this bill to the floor today.

I have long supported NASA and I have offered an amendment to H.R. 6063, the National Aeronautics and Space Administration Authorization Act of 2008.

My amendment clarifies that the NASA Outreach and Technology Assistance Program will include small, minority-owned, and women-owned businesses. It would also give preference, in selection of businesses to participate in the program, to socially and economically disadvantaged small business concerns, small business concerns owned and controlled by service-disabled veterans, and HUBZone small business concerns.

Mr. Speaker, today's resolution will allow NASA to continue to push the boundaries of what is possible, keeping our Nation on the forefront of innovation and exploration. After the *Columbia* disaster, NASA stands at a pivotal moment in its history. It is the responsibility of this Congress to ensure. that the future of NASA is one of continued progress. Space exploration remains a part of our national destiny. It inspires our children to look to the stars and dream of what they too, one day, may achieve. Space exploration allows us to push the bounds of our scientific knowledge, as we carry out research projects not possible within the constraints of the planet Earth. As a Nation, we have made tremendous strides forward in the pursuit of space exploration since President John F. Kennedy set the course for our nation in 1962, calling it the ''greatest adventure on which man has ever embarked.'' Despite the setbacks of recent years, including the tragedy that befell

the Space Shuttle *Columbia,* NASA and the American people have refused to abandon the pursuit of knowledge of our universe. On October 1, 1958, the National Aeronautics and Space Administration began operation. At the time it consisted of only about 8,000 employees and an annual budget of $100 million. Over the next 50 years, NASA and the Jet Propulsion Laboratory have been involved in many defining events occurred which have shaped the course of human history and demonstrated to the world the character of the people of the United States.

Many of us remember how inspired we were when on May 25, 1961, President John F. Kennedy proclaimed: "I believe this Nation should commit itself to achieving the goal, before this decade is out, of landing a man on the moon and returning him safely to earth. No single space project in this period will be more impressive to mankind, or more important for the long-range exploration of space; and none will be so difficult or expensive to accomplish. "The success of the United States space exploration program in the 20th Century augurs well for its continued leadership in the 21st Century. This success is largely attributable to the remarkable and indispensable partnership between the National Aeronautics, and Space Administration and its 10 space and research centers. One of these important research centers is located in my home city of Houston. The Johnson Space Center, which manages the development, testing, production, and delivery of all United States human spacecraft and all human spacecraft-related functions, is one of the crown jewels of the Houston area.

Today, NASA is the Nations' primary civil space and aeronautics research and development agency, and its current activities employ over 18,000 Americans. Today's legislation reaffirms the fundamental operating principles of NASA, emphasizes the importance of NASA leadership in a range of endeavors such as Earth observations and research, aeronautics reach and development, and an exploration program.

Always on the forefront of technological innovation, NASA has been home to countless "firsts" in the field of space exploration. America has, countless times, proven itself to be a leader in innovation, and many technologies that have become part of our everyday lives were developed by NASA scientists. The benefits of NASA's programming and innovation are felt far beyond scientific and academic spheres. Space technologies provide practical, tangible benefits to society, and NASA provides valuable opportunities to businesses in our community.

I strongly urge my colleagues to join me in support of this legislation, and in support of the future of American innovation and exploration.

Mr. LAMPSON. 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 Texas (Mr. LAMPSON) that the House suspend the rules and agree to the resolution, H. Res. 1315.

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. LAMPSON. 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.

FEDERAL OCEAN ACIDIFICATION RESEARCH AND MONITORING ACT OF 2008

Mr. BAIRD. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4174) to establish an interagency committee to develop an ocean acidification research and monitoring plan and to establish an ocean acidification program within the National Oceanic and Atmospheric Administration, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4174

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Federal Ocean Acidification Research And Monitoring Act of 2008'' or the ''FOARAM Act''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Findings and purposes.
Sec. 3. Definitions.
Sec. 4. Interagency subcommittee.
Sec. 5. Strategic research plan.
Sec. 6. NOAA ocean acidification activities.
Sec. 7. NSF ocean acidification activities.
Sec. 8. NASA ocean acidification activities.
Sec. 9. Authorization of appropriations.

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—The Congress finds the following:

(1) The oceans help regulate atmospheric chemistry by acting as the largest sink for carbon dioxide.

(2) The rapid increase in atmospheric carbon dioxide is overwhelming the natural ability of the oceans to absorb this gas.

(3) The influx of carbon dioxide into the atmosphere and the subsequent absorption by the oceans is changing surface ocean carbon chemistry and lowering the pH. These changes in ocean chemistry are detrimental to organisms including corals, which support one of the richest habitats on Earth, marine shellfish, and many other organisms that form the base of the food chain for many fish and marine mammals.

(4) The rich biodiversity of marine organisms is an important contribution to the national economy and the change in ocean chemistry threatens tourism, our fisheries, and marine environmental quality, and could result in significant social and economic costs.

(5) Existing Federal programs support research in related ocean chemistry, but gaps in funding, coordination, and outreach have impeded national progress in addressing ocean acidification.

(6) National investment in a coordinated program of research and monitoring would improve the understanding of ocean acidification effects on whole ecosystems, advance our knowledge of the socioeconomic impacts of increased ocean acidification, and strengthen the ability of marine resource managers to assess and prepare for the harmful impacts of ocean acidification on our marine resources.

(b) PURPOSES.—The purposes of this Act are to provide for—

(1) development and coordination of a comprehensive interagency plan to—

(A) monitor and conduct research on the processes and consequences of ocean acidification on marine organisms and ecosystems; and

(B) establish an interagency research and monitoring program on ocean acidification;

(2) assessment and consideration of regional and national ecosystem and socioeconomic impacts of increased ocean acidification; and

(3) research on adaptation strategies and techniques for effectively conserving marine ecosystems as they cope with increased ocean acidification.

SEC. 3. DEFINITIONS.

In this Act:

(1) OCEAN ACIDIFICATION.—The term ''ocean acidification'' means the decrease in pH of the Earth's oceans and changes in ocean chemistry caused by chemical inputs from the atmosphere, including carbon dioxide.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of Commerce, acting through the Administrator of the National Oceanic and Atmospheric Administration.

(3) SUBCOMMITTEE.—The term ''Subcommittee'' means the Joint Subcommittee on Ocean Science and Technology of the National Science and Technology Council.

SEC. 4. INTERAGENCY SUBCOMMITTEE.

(a) DESIGNATION.—The Joint Subcommittee on Ocean Science and Technology of the National Science and Technology Council shall coordinate Federal activities on ocean acidification.

(b) DUTIES.—The Subcommittee shall—

(1) develop the strategic research and monitoring plan to guide Federal research on ocean acidification required under section 5 of this Act and oversee the implementation of the plan;

(2) oversee the development of—

(A) an assessment of the potential impacts of ocean acidification on marine organisms and marine ecosystems; and

(B) adaptation and mitigation strategies to conserve marine organisms and ecosystems exposed to ocean acidification;

(3) facilitate communication and outreach opportunities with nongovernmental organizations and members of the stakeholder community with interests in marine resources;

(4) coordinate the United States Federal research and monitoring program with research and monitoring programs and scientists from other nations; and

(5) establish or designate an Ocean Acidification Information Exchange to make information on ocean acidification developed through or utilized by the interagency ocean acidification program accessible through electronic means, including information which would be useful to policymakers, researchers, and other stakeholders in mitigating or adapting to the impacts of ocean acidification.

(c) REPORTS TO CONGRESS.—

(1) INITIAL REPORT.—Not later than 1 year after the date of enactment of this Act, the Subcommittee shall transmit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science and Technology and the Committee on Natural Resources of the House of Representatives that—

(A) includes a summary of federally funded ocean acidification research and monitoring activities, including the budget for each of these activities; and

(B) describes the progress in developing the plan required under section 5 of this Act.

(2) BIENNIAL REPORT.—Not later than 2 years after the delivery of the initial report

under paragraph (1) and every 2 years thereafter, the Subcommittee shall transmit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science and Technology and the Committee on Natural Resources of the House of Representatives that includes—

(A) a summary of federally funded ocean acidification research and monitoring activities, including the budget for each of these activities; and

(B) an analysis of the progress made toward achieving the goals and priorities for the interagency research plan developed by the Subcommittee under section 5.

(3) STRATEGIC RESEARCH PLAN.—Not later than 2 years after the date of enactment of this Act, the Subcommittee shall transmit the strategic research plan developed under section 5 to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science and Technology and the Committee on Natural Resources of the House of Representatives. A revised plan shall be submitted at least once every 5 years thereafter.

SEC. 5. STRATEGIC RESEARCH PLAN.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Subcommittee shall develop a strategic plan for Federal research and monitoring on ocean acidification that will provide for an assessment of the impacts of ocean acidification on marine organisms and marine ecosystems and the development of adaptation and mitigation strategies to conserve marine organisms and marine ecosystems. In developing the plan, the Subcommittee shall consider and use information, reports, and studies of ocean acidification that have identified research and monitoring needed to better understand ocean acidification and its potential impacts, and recommendations made by the National Academy of Sciences in the review of the plan required under subsection (d).

(b) CONTENTS OF THE PLAN.—The plan shall—

(1) establish, for the 10-year period beginning in the year the plan is submitted, the goals and priorities for Federal research and monitoring which will—

(A) advance understanding of ocean acidification and its physical, chemical, and biological impacts on marine organisms and marine ecosystems;

(B) improve the ability to assess the socioeconomic impacts of ocean acidification; and

(C) provide information for the development of adaptation and mitigation strategies to conserve marine organisms and marine ecosystems;

(2) describe specific activities, including—

(A) efforts to determine user needs;

(B) research activities;

(C) monitoring activities;

(D) technology and methods development;

(E) data collection;

(F) database development;

(G) modeling activities;

(H) assessment of ocean acidification impacts; and

(I) participation in international research efforts;

(3) identify relevant programs and activities of the Federal agencies that contribute to the interagency program directly and indirectly and set forth the role of each Federal agency in implementing the plan;

(4) consider and utilize, as appropriate, reports and studies conducted by Federal agencies, the National Research Council, or other entities;

(5) make recommendations for the coordination of the ocean acidification research and monitoring activities of the United States with such activities of other nations and international organizations;

(6) outline budget requirements for Federal ocean acidification research and monitoring and assessment activities to be conducted by each agency under the plan;

(7) identify the monitoring systems and sampling programs currently employed in collecting data relevant to ocean acidification and prioritize additional monitoring systems that may be needed to ensure adequate data collection and monitoring of ocean acidification and its impacts; and

(8) describe specific activities designed to facilitate outreach and data and information exchange with stakeholder communities.

(c) PROGRAM ELEMENTS.—The plan shall include at a minimum the following program elements:

(1) Monitoring of ocean chemistry and biological impacts associated with ocean acidification at selected coastal and open-ocean monitoring stations, including satellite-based monitoring to characterize—

(A) marine ecosystems;

(B) changes in marine productivity; and

(C) changes in surface ocean chemistry.

(2) Research to understand the species specific physiological response of marine organisms to ocean acidification, impacts on marine food webs of ocean acidification, and to develop environmental and ecological indices that track marine ecosystem responses to ocean acidification.

(3) Modeling to predict changes in the ocean carbon cycle as a function of carbon dioxide and atmosphere-induced changes in temperature, ocean circulation, biogeochemistry, ecosystem and terrestrial input, and modeling to determine impacts on marine ecosystems and individual marine organisms.

(4) Technology development and standardization of carbonate chemistry measurements on moorings and autonomous floats.

(5) Assessment of socioeconomic impacts of ocean acidification and development of adaptation and mitigation strategies to conserve marine organisms and marine ecosystems.

(d) NATIONAL ACADEMY OF SCIENCES EVALUATION.—The Secretary shall enter into an agreement with the National Academy of Sciences to review the plan.

(e) PUBLIC PARTICIPATION.—In developing the plan, the Subcommittee shall consult with representatives of academic, State, industry and environmental groups. Not later than 90 days before the plan, or any revision thereof, is submitted to the Congress, the plan shall be published in the Federal Register for a public comment period of not less than 60 days.

SEC. 6. NOAA OCEAN ACIDIFICATION ACTIVITIES.

The Secretary shall conduct research and monitoring activities and may establish a program on ocean acidification within the National Oceanic and Atmospheric Administration consistent with the strategic research plan developed by the Subcommittee under section 5 that—

(1) includes—

(A) interdisciplinary research among the ocean and atmospheric sciences, and coordinated research and activities to improve understanding of ocean acidification;

(B) the establishment of a long-term monitoring program of ocean acidification utilizing existing global and national ocean observing assets, and adding instrumentation and sampling stations as appropriate to the aims of the research program;

(C) research to identify and develop adaptation strategies and techniques for effectively conserving marine ecosystems as they cope with increased ocean acidification;

(D) as an integral part of the research programs described in this Act, educational opportunities that encourage an interdisciplinary and international approach to exploring the impacts of ocean acidification;

(E) as an integral part of the research programs described in this Act, national public outreach activities to improve the understanding of current scientific knowledge of ocean acidification and its impacts on marine resources; and

(F) coordination of ocean acidification monitoring and impacts research with other appropriate international ocean science bodies such as the International Oceanographic Commission, the International Council for the Exploration of the Sea, the North Pacific Marine Science Organization, and others;

(2) provides grants for critical research projects that explore the effects of ocean acidification on ecosystems and the socioeconomic impacts of increased ocean acidification that are relevant to the goals and priorities of the strategic research plan; and

(3) incorporates a competitive merit-based process for awarding grants that may be conducted jointly with other participating agencies or under the National Oceanographic Partnership Program under section 7901 of title 10, United States Code.

SEC. 7. NSF OCEAN ACIDIFICATION ACTIVITIES.

(a) RESEARCH ACTIVITIES.—The Director of the National Science Foundation shall continue to carry out research activities on ocean acidification which shall support competitive, merit-based, peer-reviewed proposals for research and monitoring of ocean acidification and its impacts, including—

(1) impacts on marine organisms and marine ecosystems;

(2) impacts on ocean, coastal, and estuarine biogeochemistry; and

(3) the development of methodologies and technologies to evaluate ocean acidification and its impacts.

(b) CONSISTENCY.—The research activities shall be consistent with the strategic research plan developed by the Subcommittee under section 5.

(c) COORDINATION.—The Director shall encourage coordination of the Foundation's ocean acidification activities with such activities of other nations and international organizations.

SEC. 8. NASA OCEAN ACIDIFICATION ACTIVITIES.

(a) OCEAN ACIDIFICATION ACTIVITIES.—The Administrator of the National Aeronautics and Space Administration, in coordination with other relevant agencies, shall ensure that space-based monitoring assets are used in as productive a manner as possible for monitoring of ocean acidification and its impacts.

(b) PROGRAM CONSISTENCY.—The Administrator shall ensure that the Agency's research and monitoring activities on ocean acidification are carried out in a manner consistent with the strategic research plan developed by the Subcommittee under section 5.

(c) COORDINATION.—The Administrator shall encourage coordination of the Agency's ocean acidification activities with such activities of other nations and international organizations.

SEC. 9. AUTHORIZATION OF APPROPRIATIONS.

(a) NOAA.—There are authorized to be appropriated to the National Oceanic and Atmospheric Administration to carry out the purposes of this Act—

(1) $8,000,000 for fiscal year 2009;

(2) $12,000,000 for fiscal year 2010;

(3) $15,000,000 for fiscal year 2011; and

(4) $20,000,000 for fiscal year 2012.

(b) NSF.—There are authorized to be appropriated to the National Science Foundation to carry out the purposes of this Act—

(1) $6,000,000 for fiscal year 2009;

(2) $8,000,000 for fiscal year 2010;

(3) $12,000,000 for fiscal year 2011; and
(4) $15,000,000 for fiscal year 2012.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Washington (Mr. BAIRD) and the gentleman from Florida (Mr. FEENEY) each will control 20 minutes.

The Chair recognizes the gentleman from Washington.

GENERAL LEAVE

Mr. BAIRD. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on H.R. 4174, the bill now under consideration.

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

There was no objection.

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

Mr. Speaker, I would like to begin by complimenting my dear friend, Mr. ALLEN, and Mr. GILCHREST, as well as Mr. INSLEE, and particularly Mr. INGLIS, who worked so closely with me on the manager's amendment to this bill.

We have an enormous problem facing this world, and it is often neglected. This bill addresses that.

On Monday, I had the privilege of being in Fort Lauderdale at the International Society for Reef Studies, their coral reef symposium, which happens every 4 years. Based on reports there and recent studies published in Science and other leading journals, it is clear that although ocean acidification is not often talked about, it may well be a challenge as great or perhaps even greater as climate change.

Approximately one-half of the carbon dioxide released by burning fossil fuels has been absorbed by the oceans. The good news is that this absorption has helped reduce and delay the impact of global warming. The bad news, however, is that the absorption of atmospheric carbon dioxide has caused and will continue to cause changes in ocean chemistry.

The disruption in ocean chemistry causes the pH to decrease and results in a phenomenon identified as ocean acidification. According to the National Oceanic and Atmospheric Administration, ocean hydrogen ion concentration, a measure of acidity, has increased 30 percent since industrialization. Studies have projected that by the end of the century, carbon dioxide emission scenarios could result in the lowest levels of ocean pH in 20 million years.

The potential impacts of acidification are diverse and far-reaching. These impacts include adverse effects on marine ecosystems, food webs for many fish and marine mammals, and the economies of many coastal States that rely upon the seafood industry and coastal and ocean tourism.

Increasing acidity and changes in ocean chemistry are also corrosive to corals and shell-forming plankton, a major food source for baleen whales and commercially important fish species such as salmon, mackerel, herring, cod and others.

Some studies have also suggested that ocean acidification could be detrimental to shellfish, including scallops, clams, oysters and lobsters. Evidence shows that calcification rates will decrease and carbon dissolution rates will increase for these calcifying organisms leaving them unable to compete ecologically, perhaps even threatening them to the point of extinction.

Shallow water corals face similar threats due to decreased ocean rates and increased shell corrosion. Corals comprise some of the richest habitats on Earth. According to NOAA, about 4,000 species of fish, including approximately half of all federally managed fisheries, depend on coral reefs and their related habitat for a portion of their life cycles.

Juvenile fish may face physiological challenges, including respiratory stress and acidosis associated with increased acidification. Deep sea corals and other animals are also threatened by changes in chemistry, and may find parts of the deep ocean uninhabitable by the end of the century.

We must do more to assess this grave problem. There is significant uncertainty as to the rate and magnitude of change that will occur, but national investment in a coordinated program of research and monitoring could improve the understanding of ecosystem responses, assess socioeconomic impacts due to increasing acidification, and provide resource managers the information they need to develop strategies and protect these critical species.

That's why I have joined Representatives ALLEN, INSLEE, and others, in introducing the Federal Ocean Acidification Research and Monitoring Act. This bill establishes an interagency program through the Joint Subcommittee on Ocean Science and Technology of the National Science and Technology Council to develop and coordinate a comprehensive plan to better understand and address the impacts of acidification, to provide for assessment of ecosystem and socioeconomic impact of ocean acidification, and to provide for research on adaptation strategies to conserve marine resources. It also directs NOAA, the National Science Foundation, and NASA to conduct research and monitoring activities on ocean acidification consistent with the strategic plan developed by the subcommittee.

I want to thank the researchers who have led the way on this important topic, also my fellow sponsors for their important work, and particularly Chairman GORDON and the other members of the Science and Technology Committee for moving this bill and getting it to the floor.

Finally, I want to thank the Science Committee staff, including Jean Fruci, Shimere Williams on the majority staff, and my own staff member, Hillary Cain.

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

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

Mr. Speaker, since the beginning of the industrial revolution, the oceans have been the largest sink of increased carbon dioxide in the atmosphere. This is a valuable natural function. When the oceans absorb carbon dioxide, it lowers the pH of the water. Although the increased acidity of the oceans to date has not been significant, many in the ocean science community are concerned about the rate of change that they have witnessed.

H.R. 4174 organizes Federal activities on ocean acidification research. It is intended to provide a blueprint for research and monitoring efforts at the Federal level, and encourage international cooperation for a global problem.

We have an obligation to ourselves and to future generations to make informed decisions on something as serious as the health and welfare of our oceans, but at this point, we do not know enough to make those decisions. We do not know how much the ocean's chemistry is going to change, how fast it will change, or what the impacts of this change will be on marine life or the health of marine ecosystems. We also do not know how all of this will affect mankind's reliance on the ocean for food, for industry, and for energy resources. How can we possibly engage in serious discussions about mitigation and adoption strategies if we do not know these important things?

Passing the Federal Ocean Acidification Research and Monitoring Act is the first step we need to take to collect this vital information. The legislation directs the Joint Subcommittee on Ocean Science and Technology, or JSOST, to coordinate all Federal research and monitoring activities. The subcommittee is co-chaired by the National Oceanic and Atmospheric Administration, NOAA, the National Science Foundation, NSF, and the Office of Science and Technology Policy in the White House. These are the three agencies that should be most involved in ocean acidification research.

This bill requires JSOST to develop a strategic research plan with an eye toward being able to produce useable products to the fishing industry, the energy industry, policy makers, and other shareholders at some point in the future. This strategic plan is not meant to reinvent the wheel. It should be based on several research road maps that have already been developed by other institutions.

The legislation authorizes NOAA to continue its ocean acidification research and monitoring activities as long as such activities are consistent with the strategic research plan. It also authorizes funding for NSF to provide research grants for ocean acidification. And it directs NASA to focus resources on ocean acidification monitoring in future Earth observation missions.

Most importantly, H.R. 4174 requires that JSOST and NOAA coordinate U.S.

ocean acidification research and monitoring efforts with those in the international community. Many countries are currently in the same place as we are, organizing their research efforts and laying out road maps for the future. Just last month, the European Union launched the European Ocean Acidification Project, an initiative to investigate ocean acidification and its consequences.

The U.S. should not have to bear the full and sole burden for global environmental problems. International cooperation ensures that resources and funding are distributed among many nations so that all may benefit from the increase in understanding of ocean acidification.

I urge all of my colleagues to support H.R. 4174.

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

Mr. BAIRD. Mr. Speaker, I want to particularly compliment the Chair of the Resources Committee, Chairman RAHALL, for his collaboration on this. At this point I would like to place in the RECORD letters exchanged between the Resources Committee and the Science Committee.

HOUSE OF REPRESENTATIVES, COMMITTEE ON NATURAL RESOURCES,
Washington, DC, July 7,2008.

Hon. BART GORDON,
Chairman, Committee on Science and Technology, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for the opportunity to work with you on H.R. 4174, the Federal Ocean Acidification Research and Monitoring Act of 2008, concerning provisions regarding the establishment and maintenance of an ocean acidification program which are within the jurisdiction of the Committee on Natural Resources.

Because of the continued cooperation and consideration that you have afforded me and my staff in developing these provisions, I will not seek a sequential referral of H.R. 4174. Of course, this waiver is not intended to prejudice any future jurisdictional claims over these provisions or similar language. I also reserve the right to seek to have conferees named from the Committee on Natural Resources on these provisions, and request your support if such a request is made.

Please place this letter into the committee report on H.R. 4174 and into the Congressional Record during consideration of the measure on the House floor.

With warm regards, I am,

Sincerely,

NICK J. RAHALL II,
Chairman, Committee on Natural Resources.

HOUSE OF REPRESENTATIVES, COMMITTEE ON SCIENCE AND TECHNOLOGY,
Washington, DC, July 8, 2008.

Hon. NICK J. RAHALL II,
Chairman, Committee on Natural Resources, House of Representatives, Washington, DC

DEAR CHAIRMAN RAHALL: Thank you for working with me to allow floor consideration of H.R. 4174, the Federal Ocean Acidification Research and Monitoring Act of 2008, to proceed.

I appreciate your willingness to waive your Committee's right to a referral of H.R. 4174, and acknowledge that this waiver does not prejudice any further jurisdictional claims by your Committee over this legislation or similar language. Furthermore, I agree to support your request for appointment of conferees from the Committee on Natural Resources if a conference is held on this matter.

A copy of this letter and your response will be placed in the Committee report on H.R. 4174 and in the Congressional Record during consideration of the bill on the House floor.

I look forward to working with you as we prepare to pass this important legislation.

Sincerely,

BART GORDON,
Chairman.

Mr. Speaker, I yield 4 minutes to the lead sponsor of this legislation and a tireless and effective advocate for all things related to the ocean's health, Representative ALLEN from Maine.

Mr. ALLEN. Mr. Speaker, I thank the gentleman for yielding and for his outstanding leadership on this important issue.

I also rise to urge passage of my bill, H.R. 4174, the Federal Ocean Acidification Research and Monitoring Act.

I want to commend Chairman GORDON and Chairman LAMPSON of the Science and Technology Committee for their leadership and foresight in supporting this legislation to give us the tools we need to manage and protect our marine resources and coastal communities.

I also want to thank Mr. HALL and Mr. INGLIS for their support on this bipartisan legislation. And also, once again, I want to thank Mr. INSLEE and Mr. BAIRD for their leadership.

Finally, I guess I should say a special thank you to Ellen Bolen on my staff, my now Sea Grant fellow who has worked so hard on this particular bill.

My legislation establishes a comprehensive, interagency program to conduct research on the processes and consequences of ocean acidification due to global climate change.

Ocean acidification has the potential to profoundly change our ocean ecosystems and may seriously and negatively affect commercial and recreational fisheries, tourism, agriculture, and many other ocean-related industries.

The impact of global climate change is nowhere more apparent than in our oceans. Icecaps are melting and coral reefs are dying. Approximately one-third of the carbon dioxide released by the burning of fossil fuels ends up in the oceans, altering ocean surface carbon chemistry. Acidic conditions can impede shell formation in important marine shellfish species, and are harmful to many organisms, from corals to shellfish to plankton, that are essential to the food chain for many larger fish and marine mammals.

Research by scientists at St. Joseph's College in Standish, Maine, has revealed that ocean acidification due to climate change may substantially increase the mortality of young clams, threatening a $16 million industry and the livelihoods of 1,800 commercial clam diggers in Maine alone.

□ 1300

Three decades ago, when acid deposition threatened Maine's lakes, we documented the harm and devised a legislative response through monitoring and research. My legislation will provide similar tools to respond to ocean acidification. To protect future generations, we must understand the consequences that ocean acidification could have on our natural resources and coastal economies so that we can mitigate and adapt to those consequences.

The Federal Ocean Acidification Research and Monitoring Act will direct and fund key research to examine the effects that climate change is having on our oceans and on our fisheries. I urge my colleagues to support this measure.

Mr. FEENEY. Mr. Speaker, I am proud to yield 5 minutes to my friend the gentleman from South Carolina (Mr. INGLIS).

Mr. INGLIS of South Carolina. I thank the gentleman for yielding.

Mr. Speaker, I'm not a scientist, but I play one occasionally at the Science Committee. And the good news is we have got some scientists at the Science Committee, great staff members and Members of Congress, like Dr. BAIRD, who is one of my tutors on this issue of ocean acidification.

Recently in a trip to the Galapagos, we had an opportunity to hear from Dr. Julian Sachs, who, along with Dr. BAIRD's tutelage, was able to explain to me finally why it is that the carbon sink of the oceans is going to create a problem for life in the oceans. And it has to do with that science experiment we did in high school with putting the egg in the vinegar, and a couple of days later, you come back and there's no shell on the egg. Well, that's the challenge. As carbon is absorbed into the ocean by higher CO_2 levels in the atmosphere entering in the ocean, driving down the pH, making the ocean more acidic, you end up with that scenario where the calcium-based shells of the organisms begin to dissolve.

The big challenge is the phytoplankton part of the food chain. That dissolves. It's a terrible thing to open up a hole at the bottom of the food chain. Not so bad if you're at the top of the food chain, but if you're at the bottom of the food chain, it's a terrible thing to open a hole, especially when a billion people around the world depend upon the ocean for sustenance.

So what all that means is this is a serious matter and something worth our spending time and effort and money on to research. So I am very happy to support this bill.

I am also very excited about an aspect of the bill that has been mentioned by several speakers already. That is the international cooperation that's called for in the bill. On another trip with Dr. BAIRD to Antarctica and then Australia, we saw a wonderful example of this with the NOAA's Coral Reef Watch Project, where we actually have NOAA employing two Australians who are doing work for NOAA in Australia, coordinating with the Great

Barrier Reef folks. And the result is America is there lending a hand and cooperating, improving not only the science that we generate but also my other committee, Foreign Affairs, better foreign policy outcomes; that we are showing ourselves to be a friend to the Australians, trying to preserve the Great Barrier Reef, which is obviously very important to people on the eastern shore of Australia.

So the international aspects of this may be reason enough to support the bill. But for all of the above reasons, I am very happy to support the bill and urge my colleagues to support it, and hopefully we will have this cooperation, find some breakthroughs in the science, and then figure out ways to apply those solutions to begin solving the problem.

Mr. BAIRD. Mr. Speaker, I want to thank the gentleman from South Carolina for his input and involvement and for his genuine interest in this. It has been a privilege to travel with him, and we actually had the opportunity to meet with some of the world's leading scientists on this, and I know Mr. INGLIS has maintained that dialogue ever since those journeys, and those scientists send their regards. I met with them just 2 days ago, in fact.

Mr. Speaker, I want to now acknowledge a dear friend from Washington who has been a leader not only in the Congress but in the world on the issue of renewable energy and climate change. This issue of acidification took particular relevance off our own Pacific Northwest coast about 2 months ago when NOAA published studies suggesting that the rate of acidification is much more rapid and much closer to our shores than they had ever anticipated, and it is deeply concerning. JAY INSLEE has been a champion of responsible energy policies.

Mr. Speaker, I yield 2 minutes to the gentleman from Washington (Mr. INSLEE).

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

Mr. INSLEE. Mr. Speaker, ocean acidification is both the most disturbing and potentially the most unifying issue involving carbon dioxide and climate change. It is the most disturbing because nothing that I have heard in the last couple of years about this phenomenon disproves the point of that old saying from the 1960s that was in an old commercial ''It's not nice to fool with Mother Nature.'' And we have found that when we put one-third of all the carbon dioxide coming out of our tailpipes and our coal plants, that that has made the oceans, just since the industrial revolution, 30 percent more acidic, and all the time the world has been around, it is 30 percent more acidic just during the time we've been burning coal and oil.

The results of that are not hypothetical. We had testimony in Seattle from biologists and oceanographers a couple months ago that said they actually put a shell into water that was as acidic as it could be in the next century and a half and you could see it literally melt. You are looking at literally melting of any living stuff in the oceans that form a calcium carbonate material, including the phytoplankton that is 40 percent of the bottom of the food chain, in the next century or two if we don't change course. That's why it's disturbing.

But here is why it's unifying: It's unifying because while we have had some debates about the climatic effects about global warming and CO_2, there is no debate about ocean acidification. We could spent the next century arguing about the precise climatic effects of CO_2, but there is no debate that we are making the oceans unfit for life that God himself or herself designed on the planet Earth. And that is what we are doing. And I am hopeful that that can be a unifying idea in this Congress so that we can start to develop a clean energy future for the country and the world that can preserve the oceans for living species that we depend on as well as the rest of the world.

So it is disturbing now. Hopefully, it will be unifying when we get together and really do an Apollo new energy project and save the oceans for what they were designed for, which is life on this planet.

Mr. FEENEY. I want to thank the gentleman from Washington and the others that worked on this bill.

Our oceans are the property of all humanity, and we want to do everything we can to understand them and preserve them.

With that I would urge the passage of this bill.

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

Mr. BAIRD. I thank the gentleman from Florida for his support. I also want to acknowledge the leadership of Mr. LAMPSON from Texas and Mr. HALL and their support of this as well.

Let me close with this, and it takes off from something that Mr. INSLEE said a moment ago. We can debate the temperature changes. I think the evidence is compelling from the IPCC report. But ocean acidification is something you can demonstrate in a lab. You can introduce CO_2 into the air, above water. The water will take up the CO_2. That will make the water more acidic. The more acidic water will reduce the availability of calcium carbonate and other minerals. And then, as Mr. INSLEE described, and as laboratory scientists are doing throughout the world in Australia and Israel and Jordan and off our own Florida coast, you can take these organisms, put them in this more acidic water, and you will see their growth be retarded. You will see their mortality rates increase. And, importantly, when you combine higher acidification levels with increased temperature, the mortality grows dramatically up. We are effectively killing the oceans and then possibly killing ourselves.

I am speaking on behalf of two little boys, William and Walter, my own sons, whom some of you know. They stop by here from time to time. They're 3½. I would like them to enjoy the oceans the way we have. I would like them to see the magnificent species that we now enjoy. I do not want to bequeath to those young boys or to anyone's children or grandchildren a world bereft of the coral reefs and the many species they depend on.

So with that I urge passage of this legislation and would urge that we vigorously endeavor to reduce the factors that are contributing to this dangerous problem. I urge a ''yes'' vote.

Mr. FARR. Mr. Speaker, I rise in support of H.R. 4174, the Federal Ocean Acidification Research and Monitoring Act of 2007 authored by my friend and fellow co-chair of the House Oceans Caucus Representative ALLEN.

Since the industrial revolution, the human species has begun a dangerous experiment with our planet. Humans have become, according to Alan Weisman, a volcano that has been erupting continuously for 150 years. We have taken tons of carbon from the earth and put it up in the atmosphere. It is now clear that the increase in atmospheric CO_2 is causing drastic and rapid changes in ocean chemistry.

The ocean has no choice but to absorb the increase in CO_2, in fact, the ocean will continue to absorb CO_2 long after we reduce our output. Recent research from a study led by Dr. Feeley, a NOAA scientist, has found that ocean waters from the 1950s were much more acidic than expected. We do not know the outcome of our global experiment, but we know that it will change the chemistry of the ocean.

Many fisheries off of our coasts are already collapsing. We do not know how this increase in acidity will affect these collapsing populations or the fisheries that are currently healthy. An increase in ocean acidity will dissolve the shell of the endangered black abalone of the California coast. We know that corals, already under stress from the increased ocean temperature will have their skeleton dissolved by a more acidic ocean.

We must have more research to discover how this unprecedented change will affect shellfish, corals, and the food chain that fish, and mammals, including humans, that depend on the ocean. We must create collaboration between the federal agencies who manage and study the ocean to address this problem. This bill will provide funding for research and collaboration between researcH and management agencies necessary to address this serious problem.

Mr. Speaker, I cannot emphasize enough the need to show our ocean stewardship now, so we can turn the tide on the dire consequences facing our oceans and Great Lakes. The oceans and the Great Lakes belong to all the people of the United States and it is our duty to understand the implications of our actions on them. I strongly support the Federal Ocean Acidification Research and Monitoring Act and I urge my colleagues to help understand and protect our shared ocean.

Ms. BORDALLO. Mr. Speaker, I rise in support of H.R. 4174, the Federal Ocean Acidification Research and Monitoring Act. I commend our colleagues on the Science Committee for bringing forward this important legislation to enhance our understanding of this

phenomena, which is changing the very chemistry of the world's oceans.

Ocean acidification, which is caused by increased atmospheric carbon dioxide, can negatively affect a range of organisms, from corals, to shellfish and plankton. These organisms and their habitats form the base of the food chain for many marine fish and mammal species. If not mitigated, ocean acidification could, therefore, have a cascading negative effect on important commercial fisheries, tourism and recreation, and other ocean-related industries.

The damage that ocean acidification could cause to our coastal economic and cultural livelihoods is alarming. Those who rely on oceanic resources for their food or their livelihood, as many of my constituents on Guam do, are already contending with the negative after-affects caused by coastal habitat degradation; overfishing; illegal, unregulated, and unreported fishing; and the worldwide decline of healthy coral reefs. We need to learn now everything we can about the dynamics, extent and implications of ocean acidification if we hope to be able to develop successful strategies to cope with this global threat.

I strongly support this legislation that would establish a comprehensive, interagency committee to coordinate and expand federal research on ocean acidification and marine ecosystems.

Mr. Speaker, I commend our colleague from Maine, Mr. ALLEN, for introducing this legislation and for his leadership on ocean issues. I also commend the gentleman from Texas, Mr. LAMPSON, the Chairman of the Subcommittee on Energy and Environment, and the Ranking Member, Mr. INGLIS, for advancing H.R. 41–74 through the Committee on Science and Technology. I thank them and Chairman GORDON for working with Chairman RAHALL of the Committee on Natural Resources to address matters of mutual interest and shared jurisdiction with regard to the bill. I urge my colleagues to support passage of H.R. 4174.

Mr. BAIRD. 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 Washington (Mr. BAIRD) that the House suspend the rules and pass the bill, H.R. 4174, 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.

COMMUNITY BUILDING CODE ADMINISTRATION GRANT ACT OF 2008

Mr. MOORE of Kansas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4461) to promote and enhance the operation of local building code enforcement administration across the country by establishing a competitive Federal matching grant program, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4461

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 ''Community Building Code Administration Grant Act of 2008''.

SEC. 2. GRANT PROGRAM AUTHORIZED.

(a) GRANT AUTHORIZATION.—The Secretary of Housing and Urban Development shall provide grants to local building code enforcement departments.

(b) COMPETITIVE AWARDS.—The Secretary shall award grants under subsection (a) on a competitive basis pursuant to the criteria set forth in section 6, but also taking into consideration the following:

(1) The financial need of each building code enforcement department.

(2) The benefit to the local jurisdiction of having an adequately funded building code enforcement department.

(3) The demonstrated ability of each building code enforcement department to work cooperatively with other local code enforcement offices, health departments, and local prosecutorial agencies.

(c) MAXIMUM AMOUNT.—The maximum amount of any grant awarded under this section shall not exceed $1,000,000.

SEC. 3. REQUIRED ELEMENTS IN GRANT PROPOSALS.

In order to be eligible for a grant under section 2, a local building code enforcement department shall submit to the Secretary the following:

(1) A demonstration of the jurisdiction's needs in executing building code enforcement administration.

(2) A plan for the use of any funds received under this Act that addresses the needs discussed in paragraph (1) and that is consistent with the authorized uses established in section 4.

(3) A plan for local governmental actions to be taken to establish and sustain local building code enforcement administration functions, without continuing Federal support, at a level at least equivalent to that proposed in the grant application.

(4) A plan to create and maintain a program of public outreach that includes a regularly updated and readily accessible means of public communication, interaction, and reporting regarding the services and work of the local building code enforcement department to be supported by the grant.

(5) A plan for ensuring the timely and effective administrative enforcement of building safety and fire prevention violations.

SEC. 4. USE OF FUNDS; MATCHING FUNDS.

(a) AUTHORIZED USES.—Grants awarded under section 2 may be used by the grant recipient to supplement existing State or local funding for building code enforcement administration. Such funds may be used to increase staffing, provide staff training, increase staff competence and professional qualifications, support individual certification or departmental accreditation, or for capital expenditures specifically dedicated to the administration of the local building code enforcement department.

(b) ADDITIONAL REQUIREMENT.—Each local building code enforcement department receiving a grant under section 2 shall empanel a code administration and enforcement team consisting of at least 1 full-time building code enforcement officer, a city planner, and a health planner or similar officer.

(c) MATCHING FUNDS REQUIRED.—

(1) IN GENERAL.—To be eligible to receive a grant under this Act, a local building code enforcement department serving an area with a population of—

(A) over 50,000 shall provide matching, non-Federal funds in an amount equal to not less than 50 percent of the total amount of any grant to be awarded under this Act;

(B) between 20,001 and 50,000 shall provide matching, non-Federal funds in an amount equal to not less than 25 percent of the total amount of any grant to be awarded under this Act; or

(C) under 20,000 shall provide matching, non-Federal funds in an amount equal to not less than 12.5 percent of the total amount of any grant to be awarded under this Act.

(2) ECONOMIC DISTRESS.—

(A) IN GENERAL.—The Secretary may waive the matching fund requirements under paragraph (1), and institute, by regulation, new matching fund requirements based upon the level of economic distress of the local jurisdiction in which the local building code enforcement department seeking such grant is located.

(B) CONTENT OF REGULATIONS.—Any regulations instituted under subparagraph (A) shall include—

(i) a method that allows for a comparison of the degree of economic distress among the local jurisdiction's of grant applicants, as measured by the differences in the extent of growth lag, the extent of poverty, and the adjusted age of housing in such jurisdiction; and

(ii) any other factor determined to be relevant by the Secretary in assessing the comparative degree of economic distress among such local jurisdictions.

(d) IN-KIND CONTRIBUTIONS.—In determining the non-Federal share required to be provided under subsection (c), the Secretary shall consider in-kind contributions, not to exceed 50 percent of the amount that the department contributes in non-Federal funds.

(e) WAIVER OF MATCHING REQUIREMENT.—The Secretary shall waive the matching fund requirements under subsection (c) for any recipient jurisdiction that has legislatively dedicated all building code permitting fees to the conduct of local building code enforcement.

SEC. 5. RATING AND RANKING OF APPLICATIONS.

Eligible applications will be rated and ranked according to the criteria described in section 6. All complete applications will be compared to one another and points assigned on a continuum within each criteria with the maximum points awarded to the application that best meets the criteria.

SEC. 6. CRITERIA.

(a) NEED AND COMMUNITY BENEFIT FROM CODE ENFORCEMENT GRANT FUNDS.—The degree to which the application demonstrates the intent and means to ensure cooperative and effective working relationships between local building code enforcement officials and other local agencies, as well as a community-oriented approach to building code enforcement.

Description	Maximum Points
A detailed description of the capital expenditures to be acquired with grant funds and a demonstration that the items' costs are reasonable.	0–10
The jurisdiction's need for the capital expenditure and how the grant funds will fulfill this need.	0–10
The joint benefits provided by the proposed expenditure for the following groups or activities. Provide a brief explanation of the benefit. (1 point will be awarded for each response, 5 points maximum). 1. Code enforcement program. 2. Community or jurisdiction. 3. Interdisciplinary code enforcement team. 4. Housing preservation, rehabilitation programs, or neighborhood improvement programs. 5. Special needs groups (disabled, elderly or low or very-low income, etc.).	0–5
Does the proposed capital expenditure provide a cost savings benefit to the jurisdiction? Provide a brief explanation of the cost savings.	0–5

(b) CURRENT CODE ENFORCEMENT AND HOUSING CONSERVATION PLAN.—Has the local legislative body in which the applicant resides adopted a ''plan'' which addresses residential structure conservation and building code enforcement? From the following list, select 1 description that best reflects such jurisdiction's ''plan'' for building code enforcement activities. Points will be awarded as follows:

Description	Maximum Points
The plan provides for proactive code enforcement (not just responding to complaints), an interdisciplinary approach, and includes funding options for repairs and rehabilitation.	10
The plan only provides for proactive code enforcement (not just responding to complaints) and calls for an interdisciplinary approach and does not address funding options for repairs and rehabilitation.	8
The plan provides for some type of proactive code enforcement (other than just responding to complaints) but doesn't address coordinated interdisciplinary activities with other local public agencies or funding options.	6
The plan provides for only reactive code enforcement.	4
The plan only refers to a need to preserve and/or improve existing housing stock, without any code enforcement program.	2
No existing plan.	0

(c) COMMUNITY-ORIENTED OR INTERDISCIPLINARY CODE ENFORCEMENT.—The degree to which the application demonstrates the intent and means to ensure cooperative and effective working relationships between building code enforcement officials and other local agencies, as well as a community-oriented approach to code enforcement.

Description	Maximum Points
Identify current or proposed interdisciplinary code enforcement programs or activities and the team members (example: code enforcement, police, local prosecutors, health department, building and planning, fire, etc.). Provide a description of the team's code enforcement and coordination procedures, activities and services provided. If the current programs or resources are limited in scope, explain how receipt of the grant will be used to improve the program.	0–10
Identify current or proposed community-oriented code enforcement programs, activities or services. (Examples: community clean-ups, Neighborhood Watch programs, community meetings, door-to-door code enforcement knock and talks, etc.). If the current programs or resources are limited in scope, explain how receipt of the grant will be used to improve the program.	0–10

(d) PROACTIVE CODE ENFORCEMENT ACTIVITIES.—The effectiveness of the proposed or existing proactive activities and programs operated by any existing building code enforcement program. Describe such activities or programs, include any of the following:

Description	Maximum Points
Encourages repairs and preservation, rather than demolition or abandonment, of substandard residences.	0–5
Abatement of (a) lead hazards and lead-based paints, (b) toxic molds and dampness, and (c) displacement or relocation of residents.	0–5
Community clean-up campaigns. This may include recycling dates, free or reduced disposal rates at dumpsite, public clean-up days that encourage removal of unwanted or excess debris by making available extra trash pick-ups, dumpsites or trash/recycling containers on specific dates to dispose of household debris, inoperable vehicles, tires, toxic materials, etc.	0–5
Resource or referral programs for Federal, State, local, and private funds and other resources available in your jurisdiction that can assist with housing rehabilitation and repairs to rectify code violations.	0–5
Public education programs on housing issues. These could include community housing meetings dealing with homeownership, tenant/landlord issues, housing code enforcement, school age children's programs with coloring books or handouts, housing safety pamphlets, etc.	0–5

Description	Maximum Points
Programs that encourage community involvement with groups; such as schools, church non-profits, community service groups, utility companies, local stores, housing agency banks, etc.	0–5.

(e) CAPACITY TO FINANCIALLY AND TECHNICALLY SUPPORT PROPOSED CAPITAL EXPENDITURES.—The degree to which the application demonstrates the jurisdiction's financial and technical capacity to properly use and successfully support the proposed capital expenditure during the term of the grant.

Description	Maximum Points
The anticipated ongoing program funding for the duration of the grant program is adequate to financially support the use of the grant-financed equipment. Include details of funding and technical support sources for the capital expenditure (examples: insurance, paper, maintenance, training, supplies, personnel, monthly billing costs, etc.).	0–5
The jurisdiction has the technical capabilities to use and support equipment (examples: adequately trained staff or resources to provide training to operate technical equipment, local service provider for cell phones or 2-way radios, trained personnel to operate equipment, etc.).	0–5

SEC. 7. EVALUATION AND REPORT.

(a) IN GENERAL.—Grant recipients shall—

(1) be obligated to fully account and report for the use of all grants funds; and

(2) provide a report to the Secretary on the effectiveness of the program undertaken by the grantee and any other criteria requested by the Secretary for the purpose of indicating the effectiveness of, and ideas for, refinement of the grant program.

(b) REPORT.—The report required under subsection (a)(2) shall include a discussion of—

(1) the specific capabilities and functions in local building code enforcement administration that were addressed using funds received under this Act;

(2) the lessons learned in carrying out the plans supported by the grant; and

(3) the manner in which the programs supported by the grant are to be maintained by the grantee.

(c) CONTENT OF REPORTS.—The Secretary shall—

(1) require each recipient of a grant under ths Act to file interim and final reports under subsection (b) to ensure that grant funds are being used as intended and to measure the effectiveness and benefits of the grant program; and

(2) develop and maintain a means whereby the public can access such reports, at no cost, via the Internet.

SEC. 8. DEFINITIONS.

For purposes of this Act, the following definitions shall apply:

(1) BUILDING CODE ENFORCEMENT DEPARTMENT.—The term ''building code enforcement department'' means the building code inspection or enforcement agency of a local jurisdiction.

(2) JURISDICTION.—The term ''jurisdiction'' means a city, county, parish, city and county authority, or city and parish authority having local authority to enforce building codes and regulations and collect fees for building permits.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of Housing and Urban Development.

SEC. 9. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated $20,000,000 for each of fiscal years 2009 through 2013 to the Secretary of Housing and Urban Development to carry out the provisions of this Act.

(b) RESERVATION.—From the amount made available under subsection (a), the Secretary may reserve not more than 5 percent for administrative costs.

(c) AVAILABILITY.—Any funds appropriated pursuant to subsection (a) shall remain available until expended.

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

The Chair recognizes the gentleman from Kansas.

GENERAL LEAVE

Mr. MOORE of Kansas. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks on this legislation and to insert extraneous material.

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

There was no objection.

Mr. MOORE of Kansas. Mr. Speaker, I yield myself such time as I may consume.

Today I ask for the House support in passing H.R. 4461, the Community Building Codes and Administration Grant Act.

This legislation, which was approved by voice vote in the Financial Services Committee and enjoys bipartisan support in the House, will provide Federal assistance to the development of local building codes.

Responsible building is essential to reduce vulnerability to future hazards. According to a study conducted in 2005 by the National Institute of Building Sciences, for every dollar spent on mitigation at the Federal level, the American taxpayer saves approximately $4 in disaster assistance.

State and local building codes assure that new homes comply with safety standards. Acquiring the skills and knowledge to become a code inspector is a time-consuming process, though. And paying for personnel to conduct inspections and enforce codes that are on the books consumes scarce financial resources at the local level. While there are no dedicated Federal funds for building code administration, Community Development Block Grant funds have been used for this purpose in the past along with administrative allowances from FEMA's three mitigation programs: Hazard Mitigation, Pre-Disaster Mitigation, and Flood Mitigation. But competition for these funds is intense, and infrastructure projects typically receive preference over building code enforcement.

For these reasons, Mr. Speaker, States must fund these activities without Federal assistance, relying often on building permit fees and sometimes general funding to operate offices that are overworked and understaffed. This means that codes on the books cannot be enforced, leaving communities more vulnerable and driving up insurance premiums in those areas.

To address this issue, H.R. 4461 establishes a competitive national program that provides awards to local governments for building code administration and enforcement. The Community Building Code Administration Grant Program will not infringe upon local and State authority to enact and enforce building codes. It simply provides sorely-needed funding for them to do so.

Specifically, the bill includes a 5-year sunset on the program, authorizes $100 million over that period to execute it, caps awards at $1 million per recipient, requires recipients to match a portion of funds received, and outlines eligible uses of funds and selection criteria with preference offered to governments in financial distress.

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Additionally, each grant proposal must contain a plan for local governmental actions to be taken to establish and sustain local building code enforcement administration functions, without continuing Federal support, at a level at least equivalent to that proposed in the grant application.

This legislation will help ensure the safety of buildings across the country and ultimately will reduce the cost to the American taxpayers after a disaster. I look forward to passage of this legislation.

I reserve the balance of my time and I want to thank also my colleague from West Virginia.

Mrs. CAPITO. Mr. Speaker, today I rise in support of H.R. 4461, the Community Building Code Administration Act, authored by the gentleman from Kansas (Mr. MOORE). Under current law, there are no dedicated Federal funds for building code administration. Funds from development or hazard mitigation programs have been used

for this purpose in the past. The competition for these funds is intense, and infrastructure projects generally receive preference over building code enforcement. States and local jurisdictions fund local building code enforcement departments without Federal assistance.

The legislation offered by Mr. MOORE requires the Secretary of HUD to award grants on a competitive basis and with Federal matching funds to qualified local building code enforcement departments. The grants can be used to increase staffing, provide staff training, increase staff competence and professional qualifications, support individual certification or departmental accreditation, or for capital expenditures specifically dedicated to department administration.

Both State and local governments that have responsibilities for administering laws and regulations addressing building safety and fire prevention would be eligible for Community Building Code Administration Grants. The bill authorizes $100 million over 5 years. Any grants awarded under this bill would be capped at $1 million.

I would like to note that HUD has expressed some reservations regarding this legislation because currently CDBG funds can be used for this exact same purpose. The Department has concerns whether or not it is necessary to dedicate another $100 million for this purpose when it is already an eligible activity under CDBG.

I would like to thank Mr. MOORE for offering this legislation.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in support of H. Res. 4461 to promote and enhance the operation of local building code enforcement administration across the country by establishing a competitive Federal matching grant program. I would first like to thank my distinguished colleague, Representative DENNIS MOORE of Kansas, for introducing this important legislation. This legislation will provide grants to qualified local building code enforcement departments to increase in the quality and availability of service provided by the departments. These grants will be provided by the Secretary of Housing and Urban Development on a competitive basis provided that the potential grantees can demonstrate need and develop plans for the use of the funds, local governmental actions, public outreach, and enforcement.

In disasters all around the country, studies have shown that a significant portion of the damages could have been prevented by rigorous enforcement of building codes. In studies of the damaged caused by Hurricane Andrew in 1992, researchers found that a quarter of the storm's damages could be attributed to a combination of shoddy workmanship and a lack of enforcement of the building code. The California Seismic Safety Commission's investigation into the damage caused during the 1995 Northridge earthquake in southern California found that much of the damage could have been avoided if building codes had been enforced. We cannot allow the same tragedies to occur time and again. About 2 million homes are at risk from coastal storms, 10 million from flooding, 25 million from wind hazards, and 50 million from earthquakes. So much of the damage caused by these disasters is preventable; we just have to provide resources to local authorities to take the appropriate steps.

By passing this bill, we are sending a message that this is not right. It is not right that a home or a school full of children is destroyed because builders used inferior concrete to save money. We cannot afford to be lax when the safety of all American citizens is at stake. The injury or death of a single person in a preventable accident cannot be tolerated.

In this bill, the funds granted to local building code enforcement administrations would be used to increase staffing, provide staff training, increase staff competence and professional qualifications, support individual certification or departmental accreditation, or for capital expenditures specifically dedicated to the administration of the local building code enforcement department. We can ensure through the screening process that the funds go to communities that both need them and have plans to use them. Departments that receive funds under this program will be required to match a certain percentage based on population unless the department can show significant economic distress in the area they serve. Furthermore, this bill increases the departments' accountability. Grant recipients are obligated to fully account and report for the use of all grants funds and provide a report to the Secretary of Housing and Urban Development on the effectiveness of the program.

This bill will serve to increase the safety of all Americans and the confidence they have in the structure of the buildings they use everyday, from their place of employment to the schools where their children learn to the homes they sleep in at night. By spending now, we will reap the benefits for years to come.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kansas (Mr. MOORE) that the House suspend the rules and pass the bill, H.R. 4461, 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.

ASSET MANAGEMENT IMPROVEMENT ACT OF 2008

Mr. FRANK of Massachusetts. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6216) to improve the Operating Fund for public housing of the Department of Housing and Urban Development, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6216

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 ''Asset Management Improvement Act of 2008''.

SEC. 2. REVISIONS TO ASSET MANAGEMENT RULES AND RELATED FEES.

(a) MANAGEMENT AND RELATED FEES.—The Secretary of Housing and Urban Development shall not impose any restriction or limitation on the amount of management and related fees with respect to a public housing project if the fee is determined to be reasonable by the public housing agency, unless such restriction or limitation imposed by the Secretary on such fees—

(1) is determined pursuant to a negotiated rulemaking which is convened by the Secretary no earlier than April 1, 2009, and in accordance with subchapter III of chapter 5 of title 5, United States Code, with representatives from interested parties; and

(2) is effective only on or after January 1, 2011.

The Secretary may not consider a public housing agency as failing to comply with the asset management requirements of subpart H of part 990 of title 24 of the Code of Federal Regulations, or any successor or amended regulation containing asset management requirements, or determine that an agency fails to comply with such requirements, because of or as a result of the agency determining its fees in accordance with this subsection.

(b) INCREASE OF THRESHOLD FOR EXEMPTION FROM ASSET MANAGEMENT REQUIREMENTS.—

(1) INCREASE.—Any public housing agency that owns or operates fewer than 500 public housing units under title I of the United States Housing Act of 1937 may elect to be exempt from any asset management requirement imposed by the Secretary of Housing and Urban Development.

(2) DETERMINATION OF OPERATING FUND ALLOCATION.—If a public housing agency elects pursuant to paragraph (1) to be exempt from asset management requirements, the agency may, at its option, retain the same number of separate public housing projects, for purposes of determining its operating fund allocation, as the agency had identified and the Secretary of Housing and Urban Development had approved before the agency's election to be so exempt.

SEC. 3. PROHIBITION ON RESTRICTION OF FUNGIBILITY OF CAPITAL FUND AMOUNTS.

The Secretary of Housing and Urban Development shall not impose any requirement, regulation, or guideline relating to asset management that restricts or limits in any way the use by public housing agencies of amounts for Capital Fund assistance under section 9(d) of such Act, pursuant to paragraph (1) or (2) of section 9(g) of the United States Housing Act of 1937 (42 U.S.C. 1437g(g)), for costs of any central office of a public housing agency.

SEC. 4. TENANT PARTICIPATION.

(a) RULE OF CONSTRUCTION.—Neither the requirements of this Act, nor any other requirement, regulation, guideline, or other policy or action of the Department of Housing and Urban Development relating to public housing asset management may be construed to repeal or waive any provision of part 964 of title 24 of the Code of Federal Regulations, regarding tenant participation and tenant opportunities in public housing. The Secretary of Housing and Urban Development shall ensure that public housing agencies encourage the reasonable efforts of resident tenant organizations to represent their members or the reasonable efforts of tenants to organize.

(b) PHAS IN RECEIVERSHIP.—In the case of any public housing agency in receivership, the Secretary of Housing and Urban Development or any receiver may not abrogate, waive, repeal, or modify any provision of part 964 of title 24 of the Code of Federal Regulations or any provision of a formalized housing agreement entered into pursuant to such part 964 (including pursuant to section 964.11, 964.14, 964.18(a)(6), or

964.135 of such part) before the commencement of such receivership by a resident or tenant organization and the public housing agency.

(c) GUIDANCE.—Guidance issued by the Secretary of Housing and Urban Development shall encourage participation by residents in the implementation of asset management and the development of local policies for such purposes.

SEC. 5. INELIGIBILITY OF ILLEGAL IMMIGRANTS FOR ASSISTANCE.

Immigrants who are not lawfully present in the United States shall be ineligible for financial assistance under this Act, as provided and defined by section 214 of the Housing and Community Development Act of 1980 (42 U.S.C. 1436a). Nothing in this Act shall be construed to alter the restrictions or definitions in such section 214.

SEC. 6. ADMINISTRATIVE PROVISIONS.

(a) PROHIBITION OF MANAGEMENT FEES FOR AGREEMENTS PROHIBITING OR REQUIRING REGISTRATION OF LEGAL FIREARMS.—The Secretary of Housing and Urban Development shall not accept as reasonable any management or related fees for enforcing any provision of a dwelling lease agreement or other similar agreement that requires the registration of or prohibits the possession of any firearm that is possessed by an individual for his or her personal protection or for sport the possession of which is not prohibited, or the registration of which is not required, by existing law.

(b) TERMINATION OF TENANCY AND ASSISTANCE FOR ILLEGAL USE OF FIREARM IN FEDERALLY ASSISTED HOUSING.—Section 577 of the Quality Housing and Work Responsibility Act of 1998 (42 U.S.C. 13662) is amended—

(1) in the section heading—

*(A) by striking "**AND**" the second place it appears and inserting a comma; and*

*(B) by inserting "**, AND FIREARMS USERS**" after "**ABUSERS**"; and*

(2) in subsection (a)—

(A) in paragraph (1), by striking "or" at the end;

(B) in paragraph (2), by striking the period at the end and inserting "; or"; and

(C) by adding at the end the following new paragraph:

"(3) who the public housing agency or owner determines is illegally using a firearm, or whose illegal use of a firearm is determined by the public housing authority or owner to interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents.".

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

The Chair recognizes the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Mr. Speaker, this is a bill that came to the House earlier under a rule and had proceeded without any significant controversy to the point of a recommital motion. The recommital motion offered was one this bill deals with, the relationship between smaller public housing authorities in particular, and HUD, and tries to give them more flexibility. It's widely supported and requested of us, indeed, by many of the housing authorities that are in our districts.

The recommital motion involved the right to own weapons and said that no authority could restrict the right to own weapons beyond what State or city applicable law provided. That was somewhat controversial and led to a decision to withdraw the bill.

It was then back in committee, and in committee we adopted the substance—we in fact adopted the recommital motion. There were a couple of refinements that were broadly agreed to, making it clear that nothing would protect anybody who illegally used a weapon. And that was broadly supported.

We also made a couple of other small changes. Our colleague from Florida (Mr. MEEK) noted that he has a housing authority in his district that is in receivership. He wanted to make it explicit that the rights the tenants have in general do not get lost in receivership. That was unanimously agreed to.

We also adopted language that is responsive to the will of the House, making it clear that people who are in this country illegally would not be able to benefit under this program.

With that, we are back to where we were originally. The bill had not been controversial, although it had been worked out in committee, and I appreciate the cooperation of my colleague from West Virginia, the gentlewoman, who was the ranking member of the Housing Subcommittee.

So we have now a bill that we believe represents the will of the House. There were some members, particularly on our side, who weren't happy with the recommital motion, but it was clear what the will of the body would be. We did not feel we wanted to interfere with an important piece of legislation.

Among those who have asked us to do this is the National Association of Housing and Redevelopment Officials, the Council of Large Public Housing Authorities, and the Public Housing Authorities Directors Association.

This also, by the way, allows capital funds to be used for operating expenses in the appropriate circumstances, which we took from a previously done appropriations bill.

So it is a bill that improves the management of public housing. It incorporates the concerns that have been raised. I hope it is adopted.

I reserve the balance of my time.

Mrs. CAPITO. Mr. Speaker, I rise today in support of H.R. 6216, the Asset Management Improvement Act, authored by the gentleman from New Jersey (Mr. SIRES). There is general agreement that we need to work with our public housing authorities to improve and refine their asset management policies. The Quality Housing and Work Responsibility Act, which was passed by Congress in 1998, included a requirement for a negotiated rulemaking to develop a new public housing operating fund formula.

Rulemaking concluded in 2004, after a 3-year, $4 million Operating Cost Study was conducted, and in 2005, HUD issued the Public Housing Operating Fund Final Rule. HUD has agreed to delay the implementation, in an effort to give PHAs additional time to comply with the negotiated rule. This legislation will make further changes to that rule. It is my hope that all parties can continue to work together to make further improvements.

The base text of the legislation requires HUD and public housing agencies to negotiate, after April 1, 2009, reasonable property and asset management fees with interested stakeholders. The fees would then be implemented January 1, 2011.

The legislation increases, as the chairman said, the number of units public housing agencies can manage to 500, from 250, before they are required to manage their housing portfolios by the new asset management system. It also states that the bill's provisions, including those relating to public housing asset management, do not affect in any way current law regarding tenant participation and tenant opportunities in public housing.

As the chairman noted, we have been here before considering similar legislation. Unfortunately, that legislation was pulled from consideration during the motion to recommit that would have preserved the right of law-abiding citizens to own a firearm. I am pleased the authors of this new version included this important provision.

In addition, the authors have included the text of the manager's amendment, as well as the Meek amendment, in this new draft. The manager's amendment included language blocking illegal immigrants from eligibility and ensuring that certain agencies that apply to HUD for stop-loss do not have their applications rejected on the basis that the management and related fees they establish pursuant to the bill's provisions are not reasonable as defined by HUD. The Meek amendment provides that the tenant organization protections set forth in HUD's regulations apply to public housing agencies that are placed in receivership by HUD.

I would like to thank Mr. SIRES for offering this legislation.

I reserve the balance of my time.

Mr. FRANK of Massachusetts. Mr. Speaker, the author of the bill, as the gentlewoman has noted, is our colleague, Mr. SIRES from New Jersey, who represents a district in northern New Jersey where public housing is an important part of the makeup of the area. He was, at the time of this, a member of the Financial Services Committee, and a valuable member, and his interest in housing matters obviously continues. So we were very glad to be able to follow his lead.

I yield 5 minutes to the gentleman from New Jersey (Mr. SIRES).

Mr. SIRES. Thank you, Mr. Chairman.

I am very happy to be here today discussing my bill to help public housing authorities across the Nation. Let me start by thanking Chairman BARNEY FRANK for his support on this bill and his leadership in the Financial Service Committee. Without his dedication to this issue, we would not be considering this bill today.

Let me start by explaining why I introduced this bill. Shortly after I was sworn in, I received a letter from the

Jersey City Housing Authority in my district. They told me they had to lay off 34 employees because of asset management. When I looked into this, I learned that Jersey City was not unique. Over 800 public housing authorities had their operating budgets cut because of the way asset management was implemented by the U.S. Department of Housing and Urban Development. At the same time, the Department limited the amount of flexibility given to public housing authorities to make ends meet. I knew something had to be done.

With the support of Chairman FRANK, Congressman MEEK, and others, I introduced H.R. 6216, the Asset Management Improvement Act of 2008. You will note that the title indicates that the bill improves asset management; it does not put an end to asset management. That is because I feel strongly that the goals of asset management are worthwhile.

By making public housing authorities run more efficiently, asset management has the potential to improve the lives of all those who live in public housing in this country.

My bill simply makes four improvements to the asset management rule and it alters the management of public housing in other aspects. First, it requires new negotiations to establish a reasonable management fee and allows public housing authorities to revert back to the old funding mechanism until final implementation of asset management on January 1, 2011. Congress has previously acted to require this, but HUD failed to act. This bill sets HUD straight.

Second, my bill reaffirms current law by allowing public housing authorities to transfer funds between their operating fund and their capital fund. This provision prevents the Department from prohibiting such transfers. This flexibility is vital to agencies, particularly since the housing program is underfunded. Housing authorities know best where they need funding, not Washington.

There is wide agreement on this provision. In fact, this provision was included in the Consolidated Appropriations Act for Fiscal Year 2008. That provision, however, is only valid for 1 year. My bill will make this change permanent.

Third, my bill decreases the exemption threshold from small to medium-sized public housing authorities. The Department recognized that small authorities with fewer than 250 units of housing would not benefit from the benefits of asset management, and so they are exempted. My bill simply raises this threshold to 500 units.

Again, there is little disagreement on raising the threshold. The Consolidated Appropriations Act for Fiscal Year 2008 raised the exemption threshold to 400. My bill goes a little further; to 500 units. The impact of this change would only affect 110 public housing authorities, some of whom may not opt out of asset management because they think it makes good sense. Even with this change, over two-thirds of all public housing units will still be covered by the asset management rules.

Third, my bill restates current law in terms of tenant participation. It simply says tenants should be allowed to participate in the decision affecting their homes. It prohibits the Department from altering tenant participation rights and it encourages public housing authorities to include tenants in discussions about asset management that directly affects their home.

The bill alters public housing management in a few other ways. First, it restates current law that undocumented immigrants are ineligible for public housing assistance. It includes language that Congresswoman BACHMANN brought to our attention on gun rules. In fact, we have incorporated her language into the bill.

Public housing authorities cannot require gun registration or prohibit gun ownership if local laws do not restrict ownership. Public housing authorities, as a whole, feel this is a reasonable requirement. Additionally, this bill allows public housing authorities to evict tenants who use an illegal weapon while on public housing property. This text was added by Representatives MALONEY and BOREN, recognizing that tenants do not have a right to use illegal weapons in public housing.

Together, these changes make several improvements to the management of public housing. It will improve the lives of all the residents.

□ 1330

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

Mr. FRANK of Massachusetts. I yield the gentleman an additional minute.

Mr. SIRES. Let me end with this: My office has taken calls from public housing authorities across the Nation. Small, large, urban and rural housing authorities support this bill, and I hope that Members will support this bill. Please make a difference for public housing residents and public housing authorities by easing their regulatory burden. Vote ''yes'' on H.R. 6216.

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

Mr. Speaker, I thank the gentleman from New Jersey and certainly support his bill, but I think it is appropriate when talking about trying to stretch our public housing dollars as much as we can to provide housing and safety and cover and a sense of community to many families, I think it brings to light what many families are thinking about right now, and that is the high price of gasoline, how are they getting to where they need to go, to get to a job, to pick up their children at school, to go to church, to go to the grocery store, all the things of daily living.

Many of our public housing situations don't have access to bus routes or any kind of mass transportation, so I think it is incumbent upon this Congress to address this very difficult issue, and I have put forward, as have many of my colleagues on both sides of the aisle, ways to address this, whether it is more drilling, whether it is coal-to-liquid, whether it is more renewables. But it is certainly not standing still. And as we try to move our dollars into the public housing arena to provide shelter and homes for many, many Americans across this country, I think it is important at the same time when people are figuring out how they are going to pay their rent, they realize how are they going to pay for their gas, how are they going to pay for their food.

So I would encourage as we look at housing issues today, we also look at the very important issue of energy in our homes and with our families.

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

Mr. FRANK of Massachusetts. I am about to close, Mr. Speaker. I did want to reassure my colleague from West Virginia, and I appreciate that she is doing her part by making clear that gasoline should be cheaper, it is a very important issue when we talk about financing public housing, I want to reassure her that nothing in this bill prohibits drilling for oil on public housing property. I know there is a lot of concern on the Republican side about that, so they should rest assured that they are okay.

GENERAL LEAVE

Mr. FRANK of Massachusetts. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this legislation and to insert extraneous material thereon, following the precedent of the gentlewoman from West Virginia, who has already inserted very extraneous material in the debate on this bill.

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

There was no objection.

Mr. FRANK of Massachusetts. 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 Massachusetts (Mr. FRANK) that the House suspend the rules and pass the bill, H.R. 6216, 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.

HOMES FOR HEROES ACT OF 2007

Mr. AL GREEN of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3329) to provide housing assistance for very low-income veterans, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3329

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 ''Homes for Heroes Act of 2008''.

SEC. 2. SPECIAL ASSISTANT FOR VETERANS AFFAIRS IN OFFICE OF SECRETARY OF HOUSING AND URBAN DEVELOPMENT.

Section 4 of the Department of Housing and Urban Development Act (42 U.S.C. 3533) is amended by adding at the end the following new subsection:

''(g) SPECIAL ASSISTANT FOR VETERANS AFFAIRS.—

''(1) ESTABLISHMENT.—There shall be in the Department a Special Assistant for Veterans Affairs, who shall be in the Office of the Secretary.

''(2) APPOINTMENT.—The Special Assistant for Veterans Affairs shall be appointed based solely on merit and shall be covered under the provisions of title 5, United States Code, governing appointments in the competitive service.

''(3) RESPONSIBILITIES.—The Special Assistant for Veterans Affairs shall be responsible for—

''(A) ensuring veterans have access to housing and homeless assistance under each program of the Department providing either such assistance;

''(B) coordinating all programs and activities of the Department relating to veterans;

''(C) serving as a liaison for the Department with the Department of Veterans Affairs, including establishing and maintaining relationships with the Secretary of Veterans Affairs;

''(D) serving as a liaison for the Department, and establishing and maintaining relationships with officials of State, local, regional, and nongovernmental organizations concerned with veterans;

''(E) providing information and advice regarding—

''(i) sponsoring housing projects for veterans assisted under programs administered by the Department; or

''(ii) assisting veterans in obtaining housing or homeless assistance under programs administered by the Department;

''(F) preparing the annual report under section 8 of such Act; and

''(G) carrying out such other duties as may be assigned to the Special Assistant by the Secretary or by law.''.

SEC. 3. SUPPORTIVE HOUSING FOR VERY LOW-INCOME VETERAN FAMILIES.

(a) PURPOSE.—The purposes of this section are—

(1) to expand the supply of permanent housing for very low-income veteran families; and

(2) to provide supportive services through such housing to support the needs of such veteran families.

(b) AUTHORITY.—

(1) IN GENERAL.—The Secretary of Housing and Urban Development shall, to the extent amounts are made available for assistance under this section and the Secretary receives approvable applications for such assistance, provide assistance to private nonprofit organizations and consumer cooperatives to expand the supply of supportive housing for very low-income veteran families.

(2) NATURE OF ASSISTANCE.—The assistance provided under paragraph (1)—

(A) shall be available for use to plan for and finance the acquisition, construction, reconstruction, or moderate or substantial rehabilitation of a structure or a portion of a structure to be used as supportive housing for very low-income veteran families in accordance with this section; and

(B) may also cover the cost of real property acquisition, site improvement, conversion, demolition, relocation, and other expenses that the Secretary determines are necessary to expand the supply of supportive housing for very low-income veteran families.

(3) CONSULTATION.—In meeting the requirement of paragraph (1), the Secretary shall consult with—

(A) the Secretary of Veterans Affairs; and

(B) the Special Assistant for Veterans Affairs, as such Special Assistant was established under section 4(g) of the Department of Housing and Urban Development Act.

(c) FORMS OF ASSISTANCE.—Assistance under this section shall be made available in the following forms:

(1) PLANNING GRANTS.—Assistance may be provided as a grant for costs of planning a project to be used as supportive housing for very low-income veteran families.

(2) CAPITAL ADVANCES.—Assistance may be provided as a capital advance under this paragraph for a project, such advance shall—

(A) bear no interest;

(B) not be required to be repaid so long as the housing remains available for occupancy by very low-income veteran families in accordance with this section; and

(C) be in an amount calculated in accordance with the development cost limitation established pursuant to subsection (i).

(3) PROJECT RENTAL ASSISTANCE.—Assistance may be provided as project rental assistance, under an annual contract that—

(A) obligates the Secretary to make monthly payments to cover any part of the costs attributed to units occupied (or, as approved by the Secretary, held for occupancy) by very low-income veteran families that is not met from project income;

(B) provides for the project not more than the sum of the initial annual project rentals for all units so occupied and any initial utility allowances for such units, as approved by the Secretary;

(C) provides that any contract amounts not used by a project in any year shall remain available to the project until the expiration of the contract;

(D) provides that upon the expiration of each contract term, the Secretary shall adjust the annual contract amount to provide for reasonable project costs, and any increases, including adequate reserves, supportive services, and service coordinators, except that any contract amounts not used by a project during a contract term shall not be available for such adjustments upon renewal; and

(E) provides that in the event of emergency situations that are outside the control of the owner, the Secretary shall increase the annual contract amount, subject to reasonable review and limitations as the Secretary shall provide.

(d) TENANT RENT CONTRIBUTION.—A very low-income veteran family shall pay as rent for a dwelling unit assisted under this section the highest of the following amounts, rounded to the nearest dollar:

(1) 30 percent of the veteran family's adjusted monthly income.

(2) 10 percent of the veteran family's monthly income.

(3) If the veteran family is receiving payments for welfare assistance from a public agency and a part of such payments, adjusted in accordance with the veteran family's actual housing costs, is specifically designated by such agency to meet the veteran family's housing costs, the portion of such payments which is so designated.

(e) TERM OF COMMITMENT.—

(1) USE LIMITATIONS.—All units in housing assisted under this section shall be made available for occupancy by very low-income veteran families for not less than 15 years.

(2) CONTRACT TERMS FOR PROJECT RENTAL ASSISTANCE.—

(A) INITIAL TERM.—The initial term of a contract entered into under subsection (c)(3) shall be 60 months.

(B) EXTENSION.—The Secretary shall, subject only to the availability of amounts provided in appropriation Acts, renew the contract entered into under subsection (c)(3) for 10 consecutive one-year terms, the first such term beginning upon the expiration of such 60-month period.

(C) AUTHORITY OF SECRETARY TO MAKE EARLY COMMITMENTS.—In order to facilitate the orderly extension of expiring contracts, the Secretary may make commitments to extend expiring contracts during the year prior to the date of expiration.

(f) APPLICATIONS.—

(1) IN GENERAL.—Amounts made available under this section shall be allocated by the Secretary among approvable applications submitted by private nonprofit organizations and consumer cooperatives.

(2) CONTENT OF APPLICATION.—

(A) IN GENERAL.—Applications for assistance under this section shall be submitted by an applicant in such form and in accordance with such procedures as the Secretary shall establish.

(B) REQUIRED CONTENT.—Applications for assistance under this section shall contain—

(i) a description of the proposed housing;

(ii) a description of the assistance the applicant seeks under this section;

(iii) a description of—

(I) the supportive services to be provided to the persons occupying such housing;

(II) the manner in which such services will be provided to such persons, including, in the case of frail elderly persons (as such term is defined in section 202 of the Housing Act of 1959 (12 U.S.C. 1701q)), evidence of such residential supervision as the Secretary determines is necessary to facilitate the adequate provision of such services; and

(III) the public or private sources of assistance that can reasonably be expected to fund or provide such services;

(iv) a certification from the public official responsible for submitting a housing strategy for the jurisdiction to be served in accordance with section 105 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12705) that the proposed project is consistent with the approved housing strategy; and

(v) such other information or certifications that the Secretary determines to be necessary or appropriate to achieve the purposes of this section.

(3) REJECTION.—The Secretary shall not reject any application for assistance under this section on technical grounds without giving notice of that rejection and the basis therefore to the applicant.

(g) INITIAL SELECTION CRITERIA AND PROCESSING.—

(1) SELECTION CRITERIA.—The Secretary shall establish selection criteria for assistance under this section, which shall include—

(A) criteria based upon—

(i) the ability of the applicant to develop and operate the proposed housing;

(ii) the need for supportive housing for very low-income veteran families in the area to be served;

(iii) the extent to which the proposed size and unit mix of the housing will enable the applicant to manage and operate the housing efficiently and ensure that the provision of supportive services will be accomplished in an economical fashion;

(iv) the extent to which the proposed design of the housing will meet the service-

connected disability needs of very low-income veteran families;

(v) the extent to which the applicant has demonstrated that the supportive services identified pursuant to subsection (f)(2)(B)(iii) will be provided on a consistent, long-term basis;

(vi) the extent to which the proposed design of the housing will accommodate the provision of supportive services that are expected to be needed, either initially or over the useful life of the housing, by the very low-income veterans the housing is intended to serve;

(vii) the extent to which the applicant has ensured that a service coordinator will be employed or otherwise retained for the housing, who has the managerial capacity and responsibility for carrying out the actions described in clauses (i) and (ii) of subsection (h)(2)(A); and

(viii) such other factors as the Secretary determines to be appropriate to ensure that funds made available under this section are used effectively;

(B) a preference in such selection for applications proposing housing to be reserved for occupancy by very low-income veteran families who are homeless (as such term is defined in section 103 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11302)); and

(C) criteria appropriate to consider the need for supportive housing for very low-income veteran families in nonmetropolitan areas and by Indian tribes.

(2) DELEGATED PROCESSING.—

(A) DELEGATION TO STATE OR LOCAL HOUSING AUTHORITY.—In issuing a capital advance under this subsection for any project for which financing for the purposes described in subsection (b)(2) is provided by a combination of a capital advance under subsection (c)(2) and sources other than this section, within 30 days of award of the capital advance, the Secretary shall delegate review and processing of such projects to a State or local housing agency that—

(i) is in geographic proximity to the property;

(ii) has demonstrated experience in and capacity for underwriting multifamily housing loans that provide housing and supportive services;

(iii) may or may not be providing low-income housing tax credits in combination with the capital advance under this section; and

(iv) agrees to issue a firm commitment within 12 months of delegation.

(B) PROCESSING BY SECRETARY.—The Secretary shall retain the authority to process capital advances in cases in which no State or local housing agency has applied to provide delegated processing pursuant to this paragraph or no such agency has entered into an agreement with the Secretary to serve as a delegated processing agency.

(C) PROCESSING FEES.—An agency to which review and processing is delegated pursuant to subparagraph (A) may assess a reasonable fee which shall be included in the capital advance amounts and may recommend project rental assistance amounts in excess of those initially awarded by the Secretary. The Secretary shall develop a schedule for reasonable fees under this subparagraph to be paid to delegated processing agencies, which shall take into consideration any other fees to be paid to the agency for other funding provided to the project by the agency, including bonds, tax credits, and other gap funding.

(D) AUTHORITY RETAINED BY SECRETARY.—Under such delegated system, the Secretary shall retain the authority to approve rents and development costs and to execute a capital advance within 60 days of receipt of the commitment from the State or local agency. The Secretary shall provide to such agency and the project sponsor, in writing, the reasons for any reduction in capital advance amounts or project rental assistance and such reductions shall be subject to appeal.

(h) PROVISION OF SUPPORTIVE SERVICES TO VETERAN FAMILIES.—

(1) IN GENERAL.—The Secretary of Housing and Urban Development shall coordinate with the Secretary of Veterans Affairs to ensure that any housing assistance provided to veterans or veteran families includes a range of services tailored to the needs of the very low-income veteran families occupying such housing, which may include services for—

(A) outreach;

(B) health (including counseling, mental health, substance abuse, post-traumatic stress disorder, and traumatic brain injury) diagnosis and treatment;

(C) habilitation and rehabilitation;

(D) case management;

(E) daily living;

(F) personal financial planning;

(G) transportation;

(H) vocation;

(I) employment and training;

(J) education;

(K) assistance in obtaining veterans benefits and public benefits;

(L) assistance in obtaining income support;

(M) assistance in obtaining health insurance;

(N) fiduciary and representative payee;

(O) legal aid;

(P) child care;

(Q) housing counseling;

(R) service coordination; and

(S) other services necessary for maintaining independent living.

(2) LOCAL COORDINATION OF SERVICES.—

(A) IN GENERAL.—The Secretary of Housing and Urban Development shall coordinate with the Secretary of the Department of Veterans Affairs to ensure that owners of housing assisted under this section have the managerial capacity to—

(i) assess on an ongoing basis the service needs of residents;

(ii) coordinate the provision of supportive services and tailor such services to the individual needs of residents; and

(iii) seek on a continuous basis new sources of assistance to ensure the long-term provision of supportive services.

(B) CLASSIFICATION OF COSTS.—Any cost associated with this subsection relating to the coordination of services shall be an eligible cost under subsections (c)(3).

(i) DEVELOPMENT COST LIMITATIONS.—

(1) IN GENERAL.—The Secretary shall periodically establish reasonable development cost limitations by market area for various types and sizes of supportive housing for very low-income veteran families by publishing a notice of the cost limitations in the Federal Register.

(2) CONSIDERATIONS.—The cost limitations established under paragraph (1) shall reflect—

(A) the cost of construction, reconstruction, or moderate or substantial rehabilitation of supportive housing for very low-income veteran families that meets applicable State and local housing and building codes;

(B) the cost of movables necessary to the basic operation of the housing, as determined by the Secretary;

(C) the cost of special design features necessary to make the housing accessible to very low-income veteran families;

(D) the cost of community space necessary to accommodate the provision of supportive services to veteran families;

(E) if the housing is newly constructed, the cost of meeting the energy efficiency standards promulgated by the Secretary in accordance with section 109 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12709); and

(F) the cost of land, including necessary site improvement.

(3) USE OF DATA.—In establishing development cost limitations for a given market area under this subsection, the Secretary shall use data that reflect currently prevailing costs of construction, reconstruction, or moderate or substantial rehabilitation, and land acquisition in the area.

(4) COMMUNITY SPACE.—For purposes of paragraph (2), a community space shall include space for cafeterias or dining halls, community rooms or buildings, workshops, child care, adult day health facilities or other outpatient health facilities, or other essential service facilities.

(5) COMMERCIAL FACILITIES.—Neither this section nor any other provision of law may be construed as prohibiting or preventing the location and operation, in a project assisted under this section, of commercial facilities for the benefit of residents of the project and the community in which the project is located, except that assistance made available under this section may not be used to subsidize any such commercial facility.

(6) ACQUISITION.—In the case of existing housing and related facilities to be acquired, the cost limitations shall include—

(A) the cost of acquiring such housing;

(B) the cost of rehabilitation, alteration, conversion, or improvement, including the moderate or substantial rehabilitation thereof; and

(C) the cost of the land on which the housing and related facilities are located.

(7) ANNUAL ADJUSTMENTS.—The Secretary shall adjust the cost limitation not less than annually to reflect changes in the general level of construction, reconstruction, and moderate and substantial rehabilitation costs.

(8) INCENTIVES FOR SAVINGS.—

(A) SPECIAL HOUSING ACCOUNT.—

(i) IN GENERAL.—The Secretary shall use the development cost limitations established under paragraph (1) or (6) to calculate the amount of financing to be made available to individual owners.

(ii) ACTUAL DEVELOPMENTAL COSTS LESS THAN FINANCING.—Owners which incur actual development costs that are less than the amount of financing shall be entitled to retain 50 percent of the savings in a special housing account.

(iii) BONUS FOR ENERGY EFFICIENCY.—The percentage established under clause (ii) shall be increased to 75 percent for owners which add energy efficiency features which—

(I) exceed the energy efficiency standards promulgated by the Secretary in accordance with section 109 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12709);

(II) substantially reduce the life-cycle cost of the housing; and

(III) reduce gross rent requirements.

(B) USES.—The special housing account established under subparagraph (A) may be used—

(i) to provide services to residents of the housing or funds set aside for replacement reserves; or

(ii) for such other purposes as determined by the Secretary.

(9) DESIGN FLEXIBILITY.—The Secretary shall, to the extent practicable, give owners the flexibility to design housing appropriate to their location and proposed resident population within broadly defined parameters.

(10) USE OF FUNDS FROM OTHER SOURCES.—An owner shall be permitted voluntarily to provide funds from sources other than this section for amenities and other features of appropriate design and construction suitable

for supportive housing under this section if the cost of such amenities is—

(A) not financed with the advance; and

(B) is not taken into account in determining the amount of Federal assistance or of the rent contribution of tenants.

(j) TENANT SELECTION.—

(1) IN GENERAL.—An owner shall adopt written tenant selection procedures that are—

(A) satisfactory to the Secretary and which are—

(i) consistent with the purpose of improving housing opportunities for very low-income veteran families; and

(ii) reasonably related to program eligibility and an applicant's ability to perform the obligations of the lease; and

(B) compliant with subtitle C of title VI of the Housing and Community Development Act of 1992 (42 U.S.C. 13601 et seq.) and any regulations issued under such subtitle.

(2) NOTIFICATION OF REJECTION.—Owners shall promptly notify in writing any rejected applicant of the grounds for any rejection.

(3) INFORMATION REGARDING HOUSING.—

(A) IN GENERAL.—The Secretary shall provide, to the Secretary of Veterans Affairs and the Secretary of Labor, information regarding the availability of the housing assisted under this section.

(B) SHARING OF INFORMATION WITH ADDITIONAL AGENCIES.—Within 30 days of receipt of the information, the Secretary of Veterans Affairs and Secretary of Labor shall provide such information to agencies in the area of the housing that receive assistance from the Department of Veterans Affairs and the Department of Labor for providing medical care, housing, supportive services or employment and training services to homeless veterans.

(k) MISCELLANEOUS PROVISIONS.—

(1) TECHNICAL ASSISTANCE.—The Secretary shall make available appropriate technical assistance to ensure that prospective applicants are able to participate more fully in the program carried out under this section.

(2) CIVIL RIGHTS COMPLIANCE.—Each owner shall certify, to the satisfaction of the Secretary, that assistance made available under this section will be conducted and administered in conformity with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000a et seq.), the Fair Housing Act (42 U.S.C. 3601 et seq.), and other Federal, State, and local laws prohibiting discrimination and promoting equal opportunity.

(3) OWNER DEPOSIT.—

(A) IN GENERAL.—The Secretary shall require an owner of housing, assisted under this section, to deposit an amount not to exceed $15,000 in a special escrow account to ensure the owner's commitment to the housing. Such amount shall be used only to cover operating deficits during the first three years of operations and shall not be used to cover construction shortfalls or inadequate initial project rental assistance amounts.

(B) REDUCTION OF REQUIREMENT.—

(i) IN GENERAL.—The Secretary may reduce or waive the owner deposit specified under subparagraph (A) for individual applicants if the Secretary finds that such waiver or reduction is necessary to achieve the purposes of this section and the applicant demonstrates to the satisfaction of the Secretary that it has the capacity to manage and maintain the housing in accordance with this section.

(ii) NONPROFITS.—The Secretary may reduce or waive the requirement of the owner deposit under subparagraph (A) in the case of a nonprofit applicant that is not affiliated with a national sponsor, as determined by the Secretary.

(4) NOTICE OF APPEAL.—

(A) IN GENERAL.—The Secretary shall notify an owner not less than 30 days prior to canceling any reservation of assistance provided under this section.

(B) APPEAL.—

(i) FILING DEADLINE.—During the 30-day period following the receipt of any notice required under subparagraph (A), an owner may appeal the proposed cancellation.

(ii) TIMING OF DECISION.—Any appeal undertaken under clause (i), including review by the Secretary, shall be completed not later than 45 days after the appeal is filed.

(5) LABOR.—

(A) IN GENERAL.—The Secretary shall take such action as may be necessary to ensure that all laborers and mechanics employed by contractors and subcontractors in the construction of housing with 12 or more units assisted under this section shall be paid wages at rates not less than the rates prevailing in the locality involved for the corresponding classes of laborers and mechanics employed on construction of a similar character, as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States Code.

(B) EXEMPTION.—Subparagraph (A) shall not apply to any individual who—

(i) performs services for which the individual volunteered;

(ii) does not receive compensation for such services or is paid expenses, reasonable benefits, or a nominal fee for such services; and

(iii) is not otherwise employed at any time in the construction work.

(6) ACCESS TO RESIDUAL RECEIPTS.—

(A) IN GENERAL.—The Secretary shall authorize the owner of a housing project assisted under this section to use any residual receipts held for the project in excess of $500 per unit (or in excess of such other amount prescribed by the Secretary based on the needs of the project) for activities to retrofit and renovate the project as described under section 802(d)(3) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8011(d)(3)) or to provide supportive services to residents of the project.

(B) REPORT.—Any owner that uses residual receipts under this paragraph shall submit to the Secretary a report, not less than annually, describing the uses of the residual receipts.

(C) DETERMINATION OF AMOUNT.—In determining the amount of project rental assistance to be provided to a project under subsection (c)(3) of this section, the Secretary may take into consideration the residual receipts held for the project only if, and to the extent that, excess residual receipts are not used under this paragraph.

(7) OCCUPANCY STANDARDS AND OBLIGATIONS.—Each owner shall operate housing assisted under this section in compliance with subtitle C of title VI of the Housing and Community Development Act of 1992 (42 U.S.C. 13601 et seq.) and any regulations issued under such subtitle.

(8) USE OF PROJECT RESERVES.—

(A) IN GENERAL.—Amounts for project reserves for a project assisted under this section may be used for costs, subject to reasonable limitations as the Secretary determines appropriate, for reducing the number of dwelling units in the project.

(B) APPROVAL OF SECRETARY REQUIRED.—Any use described in subparagraph (A) of amounts for project reserves for a project assisted under this section shall be subject to the approval of the Secretary to ensure that such use is designed to retrofit units that are currently obsolete or unmarketable.

(9) REPAYMENT OF ASSISTANCE AND PREVENTION OF UNDUE BENEFITS.—

(A) REPAYMENT.—If a recipient, or a project sponsor receiving funds from the recipient, receives assistance under subsection (b) for use pursuant to paragraph (2) of such subsection for the construction, acquisition, or rehabilitation of supportive housing for very low-income veteran families and the project ceases to provide permanent housing, the Secretary shall require the recipient, or such project sponsor, to repay the following percentage of such assistance:

(i) In the case of a project that ceases to be used for such supportive housing before the expiration of the 10-year period beginning upon commencement of the operation of the project, 100 percent.

(ii) In the case of a project that ceases to be used for such supportive housing on or after the expiration of the 10-year period beginning upon commencement of the operation of the project, but before the expiration of the 15-year period beginning upon such commencement, 20 percent of the assistance for each of the years during such 15-year period for which the project fails to provide permanent housing.

(B) PREVENTION OF UNDUE BENEFITS.—Except as provided in paragraph (C), if any property is used for a project that receives assistance under subsection (b) for use pursuant to paragraph (2) of such subsection for the construction, acquisition or rehabilitation of supportive housing for very low-income veteran families, and the sale or other disposition of the property occurs before the expiration of the 15-year period beginning upon commencement of the operation of the project, the recipient (or the project sponsor receiving funds from the recipient) shall comply with such terms and conditions as the Secretary may prescribe to prevent the recipient (or such project sponsor) from unduly benefitting from such sale or disposition.

(C) EXCEPTION.—A recipient, or a project sponsor receiving funds from the recipient, shall not be required to make repayments, and comply with the terms and conditions, required under subparagraph (A) or (B) if—

(i) the sale or disposition of the property used for the project results in the use of the property for the direct benefit of very-low income persons;

(ii) all of the proceeds of the sale or disposition are used to provide permanent housing for very-low income veteran families meeting the requirements of this section;

(iii) project-based rental assistance or operating cost assistance from any Federal program or an equivalent State or local program is no longer made available and the project is meeting applicable performance standards, provided that the portion of the project that had benefitted from such assistance continues to meet the tenant income and rent restrictions for low-income units under section 42(g) of the Internal Revenue Code of 1986; or

(iv) there are no low-income veteran families in the geographic area of the property who meet the program criteria, in which case the project may serve non-veteran individuals and families having incomes described in subsection (l)(2) of this section.

(10) CONTINUED ELIGIBILITY OF VERY LOW-INCOME VETERAN FAMILIES.—A veteran family residing in supportive housing assisted under this section may not be considered to lose its status as such a family for purposes of eligibility for continued occupancy in such housing due to the death of any veteran member of the family, including the sole veteran member of the family.

(l) DEFINITIONS.—In this section, the following definitions shall apply:

(1) CONSUMER COOPERATIVE.—The term ''consumer cooperative'' has the same meaning given such term for purposes of the supportive housing for the elderly program under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q).

(2) VERY LOW-INCOME VETERAN FAMILY.—The term ''very low-income veteran family'' means a veteran family whose income does not exceed 50 percent of the median income for the area, as determined by the Secretary with adjustments for smaller and larger families, except that the Secretary may establish an income ceiling higher or lower than 50 percent of the median for the area on the basis of the Secretary's findings that such variations are necessary because of prevailing levels of construction costs or fair market rents (as determined under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f)), or unusually high or low family incomes.

(3) OWNER.—The term ''owner'' means a private nonprofit organization or consumer cooperative that receives assistance under this section to develop and operate supportive housing for very low-income veteran families.

(4) PRIVATE NONPROFIT ORGANIZATION.—The term ''private nonprofit organization'' means—

(A) any incorporated private institution or foundation—

(i) no part of the net earnings of which inures to the benefit of any member, founder, contributor, or individual;

(ii) which has a governing board that is responsible for the operation of the housing assisted under this section; and

(iii) which is approved by the Secretary as to financial responsibility;

(B) a for-profit limited partnership the sole or managing general partner of which is an organization meeting the requirements under clauses (i), (ii), and (iii) of subparagraph (A) or a corporation meeting the requirements of subparagraph (C);

(C) a corporation wholly owned and controlled by an organization meeting the requirements under clauses (i), (ii), and (iii) of subparagraph (A); and

(D) a tribally designated housing entity, as such term is defined in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103).

(5) SECRETARY.—The term ''Secretary'' means the Secretary of Housing and Urban Development, except where specifically provided otherwise.

(6) STATE.—The term ''State'' includes the several States, the District of Columbia, the Commonwealth of Puerto Rico, and the possessions of the United States.

(7) SUPPORTIVE HOUSING FOR VERY LOW-INCOME VETERAN FAMILIES.—The term ''supportive housing for very low-income veteran families'' means housing that is designed to accommodate the provision of supportive services that are expected to be needed, either initially or over the useful life of the housing, by the veteran families that the housing is intended to serve.

(8) VETERAN.—The term ''veteran'' has the meaning given the term in section 101 of title 38, United States Code.

(9) VETERAN FAMILY.—The term ''veteran family'' includes a veteran who is a single person, a family (including families with children) whose head of household (or whose spouse) is a veteran, and one or more veterans living together with 1 or more persons.

(m) ALLOCATION OF FUNDS.—Of any amounts made available for assistance under this section:

(1) PLANNING GRANTS.—Not more than 2.5 percent shall be available for planning grants in accordance with subsection (c)(1).

(2) CAPITAL ADVANCES.—Such sums as may be necessary shall be available for capital advances in accordance with subsection (c)(2).

(3) PROJECT RENTAL ASSISTANCE.—Such sums as may be necessary shall be available for project rental assistance in accordance with subsection (c)(3).

(4) TECHNICAL ASSISTANCE.—Not more than 1 percent shall be available for technical assistance in accordance with subsection (k)(1).

(n) AUTHORIZATION OF APPROPRIATIONS FOR HOUSING ASSISTANCE.—There is authorized to be appropriated for assistance under this section $200,000,000 for fiscal year 2008 and such sums as may be necessary for each fiscal year thereafter.

SEC. 4. HOUSING CHOICE VOUCHERS FOR HOMELESS VETERANS.

Section 8(o)(19) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)) is amended to read as follows:

''(19) RENTAL VOUCHERS FOR HOMELESS VETERANS.—

''(A) ADDITIONAL VOUCHERS.—In addition to any amount made available for rental assistance under this subsection, the Secretary shall make available the amount specified in subparagraph (B), for use only for providing rental assistance for homeless veterans in conjunction with the Secretary of Veterans Affairs.

''(B) AMOUNT.—The amount specified in this subparagraph is, for each fiscal year, the amount necessary to provide not fewer than 20,000 vouchers for rental assistance under this subsection.

''(C) CONTINUED ELIGIBILITY OF HOMELESS VETERAN FAMILIES.—If any veteran member of a household for which rental assistance is being provided under this paragraph, including the sole veteran member of the household, dies, such household may not be considered, due to such death, to lose its status as the household of a homeless veteran for purposes of—

''(i) eligibility for continued assistance under this paragraph; or

''(ii) continued occupancy in the dwelling unit in which such family is residing using such assistance at the time of such death.

''(D) FUNDING.—The budget authority made available under any other provisions of law for rental assistance under this subsection for fiscal year 2008 and each fiscal year thereafter is authorized to be increased in each such fiscal year by such sums as may be necessary to provide the number of vouchers specified in subparagraph (B) for such fiscal year.''.

SEC. 5. INCLUSION OF VETERANS IN HOUSING PLANNING.

(a) PUBLIC HOUSING AGENCY PLANS.—Section 5A(d)(1) of the United States Housing Act of 1937 (42 U.S.C. 1437c–1(d)(1)) is amended by striking ''and disabled families'' and inserting '', disabled families, and veterans (as such term is defined in section 101 of title 38, United States Code)''.

(b) COMPREHENSIVE HOUSING AFFORDABILITY STRATEGIES.—

(1) IN GENERAL.—Section 105 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12705) is amended—

(A) in subsection (b)(1), by inserting ''veterans (as such term is defined in section 101 of title 38, United States Code),'' after ''acquired immunodeficiency syndrome,'';

(B) in subsection (b)(20), by striking ''and service'' and inserting ''veterans service, and other service''; and

(C) in subsection (e)(1), by inserting ''veterans (as such term is defined in section 101 of title 38, United States Code),'' after ''homeless persons,''.

(2) CONSOLIDATED PLANS.—The Secretary of Housing and Urban Development shall revise the regulations relating to submission of consolidated plans (part 91 of title 24, Code of Federal Regulations) in accordance with the amendments made by paragraph (1) of this subsection to require inclusion of appropriate information relating to veterans and veterans service agencies in all such plans.

SEC. 6. EXCLUSION OF VETERANS BENEFITS FROM ASSISTED HOUSING RENT CONSIDERATIONS.

(a) IN GENERAL.—Notwithstanding any other provision of law, for purposes of determining the amount of rent paid by a family for occupancy of a dwelling unit assisted under a federally assisted housing program under subsection (b) or in housing assisted under any other federally assisted housing program, the income and the adjusted income of the family shall not be considered to include any amounts received by any member of the family from the Secretary of Veterans Affairs as—

(1) compensation, as such term is defined in section 101(13) of title 38, United States Code; and

(2) dependency and indemnity compensation, as such term is defined in section 101(14) of such title.

(b) FEDERALLY ASSISTED HOUSING PROGRAM.—The federally assisted housing programs under this subsection are—

(1) the public housing program under the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.);

(2) the tenant-based rental assistance program under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), including the program under subsection (o)(19) of such section for housing rental vouchers for low-income veteran families;

(3) the project-based rental assistance program under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f);

(4) the program for housing opportunities for persons with AIDS under subtitle D of title VIII of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12901 et seq.);

(5) the supportive housing for the elderly program under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q);

(6) the supportive housing for persons with disabilities program under section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013);

(7) the supportive housing for the homeless program under subtitle C of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11381 et seq.);

(8) the program for moderate rehabilitation of single room occupancy dwellings for occupancy by the homeless under section 441 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11401);

(9) the shelter plus care for the homeless program under subtitle F of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11403 et seq.);

(10) the supportive housing for very low-income veteran families program under section 3 of this Act;

(11) the rental assistance payments program under section 521(a)(2)(A) of the Housing Act of 1949 (42 U.S.C. 1490a(a)(2)(A);

(12) the rental assistance program under section 236 of the National Housing Act (12 U.S.C. 1715z–1);

(13) the rural housing programs under section 515 and 538 of the Housing Act of 1949 (42 U.S.C. 1485, 1490p–2);

(14) the HOME investment partnerships program under title II of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12721 et seq.);

(15) the block grant programs for affordable housing for Native Americans and Native Hawaiians under titles I through IV and VIII of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4111 et seq., 4221 et seq.);

(16) any other program for housing assistance administered by the Secretary of Housing and Urban Development or the Secretary

of Agriculture under which eligibility for occupancy in the housing assisted or for housing assistance is based upon income;

(17) low-income housing credits allocated pursuant to section 42 of the Internal Revenue Code of 1986; and

(18) tax-exempt bonds issued for qualified residential rental projects pursuant to section 142(d) of the Internal Revenue Code of 1986.

SEC. 7. TECHNICAL ASSISTANCE GRANTS FOR HOUSING ASSISTANCE FOR VETERANS.

(a) IN GENERAL.—The Secretary of Housing and Urban Development shall, to the extent amounts are made available in appropriation Acts for grants under this section, make grants to eligible entities under subsection (b) to provide to nonprofit organizations technical assistance appropriate to assist such organizations in—

(1) sponsoring housing projects for veterans assisted under programs administered by the Department of Housing and Urban Development;

(2) fulfilling the planning and application processes and requirements necessary under such programs administered by the Department; and

(3) assisting veterans in obtaining housing or homeless assistance under programs administered by the Department.

(b) ELIGIBLE ENTITIES.—An eligible entity under this subsection is a nonprofit entity or organization having such expertise as the Secretary shall require in providing technical assistance to providers of services for veterans.

(c) SELECTION OF GRANT RECIPIENTS.—The Secretary of Housing and Urban Development shall establish criteria for selecting applicants for grants under this section to receive such grants and shall select applicants based upon such criteria.

(d) FUNDING.—Of any amounts made available in fiscal year 2008 or any fiscal year thereafter to the Department of Housing and Urban Development for salaries and expenses, $1,000,000 shall be available, and shall remain available until expended, for grants under this section.

SEC. 8. ANNUAL REPORT ON HOUSING ASSISTANCE TO VETERANS.

(a) IN GENERAL.—Not later than December 31 each year, the Secretary of Housing and Urban Development shall submit a report on the activities of the Department of Housing and Urban Development relating to veterans during such year to the following:

(1) The Committee on Banking, Housing, and Urban Affairs of the Senate.

(2) The Committee on Veterans' Affairs of the Senate.

(3) The Committee on Appropriations of the Senate.

(4) The Committee on Financial Services of the House of Representatives.

(5) The Committee on Veterans' Affairs of the House of Representatives.

(6) The Committee on Appropriations of the House of Representatives.

(7) The Secretary of Veterans Affairs.

(b) CONTENTS.—Each report required under subsection (a) shall include the following information with respect to the year for which the report is submitted:

(1) The number of very low-income veteran families provided assistance under the program of supportive housing for very low-income veteran families under section 3, the socioeconomic characteristics of such families, the types of assistance provided such families, and the number, types, and locations of owners of housing assisted under such section.

(2) The number of homeless veterans provided assistance under the program of housing choice vouchers for homeless veterans under section 8(o)(19) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(19)) (as amended by section 4), the socioeconomic characteristics of such homeless veterans, and the number, types, and locations of entities contracted under such section to administer the vouchers.

(3) A summary description of the special considerations made for veterans under public housing agency plans submitted pursuant to section 5A of the United States Housing Act of 1937 (42 U.S.C. 1437c–1) and under comprehensive housing affordability strategies submitted pursuant to section 105 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12705).

(4) A description of the technical assistance provided to organizations pursuant to grants under section 7.

(5) A description of the activities of the Special Assistant for Veterans Affairs.

(6) A description of the efforts of the Department of Housing and Urban Development to coordinate the delivery of housing and services to veterans with other Federal departments and agencies, including the Department of Defense, Department of Justice, Department of Labor, Department of Health and Human Services, Department of Veterans Affairs, Interagency Council on Homelessness, and the Social Security Administration.

(7) The cost to the Department of Housing and Urban Development of administering the programs and activities relating to veterans.

(8) Any other information that the Secretary considers relevant in assessing the programs and activities of the Department of Housing and Urban Development relating to veterans .

(c) ASSESSMENT OF HOUSING NEEDS OF VERY LOW-INCOME VETERAN FAMILIES.—

(1) IN GENERAL.—For the first report submitted pursuant to subsection (a) and every fifth report thereafter, the Secretary of Housing and Urban Development shall—

(A) conduct an assessment of the housing needs of very low-income veteran families (as such term is defined in section 3); and

(B) shall include in each such report findings regarding such assessment.

(2) CONTENT.—Each assessment under this subsection shall include—

(A) conducting a survey of, and direct interviews with, a representative sample of very low-income veteran families (as such term is defined in section 3) to determine past and current—

(i) socioeconomic characteristics of such veteran families;

(ii) barriers to such veteran families obtaining safe, quality, and affordable housing;

(iii) levels of homelessness among such veteran families; and

(iv) levels and circumstances of, and barriers to, receipt by such veteran families of rental housing and homeownership assistance; and

(B) such other information that the Secretary determines, in consultation with the Secretary of Veterans Affairs and national nongovernmental organizations concerned with veterans, homelessness, and very low-income housing, may be useful to the assessment.

(3) CONDUCT.—If the Secretary contracts with an entity other than the Department of Housing and Urban Development to conduct the assessment under this subsection, such entity shall be a nongovernmental organization determined by the Secretary to have appropriate expertise in quantitative and qualitative social science research.

(4) FUNDING.—Of any amounts made available pursuant to section 501 of the Housing and Urban Development Act of 1970 (42 U.S.C. 1701z–1) for programs of research, studies, testing, or demonstration relating to the mission or programs of the Department of Housing and Urban Development for any fiscal year in which an assessment under this subsection is required pursuant to paragraph (1) of this subsection, $1,000,000 shall be available until expended for costs of the assessment under this subsection.

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

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. AL GREEN of Texas. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks on this legislation and to insert extraneous material.

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

There was no objection.

Mr. AL GREEN of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 3329, the Homes for Heroes Act, and at this time I would like to thank the House leadership for allowing this legislation to come before the House expeditiously. I also thank Chairman FRANK, the chairperson of the Financial Services Committee, for his outstanding service in helping us with this piece of legislation. Congresswoman WATERS, who chairs the Subcommittee on Housing, is to be given a debt of gratitude as well, because without her help we could not have brought the bill to fruition. The staff has been outstanding. Ranking Member CAPITO on the Housing Subcommittee has been of great benefit to us, as well as Congressman BACHUS, who is the ranking member on the full committee.

Mr. Speaker, of the many supporting organizations, I would like to especially thank the National Coalition for Homeless Veterans. They have been with us and they have assisted us through the process. The cosponsor and co-lead, Congressman MICHAEL MICHAUD, deserves a special expression of appreciation. He is the Chair of the Veterans Affairs Health Subcommittee. Finally, we thank the 53 cosponsors, and we appreciate greatly the bipartisan support that this legislation enjoys.

Mr. Speaker, we live in the greatest and richest country in the world. We literally have housing for our astronauts, who are in space. We have housing for our farm animals, called barns. We have housing for our cars, called garages. One of every 110 persons is a millionaire. However, I am sorry to report, Mr. Speaker, that as many are sleeping in the suites of life, too many are sleeping on the streets of life.

Mr. Speaker, we have 800,000 homeless people in our country. One-fourth, or 200,000 of them, are veterans. Approximately 16,000 veterans are homeless in the State of Texas, 2,400 in my

City of Houston. Veterans make up 11 percent of the population, yet are 25 percent of the homeless. 1.5 million veterans have incomes below poverty, and that would be $10,787 per year for a single person who happens to be a veteran. 643,000 veterans have incomes below 50 percent of poverty. That would be $5,394 per year for a single veteran. Of the homeless veterans, nearly one-half are Vietnam vets. One-half have mental illnesses. Two-thirds suffer from alcohol or substance abuse. Fifty-six percent are African American or Latino.

The passage of this legislation will help to end homelessness among our veterans. More specifically, this legislation would establish the position of Special Assistant for Veterans Affairs within HUD. This special assistant within HUD would coordinate the services of homeless veterans, serve as a liaison to the Department of Veterans Affairs, to the States and to local officials, as well as nonprofit organizations.

This bill would establish a $200 million assistance program for permanent supportive housing and services to low income veterans. Low income veterans are those who are at 50 percent of the area median income. This bill would expand the highly successful HUD Veterans Affairs Supportive Housing Program known as the HUD-VASH program. This bill authorizes 20,000 such vouchers on an annual basis.

The bill authorizes $1 million in HUD grants to assist housing and service providers with the execution of their projects. This bill would require HUD to submit a comprehensive report annually on the needs of veterans who are homeless and give an indication as to what steps are being taken under this program to eliminate homelessness among our veteran population.

Mr. Speaker, some may say that this is too little. Others may say that it is too much. It is our position that we do this before it is too late for many of our veterans.

Mr. Speaker, at this time I will reserve the balance of my time.

Mrs. CAPITO. Mr. Speaker, I rise today in support of H.R. 3329, the Homes for Heroes Act offered by the gentleman from Texas, Mr. GREEN.

In the week after our Nation celebrated its 232nd birthday, it is important that we take time to properly recognize the sacrifices of our Nation's veterans and those service men and women who are currently defending our freedoms and liberties in theaters across the world.

Like many of my colleagues, I have been to Walter Reed to visit our wounded warriors who have been injured in battle, and I am always touched by their spirit and courage. It goes without saying that our Nation and government must provide these veterans with the tools to succeed once they leave the military and the benefits they deserve for the sacrifices that they have made in the name of freedom.

This legislation improves one important aspect for our veterans, especially those who suffer from long-term physical and mental disabilities: That is access to affordable housing. The Veterans Administration is the only Federal agency that provides substantial hands-on assistance directly to homeless individuals, homeless veterans. Although limited to veterans and their dependants, the VA's major homeless specific programs constitute the largest integrated network of homeless treatment and assistance services in this country.

The Department's homeless veterans programs were first authorized in 1987 and have grown and developed during that time. The program offers a number of services that include outreach to veterans living on the streets and who otherwise would not seek assistance, long-term sheltered transitional assistance and supportive permanent housing.

According to the VA, about one-third of the adult homeless population are veterans. That is staggering, I believe, with current population estimates suggesting about 154,000 veterans are homeless on any given night. Many other veterans are considered near homeless or at risk because of their poverty, lack of support from family and friends and dismal living conditions in cheap hotels or overcrowded and substandard housing.

This legislation requires HUD to create a position within the Department to serve as a liaison to the Veterans Affairs Department. A Special Assistant for Veterans Affairs would ensure veterans receive proper access to HUD's housing assistance programs, coordinate all HUD programs and activities pertaining to veterans, and act as a liaison between HUD and the Department of Veterans Affairs.

Mr. GREEN's legislation also requires, as he noted, that HUD provide 20,000 rental vouchers for homeless veterans. It authorizes $200 million in fiscal year 2008 and such sums as may be necessary for each subsequent fiscal year. It also requires the Department to maintain a constant level of funding in coordination with rising home costs. The measure allows family members of a veteran receiving a housing voucher to maintain the voucher and the home after the veteran's death.

The bill authorizes grants to nonprofits that sponsor housing projects for veterans making less than 50 percent of the median income of an area, assists veterans in obtaining housing or homeless assistance, and assists veterans with the plan and application process for HUD assistance programs. It also includes language to assure that any voucher program would not inhibit low income tax credits that are already in place.

I would like to thank Mr. GREEN for offering this legislation and for his efforts to improve housing for our veterans.

I reserve the balance of my time.

Mr. AL GREEN of Texas. Mr. Speaker, I reserve the balance of my time.

Mrs. CAPITO. Mr. Speaker, I would like to yield such time as he may consume to my colleague the gentleman from Connecticut (Mr. SHAYS).

Mr. SHAYS. Mr. Speaker, I thank the gentlewoman for yielding.

I rise today in support of H.R. 3329, the Homes for Heroes Act, because it is past time to address the rapid growth of our Nation's homeless veterans population and enhance affordable housing opportunities for returning veterans. Permanent supportive housing remains the number one unmet need of veterans. The National Alliance to End Homelessness found that nearly half a million of our Nation's veterans are severely rent-burdened and devote more than 50 percent of their income to rent.

The bill will strengthen housing opportunities for our returning veterans by creating a Special Assistant for Veterans Affairs within the Department of Housing and Urban Development, HUD, and authorizes $200 million for new construction of low income and homeless veteran housing and 20,000 new vouchers for homeless veterans. We have a responsibility to assure the well-being of these brave men and women, true American heroes, when they return home.

Veterans are twice as likely to be chronically homeless compared to other Americans. Additional obstacles include physical and mental health-related problems, weakened social networks, high stressful occupational demands and non-transferability of skills to civilian jobs, which create the need for additional supportive services for this population.

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In fact, the Alliance to End Homelessness concluded veterans make up a disproportionate share of the homeless population. While veterans only represent 11 percent of the civilian population age 18 and over, they account for nearly 26 percent of our Nation's homeless population. This is clearly unacceptable. This disparity is especially concerning as our Nation's troops in Iraq and Afghanistan return home.

While the VA currently has over 19,000 transitional housing beds for homeless veterans and has invested in new initiatives specifically targeting at-risk populations, various Government Accountability Office, GAO, and VA studies indicate that the VA still lacks the capacity to provide timely access to health services for veterans at risk for homelessness.

I believe this bill will enhance supportive and affordable housing opportunities for veterans, and I urge all my colleagues to support this bill.

I thank the ranking member for yielding me time.

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I rise in support of H.R. 3329, the Homes for Heroes Act.

With all the problems veterans face today, too often Congress forgets the simple things, such as housing.

After members of our military have honorably served this great nation and want to start a life with their family, our country should provide them with the assistance to do so.

When some of our veterans return from battle, their fight continues. Whether it is wrestling with the effects of PTSD or struggling to reintegrate into civilian life, it is Congress's responsibility to help them and that is what the Homes for Heroes Act does.

I am very proud of what this bill accomplishes, such as the assistance provided to low-income vets, the HUD-VA liaison created for state and local governments, and the additional services provided to veterans with mental and addictive disorders.

As the Ranking Member of the Oversight and Investigations Subcommittee under Veterans Affairs, I am aware of the unique issues facing veterans, and I thank Representative GREEN for introducing this bill.

Mr. Speaker, I urge my colleagues to support H.R. 3329.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in support of H.R. 3329, the "Homes for Heroes Act." I urge my colleagues to support this legislation and to support our troops in their efforts to obtain homes. I thank my friend Congressman AL GREEN for this thoughtful legislation

This important piece of legislation amends the Department of Housing and Urban Development Act to establish in the Department of Housing and Urban Development (HUD) a Special Assistant for Veterans Affairs to: (1) ensure veteran access to HUD housing and homeless assistance programs; (2) coordinate all HUD programs and activities relating to veterans; and (3) serve as a HUD liaison with the Department of Veterans Affairs.

This legislation, directs the HUD Secretary to provide assistance to private nonprofit organizations and consumer cooperatives to expand the supply of supportive housing for very low-income veteran families (that is, families with incomes not exceeding 50 percent of the area median income).

H.R. 3326, amends the United States Housing Act of 1937 to: (1) make housing rental vouchers available to homeless veterans; and (2) include veterans in public housing planning.

Excludes veterans' benefits from income for purposes of HUD assisted housing rental determinations.

This legislation requires the Secretary to: (1) make grants to nonprofit entities for technical assistance in sponsoring HUD housing projects for veterans; and (2) report annually to specified congressional committees and the Secretary of Veterans Affairs on HUD activities relating to veterans.

I firmly believe that we should celebrate our veterans, and I remain committed, as a Member of Congress, to ensuring that we respect our veterans. Veterans have kept their promise to serve our nation; they have willingly risked their lives to protect the country we all love. We must now ensure that we keep our promises to our veterans.

Currently, there are 25 million veterans in the United States. There are more than 1,633,000 veterans living in Texas and more than 32,000 veterans living in my Congressional district alone. I hope we will all take the time to show appreciation to those who have answered the call to duty. As the great British leader Winston Churchill famously stated, "Never in the field of human conflict was so much owed by so many to so few."

With the approval of legislation on June 1, 1954, November 11th became a day to honor American veterans of all wars. Later that same year, on October 8th, President Dwight D. Eisenhower, himself a decorated veteran of war, issued the first "Veterans Day Proclamation" which stated in part: "In order to insure proper and widespread observance of this anniversary, all veterans, all veterans' organizations, and the entire citizenry will wish to join hands in the common purpose." It was with that endearing spirit that America celebrated the first Veterans Day.

We must always remember the debt that we owe our fallen veterans that have paid the ultimate sacrifice. From the four surviving World War I veterans known to be living in the United States, to the over 300,000 veterans of Operation Enduring Freedom and Operation Iraqi Freedom we expect to see by the end of 2008. Our gratitude must continue to be unwavering to our soldiers and veterans.

In the words of President John F. Kennedy, "As we express our gratitude, we must never forget that the highest appreciation is not to utter words, but to live by them." It is not simply enough to sing the praises of our nation's great veterans; I firmly believe that we must demonstrate by our actions how proud we are of our American heroes.

I urge my colleagues to support this important legislation. I believe it is necessary for the nation to act now so that we all can pay respect, tribute, and homage to the lives of the armed services veterans who have fought to keep America free and have fought to make sure that all people and nations partake in the universal freedoms that we find so important in this country. These individuals have given so much and have paid us the ultimate sacrifice: the sacrifice of their lives. The least that we can do, is ensure that these veterans are able to secure homes when they return home from battle. I urge my colleagues to support this bill.

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

Mr. AL GREEN of Texas. 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 Texas (Mr. AL GREEN) that the House suspend the rules and pass the bill, H.R. 3329, 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. FRANK of Massachusetts. 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.

AMERICA'S BEAUTIFUL NATIONAL PARKS QUARTER DOLLAR COIN ACT OF 2008

Mrs. MALONEY of New York. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6184) to provide for a program for circulating quarter dollar coins that are emblematic of a national park or other national site in each State, the District of Columbia, and each territory of the United States, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6184

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 "America's Beautiful National Parks Quarter Dollar Coin Act of 2008".

TITLE I—NATIONAL SITE QUARTER DOLLARS

SEC. 101. FINDINGS.

The Congress finds as follows:

(1) Yellowstone National Park was established by an Act signed by President Ulysses S. Grant on March 1, 1872, as the Nation's first national park.

(2) The summer and autumn of 1890 saw the establishment of a number of national sites:

(A) August 19: Chickamauga and Chattanooga established as national military parks in Georgia and Tennessee.

(B) August 30: Antietam established as a national battlefield site in Maryland.

(C) September 25: Sequoia National Park established in California.

(D) September 27: Rock Creek Park established in the District of Columbia.

(E) October 1: General Grant National Park established in California (and subsequently incorporated in Kings Canyon National Park).

(F) October 1: Yosemite National Park established in California.

(3) Theodore Roosevelt was this nation's 26th President and is considered by many to be our "Conservationist President".

(4) As a frequent visitor to the West, Theodore Roosevelt witnessed the virtual destruction of some big game species and the overgrazing that destroyed the grasslands and with them the habitats for small mammals and songbirds and conservation increasingly became one of his major concerns.

(5) When he became President in 1901, Roosevelt pursued this interest in conservation by establishing the first 51 Bird Reserves, 4 Game Preserves, and 150 National Forests.

(6) He also established the United States Forest Service, signed into law the creation of 5 National Parks, and signed the Act for the Preservation of American Antiquities in 1906 under which he proclaimed 18 national monuments.

(7) Approximately 230,000,000 acres of area within the United States was placed under public protection by Theodore Roosevelt.

(8) Theodore Roosevelt said that nothing short of defending this country in wartime "compares in importance with the great central task of leaving this land even a better land for our descendants than it is for us".

(9) The National Park Service was created by an Act signed by President Woodrow Wilson on August 25, 1916.

(10) The National Park System comprises 391 areas covering more than 84,000,000 acres in every State (except Delaware), the District of Columbia, American Samoa, Guam, Puerto Rico, and the Virgin Islands.

(11) The sites or areas within the National Park System vary widely in size and type from vast natural wilderness to birthplaces of Presidents to world heritage archaeology sites to an African burial ground memorial in Manhattan and include national parks,

monuments, battlefields, military parks, historical parks, historic sites, lakeshores, seashores, recreation areas, scenic rivers and trails, and the White House.

(12) In addition to the sites within the National Park System, the United States has placed numerous other types of sites under various forms of conservancy, such as the national forests and sites within the National Wildlife Refuge System and on the National Register of Historic Places.

SEC. 102. ISSUANCE OF REDESIGNED QUARTER DOLLARS EMBLEMATIC OF NATIONAL PARKS OR OTHER NATIONAL SITES IN EACH STATE, THE DISTRICT OF COLUMBIA, AND EACH TERRITORY.

Section 5112 of title 31, United States Code, is amended by adding at the end the following new subsection:

''(t) REDESIGN AND ISSUANCE OF QUARTER DOLLARS EMBLEMATIC OF NATIONAL SITES IN EACH STATE, THE DISTRICT OF COLUMBIA, AND EACH TERRITORY.—

''(1) REDESIGN BEGINNING UPON COMPLETION OF PRIOR PROGRAM.—

''(A) IN GENERAL.—Notwithstanding the fourth sentence of subsection (d)(1) and subsection (d)(2), quarter dollars issued beginning in 2010 shall have designs on the reverse selected in accordance with this subsection which are emblematic of the national sites in the States, the District of Columbia and the territories of the United States.

''(B) FLEXIBILITY WITH REGARD TO PLACEMENT OF INSCRIPTIONS.—Notwithstanding subsection (d)(1), the Secretary may select a design for quarter dollars referred to in subparagraph (A) in which—

''(i) the inscription described in the second sentence of subsection (d)(1) appears on the reverse side of any such quarter dollars; and

''(ii) any inscription described in the third sentence of subsection (d)(1) or the designation of the value of the coin appears on the obverse side of any such quarter dollars.

''(C) INCLUSION OF DISTRICT OF COLUMBIA, AND TERRITORIES.—For purposes of this subsection, the term 'State' has the same meaning as in section 3(a)(3) of the Federal Deposit Insurance Act.

''(2) SINGLE SITE IN EACH STATE.—The design on the reverse side of each quarter dollar issued during the period of issuance under this subsection shall be emblematic of 1 national site in each State.

''(3) SELECTION OF SITE AND DESIGN.—

''(A) SITE.—

''(i) IN GENERAL.—The selection of a national park or other national site in each State to be honored with a coin under this subsection shall be made by the Secretary of the Treasury, after consultation with the Secretary of the Interior and the governor or other chief executive of each State with respect to which a coin is to be issued under this subsection, and after giving full and thoughtful consideration to national sites that are not under the jurisdiction of the Secretary of the Interior so that the national site chosen for each State shall be the most appropriate in terms of natural or historic significance.

''(ii) TIMING.—The selection process under clause (i) shall be completed before the end of the 270-day period beginning on the date of the enactment of the America's Beautiful National Parks Quarter Dollar Coin Act of 2008.

''(B) DESIGN.—Each of the designs required under this subsection for quarter dollars shall be—

''(i) selected by the Secretary after consultation with—

''(I) the Secretary of the Interior; and

''(II) the Commission of Fine Arts; and

''(ii) reviewed by the Citizens Coinage Advisory Committee.

''(C) SELECTION AND APPROVAL PROCESS.—Recommendations for site selections and designs for quarter dollars may be submitted in accordance with the site and design selection and approval process developed by the Secretary in the sole discretion of the Secretary.

''(D) PARTICIPATION IN DESIGN.—The Secretary may include participation by officials of the State, artists from the State, engravers of the United States Mint, and members of the general public.

''(E) STANDARDS.—Because it is important that the Nation's coinage and currency bear dignified designs of which the citizens of the United States can be proud, the Secretary shall not select any frivolous or inappropriate design for any quarter dollar minted under this subsection.

''(F) PROHIBITION ON CERTAIN REPRESENTATIONS.—No head and shoulders portrait or bust of any person, living or dead, no portrait of a living person, and no outline or map of a State may be included in the design on the reverse of any quarter dollar under this subsection.

''(4) ISSUANCE OF COINS.—

''(A) ORDER OF ISSUANCE.—The quarter dollar coins issued under this subsection bearing designs of national sites shall be issued in the order in which the sites selected under paragraph (3) were first established as a national site.

''(B) RATE OF ISSUANCE.—The quarter dollar coins bearing designs of national sites under this subsection shall be issued at the rate of 5 new designs during each year of the period of issuance under this subsection.

''(C) NUMBER OF EACH OF 5 COIN DESIGNS IN EACH YEAR.—Of the quarter dollar coins issued during each year of the period of issuance, the Secretary of the Treasury shall prescribe, on the basis of such factors as the Secretary determines to be appropriate, the number of quarter dollars which shall be issued with each of the designs selected for such year.

''(5) TREATMENT AS NUMISMATIC ITEMS.—For purposes of sections 5134 and 5136, all coins minted under this subsection shall be considered to be numismatic items.

''(6) ISSUANCE.—

''(A) QUALITY OF COINS.—The Secretary may mint and issue such number of quarter dollars of each design selected under paragraph (3) in uncirculated and proof qualities as the Secretary determines to be appropriate.

''(B) SILVER COINS.—Notwithstanding subsection (b), the Secretary may mint and issue such number of quarter dollars of each design selected under paragraph (3) as the Secretary determines to be appropriate, with a content of 90 percent silver and 10 percent copper.

''(7) PERIOD OF ISSUANCE.—

''(A) IN GENERAL.—Subject to paragraph (2), the program established under this subsection shall continue in effect until a national site in each State has been honored.

''(B) SECOND ROUND AT DISCRETION OF SECRETARY.—

''(i) DETERMINATION.—The Secretary may make a determination before the end of the 9-year period beginning when the first quarter dollar is issued under this subsection to continue the period of issuance until a second national site in each State, the District of Columbia, and each territory referred to in this subsection has been honored with a design on a quarter dollar.

''(ii) NOTICE AND REPORT.—Within 30 days after making a determination under clause (i), the Secretary shall submit a written report on such determination to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate.

''(iii) APPLICABILITY OF PROVISIONS.—If the Secretary makes a determination under clause (i), the provisions of this subsection applicable to site and design selection and approval, the order, timing, and conditions of issuance shall apply in like manner as the initial issuance of quarter dollars under this subsection, except that the issuance of quarter dollars pursuant to such determination bearing the first design shall commence in order immediately following the last issuance of quarter dollars under the first round.

''(iv) CONTINUATION UNTIL ALL STATES ARE HONORED.—If the Secretary makes a determination under clause (i), the program under this subsection shall continue until a second site in each State has been so honored.

''(8) DESIGNS AFTER END OF PROGRAM.—Upon the completion of the coin program under this subsection, the design on—

''(A) the obverse of the quarter dollar shall revert to the same design containing an image of President Washington in effect for the quarter dollar before the institution of the 50-State quarter dollar program; and

''(B) notwithstanding the fourth sentence of subsection (d)(1), the reverse of the quarter dollar shall contain an image of General Washington crossing the Delaware River prior to the Battle of Trenton.

''(9) NATIONAL SITE.—For purposes of this subsection, the term 'national site' means any site under the supervision, management, or conservancy of the National Park Service, the United States Forest Service, the United States Fish and Wildlife Service, or any similar department or agency of the Federal Government, including any national park, national monument, national battlefield, national military park, national historical park, national historic site, national lakeshore, seashore, recreation area, parkway, scenic river, or trail and any site in the National Wildlife Refuge System.

''(10) APPLICATION IN EVENT OF INDEPENDENCE.—If any territory becomes independent or otherwise ceases to be a territory or possession of the United States before quarter dollars bearing designs which are emblematic of such territory are minted pursuant to this subsection, this subsection shall cease to apply with respect to such territory.''.

TITLE II—BULLION INVESTMENT PRODUCTS

SEC. 201. SILVER BULLION COIN.

Section 5112 of title 31, United States Code, is amended by inserting after subsection (t) (as added by title I of this Act) the following new subsection:

''(u) SILVER BULLION INVESTMENT PRODUCT.—

''(1) IN GENERAL.—The Secretary shall strike and make available for sale such number of bullion coins as the Secretary determines to be appropriate that are exact duplicates of the quarter dollars issued under subsection (t), each of which shall—

''(A) have a diameter of 3.0 inches and weigh 5.0 ounces;

''(B) contain .999 fine silver;

''(C) have incused into the edge the fineness and weight of the bullion coin;

''(D) bear an inscription of the denomination of such coin, which shall be 'quarter dollar'; and

''(E) not be minted or issued by the United States Mint as so-called 'fractional' bullion coins or in any size other than the size described in paragraph (A).

''(2) AVAILABILITY FOR SALE.—Bullion coins minted under paragraph (1)—

''(A) shall become available for sale no sooner than the first day of the calendar year in which the circulating quarter dollar

of which such bullion coin is a duplicate is issued; and

''(B) may only be available for sale during the year in which such circulating quarter dollar is issued.

''(3) DISTRIBUTION.—

''(A) IN GENERAL.—In addition to the authorized dealers utilized by the Secretary in distributing bullion coins and solely for purposes of distributing bullion coins issued under this subsection, the Director of the National Park Service, or the designee of the Director, may purchase numismatic items issued under this subsection, but only in units of no fewer than 1,000 at a time, and the Director, or the Director's designee, may resell or repackage such numismatic items as the Director determines to be appropriate.

''(B) RESALE.—The Director of the National Park Service, or the designee of the Director, may resell, at cost and without repackaging, numismatic items acquired by the Director or such designee under subparagraph (A) to any party affiliated with any national site honored by a quarter dollar under subsection (t) for repackaging and resale by such party in the same manner and to the same extent as such party would be authorized to engage in such activities under subparagraph (A) if the party were acting as the designee of the Director under such subparagraph.''.

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

The Chair recognizes the gentlewoman from New York.

GENERAL LEAVE

Mrs. MALONEY of New York. Mr. Speaker, I ask unanimous consent all that Members may have 5 legislative days in which to revise and extend their remarks on this legislation and insert any extraneous material as they so wish.

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

There was no objection.

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

Mr. Speaker, I rise in support of H.R. 6184, America's Beautiful National Parks Quarter Dollar Coin Act, introduced by my good friend and colleague from Delaware, Congressman CASTLE.

I have had the great pleasure to work with Mr. CASTLE on several coin bills of this nature in the past, the very successful State quarters and most recently the Presidential dollars. I am proud to be the Democratic lead sponsor of this bill, and I am happy to report that it has strong bipartisan support, as shown by the fact that it passed out of the Financial Services Committee on a unanimous vote in support.

I want to thank Congressman CASTLE for all of his hard work on this legislation, as well as Chairman FRANK for his support, and the support of the staff of the Financial Services Committee and our individual staffs for their hard work on this bill. Of course, all of us love our national parks, and especially those of our home State, which will be honored on each of these coins.

Beginning in 2010, new quarters will bear a design representing a national park or site in each State and the District of Columbia at the rate of 5 new designs a year. The sites will be selected at the beginning of the process by the Secretary of the Treasury in consultation with the States, and the coins will be minted in the order in which the sites selected were established as national sites, which I think is a very clever touch.

As a former teacher and educator, I am always excited about the new designs on everyday coins because they encourage more Americans of all ages to pay attention to the coins in your pockets and learn a few facts about what is depicted. I can say of the very successful State quarter program, it became a very popular teaching tool. Many teachers devised lesson plans around the quarters, and many of my constituents collected these coins. My own daughter had a book with each of the quarters in it; and many people would ask me, when is the next quarter coming out? And because it was so successful, the 50 State quarter program raised $6.2 billion over the past 10 years of its life span which is just ending this year. And we can hope that we will have similar results from this series of coins.

Mr. Speaker, I urge my colleagues on both sides of the aisle to support this legislation. It is an education tool. It also will generate needed revenues for our Treasury.

I reserve the balance of my time.

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

Mr. Speaker, I rise in support of H.R. 6184, the America's Beautiful National Parks Quarter Dollar Coin Act of 2008, which I am pleased to support with my friends, the gentlelady from New York (Mrs. MALONEY), and I appreciate her kind comments here on the floor, and the gentleman from Chicago (Mr. GUTIERREZ).

This is an easy bill to understand and I hope an easy bill to like. It was popular enough, as the Congresswoman from New York pointed out, in committee to have passed by a 58–0 vote 2 weeks ago.

We all know the popular 50 State quarters program which sequentially honored every State in the Union with a design of its choosing on the back of the quarter. There are just two more States, Alaska and Hawaii, to be honored. Next year, there will be quarters honoring the District of Columbia, Puerto Rico and the territories, and the program will be done.

Mr. Speaker, the 50 State quarters program met or exceeded every goal. It honored every State in such a way that educated the rest of the country about things that made that particular State so special. The national parks quarters program is a follow-up to the State quarters, and I believe nothing could be more logical than recognizing the sites all America hold most dear, places like Yosemite, Yellowstone, or Glacier National Park.

The national parks quarters program will focus on the great natural beauty of our country or on other national sites important to history or conservation, such as seashores, forests, wildlife refugees, or monuments.

Just to mix things up a little, instead of honoring the States in the order they were admitted to the Union, this legislation honors national sites in the order in which they were recognized. I note with some chagrin but in the spirit of fairness, Mr. Speaker, that this will honor the western States that joined the Union later before the original 13 States, and ensures that my own State of Delaware will not again be first. As a matter of fact, we do not have a national park; we will be last in this particular sequence.

The bill also creates a special new investment-grade coin that will be three inches in diameter and made of five ounces of silver. These noncirculating coins will bear exact duplicates of each quarter and will be available only in the year in which the equivalent quarter's design is issued. Although normally our investment-grade coins are distributed only through a small network of highly specialized dealers, this legislation allows the National Park Service to buy these bullion coins in bulk so they may be sold as souvenirs to visitors.

The national park quarters program will start in 2010, after the completion of D.C. and the territories quarters, which is why it is so important for us to send this bill to the Senate and President quickly. We must ensure adequate time is given for the United States Mint to work with the Interior Secretary, other Federal officials, and State Governors to honor the best sites and choose each design. The Mint has done a terrific job with the State quarters, and I have great faith that the artists, engravers, and the excellent staff there will do a great job for this program as well.

Mr. Speaker, I am proud to work on this effort with Mrs. MALONEY, who joined me as a tireless and skilled supporter of the Presidential $1 Coin Act and with Mr. GUTIERREZ who chairs the Domestic and International Monetary Policy Subcommittee that I once chaired. Their input and suggestions from the Mint before introduction of this bill have certainly improved it. I would also like to thank Chairman FRANK for his willingness to move this bill along. I urge immediate passage of this bill, and urge the other body to move it on as swiftly as well.

I would point out to the Speaker that the District of Columbia, Puerto Rico, and the territories are included already in this legislation, which they were not originally as we know in the 50 State quarters program.

I yield to Mr. PRICE such time as he may consume.

Mr. PRICE of Georgia. I thank the gentleman for yielding, and I thank him for his leadership on this issue, the national parks quarter bill. We have in

my district the Chattahoochee River National Recreation Area, which is under the National Park Service, the longest linear park in the Nation, 48-mile linear park, and so I am pleased to support this bill.

The concern that I have, however, about the national parks is that, Mr. Speaker, more and more Americans aren't able to get to them, and they aren't able to get to them because of the price of gasoline. And so what we ought to be doing here as the House of Representatives, in addition to recognizing the wonderful work of the National Park Service, is to do all that we can to make certain that the number one issue of Americans across this Nation is addressed. That issue is energy policy and gas prices. So I come to the well today to lend my support to those who are trying to move forward in a positive way as it relates to energy policy for our Nation.

We have, Mr. Speaker, as you know, a number of bills that aren't being brought to the floor because the Speaker doesn't want them to come to the floor, is not interested in increasing supply of oil for Americans, American energy for Americans. There are a number of discharge petitions, which is the only avenue that Members of the House have when their bills are bottled up when they can't get to the floor. We have four of them that are available right now.

One is the No More Excuses Energy Act that would increase the ability of new refineries to be brought on line in the United States. Mr. Speaker, we haven't had a new refinery built in this Nation in over 30 years, and the problem with that is that we can't get product to the retail market. We cannot increase the supply if you don't have increase in refineries. That is H.R. 3089.

Mr. Speaker, there is another one, H.R. 2279, which would expand the refining capacity on closed military installations, one of those that allows for increasing refining capacity on land that is currently not even being used, Federal land that is not being used. And this is important as it relates to national parks, because again, Mr. Speaker, my constituents are having trouble getting to the national parks because of the price of gasoline. And this House is not acting because the leadership, the Speaker and her leadership, are not interested in bringing forward bills that increase supply.

Another one is H.R. 5656, which would repeal the ban on acquiring alternative fuels. Mr. Speaker, we were home last week, and one of the things I heard from my constituents as I know folks heard all across this Nation is: You have got to solve the energy problems. You have got to solve the gas price problem.

One of the ways to do that is to conserve. Yes, there is no doubt about it. Another way is to increase supply. We have talked a lot about that. Another way in the long run is to make certain that we have got the kind of technology available to provide for alternative fuel.

This is a bill, H.R. 5656, that would allow for increasing accessibility to mechanisms to bring alternative fuels on line, diverse sources of fuels like oil shale and tar sands and coal-to-liquid technology.

I was surprised to learn, Mr. Speaker, as I know you were that the United States has one of the largest resources of oil shale in the world. In the world. So much so that the estimate is that we could get over 2 trillion barrels of oil out of the oil shale, oil sands that is American resource. American resource.

Now, 2 trillion is a big number. It has got a lot of zeroes after it. What does it really mean, 2 trillion barrels of oil? Well, just to put it in perspective, Mr. Speaker, the world has used 1 trillion barrels of oil since 1875. Mr. Speaker, the world has used 1 trillion barrels of oil since 1875. We Americans possess, our natural resources, the ability to gain 2 trillion barrels of oil without any influence from a foreign source, without utilizing any foreign source or any foreign technology. We could do that right now if we were able to have this House and Senate act.

So this is remarkable, remarkable information. It is important that the Members of the House know this. It is important that all Americans know this. Because we have within our capacity the ability to become not just less reliant on foreign oil but self-sufficient on American oil. American energy for Americans. That is what it is all about. That is what we hear when we go home.

So why, Mr. Speaker, why will this House not be allowed to vote on H.R. 5656? Or H.R. 2279? Or H.R. 3089? Or the one that has brought a discharge petition this week H.R. 2208, which is the Coal to Liquid Fuel Act, which would reduce the price of gasoline by encouraging the use of clean coal technology?

□ 1400

Mr. Speaker, as you also know, we in the United States possess the world's largest reserves of coal, and technology has changed so drastically over the past 20 to 30 years, that now it is possible in an environmentally sensitive and sound way, and responsible way, to gain natural gas, to gain gasoline from liquid coal, from coal-to-liquid technology, energy for Americans, American energy for Americans.

But what is happening here in the House of Representatives when it comes to energy policy? Nothing, Mr. Speaker. Nothing. And so when I went home last week, I know I heard what all of our colleagues did, and that is the House has got to act. The House has got to act. The frustration level of the American people is huge. And it ought to be. Their anger is huge, and it ought to be.

I encourage my colleagues to communicate to the Speaker's office, to let the Speaker know that we want to vote on these bills. I don't know how the vote will turn out, but I do know that the constituents of my district and the constituents of districts all across this Nation want to know how their Member will vote on these bills. It is imperative, American energy for Americans.

Once again, I want to thank my good friend from Delaware for providing me this time, and getting to the issue of the national parks in a little side way manner, but I think it is important. I think it is important because our constituents, I know, want us to solve the issue of energy so they can visit the national parks, the beautiful national parks all across this Nation.

Mr. CASTLE. Mr. Speaker, I am prepared to yield back our time at this point.

Mrs. MALONEY of New York. Mr. Speaker, I would like to respond to my dear friend and colleague on the other side of the aisle who has attacked the Speaker of this House really unfairly and with false statements.

The point is and the reality is that we have two oil men in the White House and their policies are the ones that have benefited Big Oil and hurt the American consumer. Now under the leadership of the Democratic Speaker and the New Direction Congress, we have been passing solutions for the first time to help American consumers and to help this country move into the 21st century with policies that are important for conserving energy, renewable energy, efficient technologies, and reducing energy prices for the long run.

No, I will not yield. I have my time; you had yours.

First of all what, the New Direction Congress passed was the first new vehicle fuel-efficiency standards in 32 years. We also passed an historic commitment to affordable American-grown biofuels. If the other side of the aisle was interested in moving us into the 21st century and conserving energy, why in the world didn't they pass new vehicle fuel-efficiency standards? We passed it. This Congress passed it. The Democrats passed it, and are forcing the car builders and others to move in with fuel-efficient standards.

We also took action to lower gas prices by suspending oil purchasing for the Strategic Petroleum Reserve. These are very important initiatives.

Now the gentleman on the other side of the aisle, my very good friend, talked about the need to build new refineries. Well, ExxonMobil, Chevron, ConocoPhillips, BP and Shell have publicly stated that they have no plans to build new refineries; instead, they prefer to expand existing facilities. These are their statements. Shell and BP all testified that they were unaware of any environmental regulations preventing them from building new refineries or expanding old ones. They can do that now.

Internal memos from oil companies make it very clear that oil companies decided that they needed to reduce refinery capacity to drive up their profits. And the New Direction Congress is

continuing to bring real relief to those feeling the pinch of the high gas and diesel prices, and ensuring the needs of families and businesses are put before the interests of Big Oil companies.

Now my dear friend on the other side of the aisle talks about drilling, drilling, drilling, drilling, as if we could drill ourselves out of the challenges we face.

The fact is that there are over 68 million acres on shore and offshore in the United States of America that are currently leased by oil companies and they are open to drilling and actually under a lease to do so but are not developed. Now we are talking about leases on 68 million acres of land that is owned by the American people. Now what Chairman RAHALL says is use it or lose it, and I think he is absolutely correct. I support his bill, to say that you either drill on those 68 million acres or you give up your lease and let someone else drill there. That's what the Democrats are saying. We are not going to hand out more leases to the oil companies on public land that is owned by the public and is the land and the reserves of this country. We are saying to them if you have a lease, you use that lease. You drill. You're not going to get another one. And if you're not going to drill, then let's put it out for competitive bid and let someone else come forward and drill on that land.

The fact is that 80 percent of the oil available on the Outer Continental Shelf is in regions that are already open to leasing, but the oil companies haven't decided if it is worth their time to drill there. The fact is that drilling in the Arctic Wildlife Refuge wouldn't yield any oil for 10 years, and then would only save the customer, the consumer, 1.8 cents per gallon in 2025. The fact is that America uses a quarter of the world's oil consumption every day, but only 1.6 percent of the world's supply, so there is simply no way to drill ourselves to a solution.

I repeat, while my colleagues were running this body, where were their solutions? I didn't see any. I didn't see them raising the mile per gallon of gas, I didn't see them conserving. I didn't see them investing in biofuels or moving forward with innovative energy solutions, as this new Democratic leadership has been doing. They have just held onto the failed policies of the past which have gotten us to where we are. As I repeat, we have two oil men in the White House that have been behind these policies.

So I would say that the Democratic leadership has done a great deal to help the American consumer. They are facing many challenges. Their wages are stagnant. The price of gasoline is now over $4 a gallon. The price of milk is over $4 a gallon. So they are facing really inflation and many, many challenges.

The Democratic leadership has come forward with a stimulus package to help the American taxpayer, the American citizen. We have come forward with a fuel-efficiency standard. We have come forward with many hearings today on the possible manipulation of oil in the futures market so that we can curb those abuses if they are documented. We are for drilling on the 68 million acres that are currently under contract and should be drilled on.

So this Congress, I congratulate the leadership of Speaker PELOSI and the Democrats and the relevant committees. We have passed legislation, the Renewable Energy and Job Creation Act. We have passed the Gas Price Relief for Consumers Act. We have passed the Energy Price Gouging Prevention Act which will provide consumer relief by giving the Federal Trade Commission the authority to investigate and punish those who artificially inflate energy prices. President Bush has threatened a veto of this very commonsense consumer protection measure.

So I say with all due respect to my wonderful colleagues and friends on the other side of the aisle, where were your ideas when you could pass them? Where are your ideas now? The ones that we are passing that helps the consumer and moves this country into the 21st century, and that makes a profitable use of land that is owned by the American people instead of giving more, and in many cases in a no-bid process to oil companies who are just sitting on it and not doing anything to help the American consumer.

So I would say you brought it up, so I am just responding to some of your allegations.

I feel this is such an important issue that I would like to yield 2 minutes to my distinguished colleague from the great State of New York, Congressman SERRANO, on H.R. 6184, and I thank him for his leadership on this important bill.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. ROSS). All Members are reminded to address their remarks to the Chair.

Mr. SERRANO. Mr. Speaker, I would like to try something innovative. I want to discuss the bill before us and not this other discussion we had on drilling. While I understand the importance of it, we were discussing a bill, for those Americans who were watching who might have forgotten by now, on putting national parks on the backs of quarters. And I want to congratulate both Mr. CASTLE and Mrs. MALONEY and the committee for including the Territories. As the gentleman from Delaware stated, he alluded to the Speaker and the fact that I have great concern about the involvement of the Territories and the recognition.

When the original quarters program came about, I was dismayed at the fact that the territories and the District of Columbia were not included. Last year in an appropriations bill, we expanded the program to include D.C. and the Territories.

What you have done today is you have picked up on that and now have started a new era, I believe, where the Territories and the District of Columbia will become part of every discussion we have here from postage stamps to coins to, in many other areas, fairness across the board.

When that first quarter comes out, both the one for the national parks and the one for the regular quarters program with Puerto Rico on it, since Puerto Rico is of great concern to me, having been born there before moving to New York, many people throughout the country will actually ask, Why is Puerto Rico on the back of a quarter in the United States? And that will start a proper discussion as to the fact that we not only include in the American family the 50 States, but we include the District of Columbia and the Territories. That in the Territories are American citizens, American citizens who served this country at wartime and peacetime, and who, in fact, at any moment can participate in all parts of American society but are always forgotten.

So something as symbolic and perhaps to some people as unimportant as making sure that when these quarters come out with national parks, they include Puerto Rico and the Territories, is very important.

Mrs. MALONEY of New York. I thank the gentleman for his statement. He has been a strong advocate for the Territories. He raises and highlights an important point that the Territories are included, and I appreciate his recognizing the many contributions from the citizens of Puerto Rico and other Territories to our great country.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time and urge my colleagues to support this creative bill that is before us. I hope that it passes unanimously and moves to the Senate with swift passage.

PARLIAMENTARY INQUIRY

Mr. CASTLE. Mr. Speaker, may I ask for a point of clarification.

The SPEAKER pro tempore. The gentleman from Delaware.

Mr. CASTLE. About 10 or 15 minutes ago, I said I was prepared to yield back the balance of my time. I don't know if there was a ruling on that.

The SPEAKER pro tempore. Does the gentleman ask unanimous consent to reclaim his time?

Mr. CASTLE. Mr. Speaker, I ask unanimous consent to reclaim my time.

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

Mrs. MALONEY of New York. I do object. We have a system. We have gone through it, and I feel we should move to a vote.

The SPEAKER pro tempore. Objection is heard.

Mr. CASTLE. Mr. Speaker, could I get a clarification.

The SPEAKER pro tempore. The gentleman from Delaware.

Mr. CASTLE. I'm not certain I yielded back the balance of my time. I don't

know who was responsible in the Chair at that point, but I indicated I was prepared to yield back. I'm not sure if there was a ruling at that time. Could that be clarified.

□ 1415

The SPEAKER pro tempore. The Chair heard the gentleman utter the words that he did yield back the balance of his time.

Mr. CASTLE. The words I uttered were, ''I am prepared to yield back the balance of my time.'' And then I believe the gentlewoman from New York was called on at that point without the ruling from the Chair. That's why I am asking for the clarification.

Mrs. MALONEY of New York. If the gentleman feels so strongly about it, he has worked so hard on this bill, it's a successful bill, and we hope to have another successful bill, so I will allow the gentleman to reclaim his time.

I would inquire how much time remains on both sides, Mr. Speaker.

The SPEAKER pro tempore. The gentlewoman from New York, who has yielded back the balance of her time, had 6½ minutes remaining. The gentleman from Delaware had 9½ minutes remaining before he yielded back the balance of his time.

Mrs. MALONEY of New York. Mr. Speaker, I ask for reciprocity. If he is reclaiming his time, then I would like to reclaim my time.

The SPEAKER pro tempore. Does the gentleman from Delaware ask unanimous consent to reclaim his time?

Mr. CASTLE. I do ask unanimous consent to reclaim our time.

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

There was no objection.

The SPEAKER pro tempore. Does the gentlewoman from New York ask unanimous consent to reclaim her time?

Mrs. MALONEY of New York. I do ask unanimous consent to reclaim my time.

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

There was no objection.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Delaware.

Mr. CASTLE. Thank you very much, Mr. Speaker.

At this time I would yield to the gentleman from Oregon (Mr. WALDEN) such time as he may consume.

Mr. WALDEN of Oregon. Mr. Speaker, I want to thank my colleague from Delaware and congratulate him and our colleague from New York on this legislation and just advise the body that Oregon, once again, is in the lead when it comes to recognizing national parks as our quarter. The design for the back of it for our State was processed through a very public effort. They picked Crater Lake National Park as the park to recognize on the back of the quarter. And so we're already in the lead, and it's a wonderful national park; and as my colleague from Georgia talked about earlier, it's also one you have to drive a great distance to get to.

When I was in my home county this last week, diesel was $5.08 a gallon. Gasoline was $4.39 a gallon. And if this is the result of the new Democratic direction for the Congress and for the country, then I hope we're at about the end of this new direction because it's taken us to a dead-end.

Now, I just wanted to point out a clarification, I guess, in terms of these leases we've heard so much about. My understanding is that when the Democrats were last in charge, they actually voted a law to extend the length of those leases that the oil companies had. And I would like to see them, the oil companies, process these leases and move forward with development because that's what I think America needs, more energy, more American energy. And yet this Congress has refused to even allow a vote, afraid to even allow a vote on accessing the 85 percent of the offshore resource that is not available. It's not available. And if the argument is that we would be better off by accessing the leases already there, then the argument really is adding to supply matters and that adding to supply will result in lower gas and lower diesel costs.

So then it seems logical to presume that accessing America's great reserves, the Outer Continental Shelf, would not only create new oil and gas supplies for America and American consumers, it would also generate royalty dollars for government services.

I have been working on legislation that would deal with the twin issues of energy policy for America that creates new gas, new diesel, new access to oil, as well as fund the biggest investment in renewable energy this Congress has seen and help those lowest income among us with their home heating bills and take care of the neglected challenge this Congress has refused to take up and pass, and that is help for our counties that are dominated by Federal lands.

So we would pay for 5 years in county timber payments. We would fully fund the commitment to rural counties for payment in lieu of taxes. We would put $1 billion into LIHEAP and $3.1 billion into developing renewable energy.

Now, my colleague from New York said, What did Republicans do when they were in charge? Well, we passed bill after bill after bill that raised conservation standards on appliances. We invested in the newest and futuristic technology trying to drive the basic science in hydrogen fuel cell development. We supported efforts to extend successfully, I might add, the tax credits for wind energy and geothermal and solar and the things that I think will give us a great future in renewable energy.

But we have a here-and-today problem that this Congress and its leadership fails to address. I don't know where my colleagues on the other side of the aisle were over the Fourth of July, but I was home with real people. They're hurting. There are truckers who are losing their jobs. There are farmers who tell me it costs hundreds of dollars to fill a tank in their tractor, and fertilizer has doubled in cost. There are families who can't go to their kids' summer games because it costs $87 to fill the Voyager van. If this is the new direction that the Democrats in this Congress have for America, I've got to tell you it's a dead-end direction and it needs to change.

Why not give us at least the opportunity in this great House, this great place where Americans come together to debate issues, to at least allow a vote to access the energy reserves we know are out there on Federal land or in the Outer Continental Shelf, up in Alaska? And if it fails, it fails. The Congress will have spoken in the House. But so far we have gone through, as a result of the Democrat leadership, the most incredible—this reminds me of the game of Twister. We are so convoluted and upside down and twisted to avoid any vote that it is reprehensible.

So, Mr. Speaker, I both support not only the act before us today, but I call for this House to at least allow a vote that I think would not only be bipartisan, as it was in 2006 when we passed, in this House, overwhelmingly with 40 Democrats supporting our efforts to get at our offshore oil resource. It would be an overwhelming bipartisan vote. And isn't that what democracy is really all about? You put an issue up on the table, you allow a vote, and we live with the outcome.

So I ask for that opportunity, Mr. Speaker, just as we're voting today on this wonderful bill to allow national parks to have a coin. As I said, Oregon has been at the forefront on that issue just as we are on renewable energy. Let's have a vote. Let's not have a vote like we had when we passed the Energy Act of 2007 that said if another country is making oil from tar sands, don't let the American military use it. Or like was stuffed in that bill a provision that said if you could take woody biomass and turn it into an ethanol-like fuel, don't count that against the ethanol fuel standard. Why is that in there?

Why can't you use the great resource of our American forests, convert them into ethanol using cellulosic technology, which Republicans and Democrats both agree need to happen? But then to say, Oh, but if you succeed at that, it doesn't count towards this out-of-control ethanol standard because we wouldn't want to count woody biomass off of Federal forests or unless it's specifically grown for that purpose, as ethanol, it can be used for a fuel standard in America. No. We would rather rely on corn, I guess. And that hasn't helped us a lot.

So I think we have invested in new technologies when Republicans were in control. We invested in new science.

We also tried to expedite access to America's great reserves. Every other country on the planet that has an ocean exercises its right to its own reserves, and yeah, it might take 10 years, but if Bill Clinton, former President, hadn't vetoed access into Alaska's reserves, we would be pumping a million to a million and a half barrels out a day. America uses, I think, what is it, 20 million barrels a day? We produce 5. Where would we be if President Clinton hadn't vetoed that? We would be a lot better off, folks, because the world produces about 85 million barrels a day and consumes 86, or thereabouts.

This has a lot of things around it: certainly money supply, value of the dollar, inflation, speculators, who knows what. But at its core, until we bridge to the next generation of fuel for our vehicles, we have a here-and-now problem at the gas pump, at the diesel pump, and at the American budget.

The families in this country are hurting, hurting; and if you're not hearing that on the other side of the aisle, you're not going home and listening. You can't hide forever on the ability to access America's resources. You can't stop the country from demanding a vote. Just one vote. Give us a vote, up-or-down, clean, simple, the way democracy is supposed to work here in this House. But no.

The appropriations process ground to a halt. There might be a vote on energy. Every other bill that might have anything to do with energy ground to a halt. Heck, even declaring a wild and scenic river in Massachusetts had to be pulled because it dealt with LNG. Ground to a halt.

This country is grinding to a halt. It's time for a change in how this Congress acts.

Mrs. MALONEY of New York. The gentlewoman has no further speakers, but I wonder if the gentleman on the other side of the aisle yields back his time.

Mr. CASTLE. We do have an additional speaker.

Mrs. MALONEY of New York. I reserve the balance of my time.

Mr. CASTLE. I will yield such time as he may consume to the gentleman from Georgia (Mr. PRICE).

Mr. PRICE of Georgia. Mr. Speaker, how much time remains on our side?

The SPEAKER pro tempore. The gentleman from Delaware has 1½ minutes remaining.

Mr. PRICE of Georgia. I thank the Speaker.

I thank my good friend from Delaware for allowing me to comment on a few of the comments that have been made by the gentlelady from New York and try to set the record straight a little bit.

The issue of the 68 million acres of leased land, of Federal land to gain access to oil reserves under Federal land of the United States isn't whether or not all of those have been used, it's whether or not there is any oil underneath them. And the fact of the matter, Mr. Speaker, as you well know is that in much of those areas, there is no oil underneath them, and you don't need to drill in every single acre to confirm there's no oil in adjacent acres. The technology is incredible today. So the fact that all haven't been drilled doesn't mean that the resources that are under those 68 million haven't been utilized, because they have. In fact, Mr. Speaker, 95 percent of the land that ought to be available for leasing has not been leased.

My good friend asked what happened on our watch. What happened when the Republicans were in charge. Well, Mr. Speaker, as you know, we passed the vast majority of these and they got held up in the Senate. They got held up because it requires 60 votes to move anything through the Senate. My suspicion though, Mr. Speaker, is that now there aren't 40 individuals who would stop these bills from moving forward, that the holdup is here in the House of Representatives.

My good friend from New York talks about all of the bills that have already been passed. Well, Mr. Speaker, the problem with that is that none of them, not one of them deals with increasing supply. They call it a law of supply and demand because it's a law. It's a law. If you increase the supply, you will decrease the cost at the pump. Americans know that.

Americans want a vote on supply. Mr. Speaker, give us a vote on supply. American energy for Americans.

Mrs. MALONEY of New York. Just to respond to my dear friend and colleague on the other side of the aisle, I'm very appreciative that you're supportive of the bill before us, but I want to point out that there is nothing in this bill that would in any way prevent drilling. In fact, they can drill now on 68 million acres of land on which they have a lease.

And we did have a vote, and my colleagues on the other side of the aisle did not support the vote that would compel the oil industry to start drilling or lose permits on this 68 million acres of undeveloped Federal oil reserves which they are currently warehousing and keeping domestic supply lower and prices higher. I believe that's a very balanced premarket approach. Use it or lose it. Let someone else drill there.

And industry is only using a fraction of its leases now. And refining is not an issue. Refineries are running below capacity.

□ 1430

But we have enacted in law, past laws, that are laws now, the Energy Independence and Security Act. This historic Act would increase vehicle fuel efficiency to 35 miles per gallon, and this is the first congressional increase in more than three decades. And this would be very helpful.

And I'd like to place into the RECORD an entire list of laws that have been enacted by this Democratic leadership, laws that are coming up to be considered, including cracking down on price gouging, and legislation that the House has passed and we're waiting for the Senate to act on: the Renewable Energy and Job Creation Act, the Gas Price Relief for Consumers Act, the Energy Price Gouging Prevention Act. These are all important concrete steps, not rhetoric, but concrete steps to help consumers.

NEW DIRECTION LEGISLATION

ENACTED INTO LAW

Energy Independence and Security Act in 2007—Historic energy legislation with provisions to combat oil market manipulation, increase vehicle fuel efficiency to 35 miles per gallon in 2020—the first Congressional increase in more than three decades—and promote the use of American biofuels. Signed into law, December 19, 2007.

Strategic Petroleum Reserve Fill Suspension and Consumer Protection Act—Temporarily suspends the filling of the SPR, starting June 30th, to put more oil on the market to help drive down gasoline prices. Signed into law, May 19, 2008.

Food, Conservation, and Energy Act of 2008—The new Farm Bill makes an historic commitment to more affordable American biofuels and increases Commodity Futures Trading Commission (CFTC) oversight authority to detect and prevent manipulation of energy prices. President Bush vetoed this bill, but the Congress overrode that veto.

RECENT AND UPCOMING LEGISLATION

Reducing Transit Fares (H.R. 6052)—Gives grants to mass transit authorities to lower fares for commuters pinched at the pump and expand transit services.

Cracking Down on Price Gouging (H.R. 6346)—Gives enforcement authority to the Federal Trade Commission to investigate and punish those who artificially inflate fuel prices.

''Use It Or Lose It'' for Oil Companies Holding Permits and Not Drilling—Compels the oil industry to start drilling or lose permits on the 68 million acres of undeveloped federal oil reserves which they are currently warehousing, keeping domestic supply lower and prices higher.

Further Close the ''Enron Loophole'' for Petroleum Markets—Takes steps to curb excessive speculation in the energy futures markets, which experts have noted is driving up the price of a barrel of oil.

LEGISLATION THAT THE HOUSE HAS PASSED

Renewable Energy and Job Creation Act—Extends and expands tax incentives for renewable energy (including incentives for plug-in vehicles), retains and creates hundreds of thousands of green jobs, spurs American innovation and business investment, and cuts taxes for millions of Americans. The President has threatened a veto.

The Gas Price Relief for Consumers Act—Combats record gas prices by authorizing lawsuits against oil cartel members for price fixing, and creating an Antitrust Task Force to crack down on anticompetitive behavior or market manipulation. President Bush has threatened a veto.

Energy Price Gouging Prevention Act—This bill will provide consumer relief by giving the Federal Trade Commission (FTC) the authority to investigate and punish those who artificially inflate energy prices. President Bush has threatened a veto.

I'd like to remind my dear colleagues on the other side of the aisle that when President Bush came to office he had a $5 trillion projected surplus. We now

have a series of records that have been given to us by the Republican leadership, only they are the wrong kinds of records.

We have record debt that is galloping towards $9 trillion. Each and every American owes over $30,000 to this debt. We have the largest trade deficit in the history of this country, over $900 billion, and we have the largest deficit in the history of this country. We have lost more jobs in the first half of this year than have been lost since the Great Depression, and if we continue at this rate, we will lose over 1 million jobs in this year.

Now, that is the record of the Republican leadership. But what is before us is a very important bill, one that I support, one that I urge my colleagues to support. And I urge my colleagues to support consideration of H.R. 6184, and I hope that we will have a bipartisan commitment to passing this legislation.

Mr. KING of New York. Mr. Speaker, today I rise in support of America's Beautiful National Parks Quarter Dollar Coin Act (H.R. 6184) introduced by the Gentleman from Delaware. It's a good bill and a good follow-up to his 50-State quarter bill we have all enjoyed. However, Madam Speaker, I would like to make a point in the process of supporting this bill.

The idea of following the State quarters by honoring national parks is a very good idea, and I salute Mr. CASTLE and his co-sponsors, Mrs. MALONEY and Mr. GUTIERREZ. I even want to suggest a place in my district as the one for the back of the New York quarter—the Sagamore Hill National Historic Site, the beautiful summer home of former President Theodore Roosevelt, in Oyster Bay.

But that brings me to the point I'd like to make Mr. Speaker. Teddy Roosevelt, as the bill itself notes, is known as the first great champion of the country's National Parks, and in my view, the front of this new coin should bear the image of Teddy Roosevelt.

I, of course, mean no disrespect to George Washington. He was the Father of our Country, and his image has appropriately been on the one-dollar bill and the quarter. But I think, as a recent editorial in Coin World magazine pointed out, that it's about time we honor Teddy Roosevelt by placing his image on U.S. currency—after all, he's the only one of our four great Presidents honored on Mount Rushmore, who does not appear on a U.S. coin or banknote.

Mr. Speaker, I do not mean to criticize this legislation, and I intend to vote for it enthusiastically. But I hope all Members will think about the fact that without Teddy Roosevelt's championing of the ideas of conservation and National Parks, we would still have national parks, but the commitment to them would not have been as great, or so early. So, I hope the sponsors of this bill will work with me to help find a place somewhere in the U.S. system of money for the image of the great Rough Rider on a coin or banknote.

With that I urge adoption of the bill.

Mrs. MALONEY of New York. 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 New York (Mrs. MALONEY) that the House suspend the rules and pass the bill, H.R. 6184.

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. CASTLE. 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.

FEDERAL LAND ASSISTANCE, MANAGEMENT AND ENHANCEMENT ACT

Mr. RAHALL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5541) to provide a supplemental funding source for catastrophic emergency wildland fire suppression activities on Department of the Interior and National Forest System lands, to require the Secretary of the Interior and the Secretary of Agriculture to develop a cohesive wildland fire management strategy, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5541

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Federal Land Assistance, Management and Enhancement Act'' or ''FLAME Act''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Flame Fund for catastrophic emergency wildland fire suppression activities.
Sec. 3. Cohesive wildland fire management strategy.
Sec. 4. Review of certain wildfires to evaluate cost containment in wildland fire suppression activities.
Sec. 5. Reducing risk of wildfires in fire-ready communities.

SEC. 2. FLAME FUND FOR CATASTROPHIC EMERGENCY WILDLAND FIRE SUPPRESSION ACTIVITIES.

(a) DEFINITIONS.—In this section:

(1) FEDERAL LAND.—The term ''Federal land'' means the following:

(A) Public lands, as defined in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702).

(B) Units of the National Park System.

(C) Refuges of the National Wildlife Refuge System.

(D) Lands held in trust by the United States for the benefit of Indian tribes or individual Indians.

(E) Lands in the National Forest System, as defined in section 11(a) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1609(a)).

(2) FLAME FUND.—The term ''Flame Fund'' means the Federal Land Assistance, Management, and Enhancement Fund established by this section.

(3) SECRETARY CONCERNED.—The term ''Secretary concerned'' means—

(A) the Secretary of the Interior, with respect to Federal land described in subparagraphs (A), (B), (C), and (D) of paragraph (1); and

(B) the Secretary of Agriculture, with respect to National Forest System land.

(4) SECRETARIES.—The term ''Secretaries'' means the Secretary of the Interior and the Secretary of Agriculture, acting jointly.

(b) ESTABLISHMENT AND AVAILABILITY OF FLAME FUND.—

(1) ESTABLISHMENT.—There is established in the Treasury of the United States a fund to be known as the Federal Land Assistance, Management, and Enhancement Fund.

(2) CONTENTS.—The Flame Fund shall consist of the following amounts:

(A) Amounts appropriated to the Flame Fund pursuant to the authorization of appropriations in subsection (c).

(B) Amounts transferred to the Flame Fund pursuant to subsection (d).

(3) AVAILABILITY.—Subject to subsection (e), amounts in the Flame Fund shall be available to the Secretaries to pay the costs of catastrophic emergency wildland fire suppression activities that are separate from amounts annually appropriated to the Secretaries for the predicted annual workload for wildland fire suppression activities, based on analyses of historical workloads and anticipated increased workloads due to changing environmental or demographic conditions.

(c) AUTHORIZATION OF APPROPRIATIONS.—

(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Flame Fund such funds as may be necessary to carry out this section. It is the intent of Congress that the amount appropriated to the Flame Fund for fiscal year 2009 and each subsequent fiscal year equal the average amount expended by the Secretaries for emergency wildland fire suppression activities over the five fiscal years preceding that fiscal year.

(2) SENSE OF CONGRESS ON DESIGNATION OF CERTAIN APPROPRIATIONS AS EMERGENCY REQUIREMENT.—It is the sense of Congress that the amounts appropriated to the Flame Fund that are above the average of the obligations of the preceding 10 years for wildland fire suppression in the Forest Service and the Department of the Interior, adjusted for inflation, should be designated as amounts necessary to meet emergency needs, and the new budget authority and outlays resulting therefrom should not count for the purposes of titles III and IV of the Congressional Budget Act of 1974.

(3) NOTICE OF INSUFFICIENT FUNDS.—The Secretaries shall notify the congressional committees specified in subsection (h)(2) whenever only an estimated two months worth of funding remains in the Flame Fund.

(d) TRANSFER OF EXCESS WILDLAND FIRE SUPPRESSION AMOUNTS INTO FLAME FUND.—At the end of each fiscal year, the Secretary concerned shall transfer to the Flame Fund amounts appropriated to the Secretary concerned for wildland fire suppression activities for the fiscal year, but not obligated for wildland fire suppression activities before the end of the fiscal year.

(e) USE OF FLAME FUND.—

(1) DECLARATION REQUIRED.—Amounts in the Flame Fund shall be made available to the Secretary concerned only after the Secretaries issue a declaration that a wildland fire suppression activity is eligible for funding through the Flame Fund.

(2) DECLARATION CRITERIA.—A declaration by the Secretaries under paragraph (1) shall be based on the following criteria:

(A) In the case of an individual wildland fire incident—

(i) the fire covers 300 or more acres;

(ii) the severity of the fire, which may be based on incident complexity or the potential for increased complexity; and

(iii) the threat posed by the fire, including the potential for loss of lives, property, or critical resources.

(B) Consistent with subsection (f), in the case of a firefighting season, cumulative wildland fire suppression activities, when the costs of those activities for the Secretary concerned are projected to exceed amounts annually appropriated.

(3) TRANSFER OF AMOUNTS TO SECRETARY CONCERNED.—After issuance of a declaration under paragraph (1) and upon the request of the Secretary concerned, the Secretary of the Treasury shall transfer from the Flame Fund to the Secretary concerned such amounts as the Secretaries determine are necessary for wildland fire suppression activities associated with the declared suppression emergency.

(4) STATE, PRIVATE, AND TRIBAL LAND.—Use of the Flame Fund for catastrophic emergency wildland fire suppression activities on State and private land and, where applicable, tribal land shall be consistent with existing agreements where the Secretaries have agreed to assume responsibility for wildland fire suppression activities on the land.

(f) TREATMENT OF ANTICIPATED AND PREDICTED ACTIVITIES.—The Secretary concerned shall continue to fund anticipated and predicted wildland fire suppression activities within the appropriate agency budget for each fiscal year. Use of the additional funding made available through the Flame Fund is intended to supplement the budgeted and appropriated agency funding and is to be used only for purposes and in instances consistent with this section.

(g) PROHIBITION ON OTHER TRANSFERS.—All amounts in the Flame Fund, as well as all funds appropriated for the purpose of wildland fire suppression on Federal land, must be obligated before the Secretary concerned may transfer funds from non-fire accounts for wildland fire suppression.

(h) ACCOUNTING AND REPORTS.—

(1) ACCOUNTING AND REPORTING SYSTEM.—The Secretaries shall establish an accounting and reporting system for the Flame Fund compatible with existing National Fire Plan reporting procedures.

(2) ANNUAL REPORT.—The Secretaries shall submit to the Committee on Natural Resources, the Committee on Agriculture, and the Committee on Appropriations of the House of Representatives and the Committee on Energy and Natural Resources, the Committee on Indian Affairs, and the Committee on Appropriations of the Senate an annual report on the use of the funds from the Flame Fund, together with any recommendations that the Secretaries may have to improve the administrative control and oversight of the Flame Fund.

(3) PUBLIC AVAILABILITY.—The annual report required by paragraph (2) shall be made available to the public.

SEC. 3. COHESIVE WILDLAND FIRE MANAGEMENT STRATEGY.

(a) STRATEGY REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary of the Interior and the Secretary of Agriculture shall submit to Congress a report that contains a cohesive wildland fire management strategy, consistent with the recommendations contained in recent Comptroller General reports regarding this issue.

(b) ELEMENTS OF STRATEGY.—The strategy required by subsection (a) shall address the findings of the Comptroller General in the reports referred to in such subsection and include the following elements:

(1) A system to identify the most cost effective means for allocating fire management budget resources.

(2) An illustration of plans by the Secretary of the Interior and the Secretary of Agriculture to reinvest in non-fire programs.

(3) A description of how the Secretaries will employ appropriate management response.

(4) A system for assessing the level of risk to communities.

(5) A system to ensure that the highest priority fuels reduction projects are being funded first.

(c) NOTICE OF PRESCRIBED FIRES.—As part of the strategy required by subsection (a) for the Forest Service, the Secretary of Agriculture shall ensure that, before any prescribed fire is used on National Forest System land, owners of adjacent private land are notified in writing of the date and scope of the proposed prescribed fire.

SEC. 4. REVIEW OF CERTAIN WILDFIRES TO EVALUATE COST CONTAINMENT IN WILDLAND FIRE SUPPRESSION ACTIVITIES.

(a) REVIEW REQUIRED.—The Secretary of the Interior and the Secretary of Agriculture shall conduct a review, using independent panels, of each wildfire incident for which the Secretary concerned incurs expenses in excess of $10,000,000.

(b) REPORT.—The Secretary concerned shall submit to the Committee on Natural Resources, the Committee on Agriculture, and the Committee on Appropriations of the House of Representatives and the Committee on Energy and Natural Resources, the Committee on Indian Affairs, and the Committee on Appropriations of the Senate a report containing the results of each review conducted under subsection (a).

SEC. 5. REDUCING RISK OF WILDFIRES IN FIRE-READY COMMUNITIES.

(a) FIRE-READY COMMUNITY DEFINED.—In this section, the term ''fire-ready community'' means a community that—

(1) is located within a priority area identified pursuant to subsection (b);

(2) has a cooperative fire agreement that articulates the roles and responsibilities for Federal, State and local government entities in local wildfire suppression and protection;

(3) has local codes that require fire-resistant home design and building materials;

(4) has a community wildfire protection plan (as defined in section 101 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6502)); and

(5) is engaged in a successful collaborative process that includes multiple interested persons representing diverse interests and is transparent and nonexclusive, such as a resource advisory committee established under section 205 of the Secure Rural Schools and Community Self-Determination Act of 2000 (Public Law 106–393; 16 U.S.C. 500 note).

(b) FIRE RISK MAPPING.—As soon as is practicable after the date of the enactment of this Act, the Secretary of Agriculture and the Secretary of the Interior (in this section referred to as the ''Secretaries'') shall develop regional maps of communities most at risk of wildfire and in need of hazardous fuel treatment and maintenance. The maps shall identify priority areas for hazardous fuels reduction projects, including—

(1) at-risk communities in fire-prone areas of the wildland-urban interface (as defined in section 101 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6502));

(2) watersheds and municipal drinking water sources;

(3) emergency evacuation corridors;

(4) electricity transmission corridors; and

(5) low-capacity or low-income communities.

(c) LOCAL WILDLAND FIREFIGHTING CAPABILITY GRANTS.—

(1) GRANTS AVAILABLE.—The Secretaries may provide cost-share grants to fire-ready communities to assist such communities in carrying activities authorized by paragraph (2).

(2) ELIGIBLE ACTIVITIES.—Grant funds may be used for the following:

(A) Education programs to raise awareness of homeowners and citizens about wildland fire protection practices, including FireWise or similar programs.

(B) Training programs for local firefighters on wildland firefighting techniques and approaches.

(C) Equipment acquisition to facilitate wildland fire preparedness.

(D) Implementation of a community wildfire protection plan.

(d) WILDLAND FIRE COST-SHARE AGREEMENTS.—In developing any wildland fire cost-share agreement with a State Forester or equivalent official, the Secretaries shall, to the greatest extent possible, encourage the State and local communities involved to become fire-ready communities.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretaries to carry out this section such sums as may be necessary.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from West Virginia (Mr. RAHALL) and the gentleman from Idaho (Mr. SALI) each will control 20 minutes.

The Chair recognizes the gentleman from West Virginia.

GENERAL LEAVE

Mr. RAHALL. Mr. 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 on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, this year's fire season in California started in unprecedented fashion, when 1,700 fires erupted in a 48-hour period beginning June 21. Already, just over 3 weeks later, fires have burned more than 960 square miles in California.

And as of yesterday afternoon, 330 fires were still actively burning there, when citizens received the ominous warning that conditions are right for, as the National Weather Service described it, ''explosive fire growth.''

Our thoughts and prayers are with the people of Big Sur, Santa Barbara County, and other areas up and down the coast, who are experiencing devastating wildfires as we speak.

Those California fires are only the most recent example of the dramatic and tragic expansion of our Nation's wildland fire season. For the last decade, the United States has experienced a growth in the destructive nature of fire seasons that have taken American lives, eliminated homes and businesses, and scorched thousands of acres of our treasured public lands.

And this is not only occurring in the West. I well recall several years ago when the New River Gorge in my home State of West Virginia was burning. I had the honor to meet with Federal firefighters who flew in from across the country to battle the blazes.

Indeed, the Federal Government has, time and time again, answered the call and mobilized legions of brave firefighters to beat back the flames and protect our lands and our communities.

But as a result, the government has also dramatically shifted spending priorities, rapidly increasing funding for fire fighting, while axing moneys for other necessary programs. And ironically, some of those programs that have been gutted were created to actually prevent fires.

There is little reason to hope that fire seasons for the foreseeable future will be any less catastrophic than those of the last decade. The trend has certainly been working toward more destruction. Knowing that, we must be better prepared.

The FLAME Act, which my colleagues Mr. RAÚL GRIJALVA, Mr. NORM DICKS and myself introduced, is an effort to correct course, to get out in front at the start of these fire seasons.

The bill has received broad, bipartisan support from 56 Members of Congress, including the ranking member of our Natural Resources Committee, Mr. YOUNG.

As well, it enjoys the support of the five former Chiefs of the Forest Service, the National Association of State Foresters, the National Association of Counties, the National Federation of Federal Employees, the Western Governors' Association, and nearly 40 other organizations.

Within the Forest Service, wildland fire activities now account for approximately 48 percent of the agency's budget, causing the Service to cut back on other important programs to cover the escalating costs of fire suppression.

The FLAME Act would help to address that funding problem, as well as the funding issues faced by other Federal agencies that are contributing funds from their limited accounts to fight these fires.

The Act would establish a dedicated Federal fund for catastrophic, emergency wildland fire suppression activities, separate from appropriated agency fire fighting funding.

The bill would also require the Forest Service and the Department of the Interior to present to Congress a long-overdue, comprehensive strategy for combating wildland fire, a strategy that would address the troubling shortcomings in the agencies' response to fires as identified by the Government Accountability Office and the Agriculture Department's Inspector General.

I cannot overstate the importance of today's action on the FLAME Act. Without a doubt, this is one of the most serious issues facing our Federal land management agencies, and it is one that, if not addressed properly and appropriately, will continue to cost homes, businesses, communities, public lands, and American lives.

The FLAME Act will allow the Forest Service and the Department of the Interior to respond to these dangerous fires while also accomplishing other important aspects of their missions, including those that will prevent fires from devastating our communities in the future.

I ask my colleagues to support passage of the FLAME Act.

I reserve the balance of my time.

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

Fire season is here and wildlands are in flames across the Nation as we speak. California is currently reporting 24 large fires, and along with California, there are large wildland fires burning in Arizona, Oregon, Washington, Virginia, and North Carolina.

Since January of this year, some 46,113 wildland fires have burned more than 2.71 million acres, destroying more than 461 residences, 15 commercial buildings, and 979 outbuildings. But it's not just property, homes, community, watersheds or livelihoods that are at stake when a wildland fire burns. Lives are also in danger, and since January of this year alone, eight firefighters have died while on duty to fight wildland fires.

For many areas of the country, the wildland fire season is just beginning.

This is an issue that I have familiarity with, as each year in Idaho the skies fill with smoke from fires. Last year alone, more than 2 million acres burned in Idaho, threatening lives, homes, and communities.

I commend the gentleman from West Virginia, my chairman, on his initiative to move a bill and bring this critical issue before the House of Representatives today. Real solutions to these deadly and growing wildfires must be found, and I appreciate his efforts to this end.

Regrettably, the bill before us today will not do enough to address the raging wildfires across this country. Communities, homes, and lives will remain at risk from wildland fires.

There is no question that there are budget issues that must be addressed. We require the Forest Service to fight these fires, while we have handcuffed that agency at the same time, whether through its budget or with forest management practices.

Over and over again on this floor, we have had discussions of how to pay for the measures that are passed by this body. And yet, the Forest Service used to provide a source of revenue. It used to manage Federal lands, selling the harvested timber and thereby bringing in revenue.

Today, in most areas, active harvesting and forest management is nonexistent on Federal lands. This has had a twofold effect. There's less and less money generated by the Forest Service, while there are also ever-growing fuel loads on federally managed lands.

I agree that we cannot expect an agency to budget for the very large wildland fires that we have seen develop over the last 6 or 7 years. To do that is something like asking an American family not only to budget for ordinary and foreseeable expenses, like dental care, health care and car repairs, but also to budget for a serious car accident or tragic health crisis that would eat up 50 percent of their entire budget for the year.

Yet that is the point we have reached with the Forest Service. Today, roughly 48 percent of the Forest Service's budget is dedicated to wildland fires, but we still expect the Service to be able to budget for these fires.

We agree there is a problem with the funding. Unfortunately, this bill doesn't fix that problem. While well-intended, this bill fails to correct the 10-year funding average problem we currently face. Even if it did, merely erasing and rewriting lines in a ledger book does nothing to fix the crisis on the ground in federally managed lands. Moving money to different accounts will not solve the problem.

While well-intentioned, unfortunately the bill before us today fails to address the more critical issue, forest management. The greatest obstacle our public land managers face in preventing catastrophic wildfires isn't dollars, it is having the ability to overcome mountains of red tape and lawsuits filed by extremists. The laws that Congress has created in an attempt to save our forests have now become the biggest obstacles to saving them from wildfires.

Congress should not be addressing funding for suppressing these large fires without addressing the cause of these large fires as well, the increasing and unchecked fuel loads in our national forests that surround or are adjacent to homes and communities.

The critical link between pre-fire forest management and fire fighting was illustrated at the hearing we had on this bill in the Natural Resources Committee in April.

During that hearing, Arizona Governor Jane Napolitano, a Democrat, testified that the 2006 woody fire near Flagstaff, Arizona, was halted before it reached 100 acres because of the hazardous fuels treatment that had been done in that area. And according to Governor Napolitano, those treatments dramatically minimized the fire's devastation.

Similarly, during that hearing our colleague NORM DICKS testified about the large fuel loads that continue to accumulate in Federal forests.

□ 1445

He pointed out that the larger fires have resulted from increasing tree density and fuel loads.

We will continue to have larger and larger fires until we reduce fuel-loading. Until we provide the tools for pre-fire forest management to reduce fuel-loading, the western United States will

continue to see homes burn, watersheds destroyed, and even lives lost. We must provide the tools to preempt these devastating fires, the kind of preemption pointed to by Governor Napolitano that protected so many people and homes in the 2006 Woody Fire near Flagstaff.

Last year, during the Poe Cabin fire in Idaho, in one area the fire moved some three miles in a mere 20 minutes. In that area, several homes that had defensible space around them due to fuel reductions on private land survived the fire, while other structures in that area without defensible space did not survive.

One of these homeowners was able to get his wife out while he stayed just a bit longer to finish loading his truck. However, because of the fast-moving and intense fire combined with the heavy fuel-loading on Federal ground, he became trapped by the fire and was unable to leave. While this could have quickly become a tragic story, this man lived and his home survived thanks to the fuel reduction that had been done around his home.

While this was a result of the fuel reduction done wholly on private ground, many communities and individuals abutting these forests do not have the luxury of enough land to adequately protect the communities, watersheds, homes and lives. Providing the tools to these communities to protect their homes, livelihoods and very lives from these devastating fires is something we can and must do when addressing long-term funding to suppress the fires. We should be discussing solutions like the one I proposed, H.R. 4245, to provide the agencies with one more tool to reduce hazardous fuel loads around communities and homes.

In the great State of Idaho, many communities have put the time and energy into developing Community Wildfire Protection Plans, but implementation of many of these plans has been significantly delayed in large part because of the NEPA process. These CWPPs, as my colleagues know, are cooperative plans, requiring community collaboration and input in the formation of the plan. By delaying treatment for the safety of communities through unbelievable red tape, we subject these communities to be threatened by large wildfires.

Mr. Speaker, this is not only a bipartisan issue, this is a nonpartisan issue. It's about public safety and sound forest management that will benefit millions of Americans. My bill, which I would urge this body to take up as it addresses these wildland fires, would provide for a categorical exclusion from the NEPA process to provide another tool for timely treatments to protect these communities from large and devastating fires and preserve our pristine national forests. Too many homes have burned and too many lives have already been lost. We must provide real tools for firefighting.

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

Mr. RAHALL. Mr. Speaker, I yield 2 minutes to the gentleman from California, an individual who has some firsthand experience with these fires, Mr. SAM FARR.

Mr. FARR. I thank Chairman RAHALL for yielding.

Mr. Speaker, I rise in strong support of the FLAME Act. I rise in support of the act with background experience of having been a seasonal firefighter for the U.S. Department of Forestry when I was a young college student. And I rise with the experience of being on the base and complex fire in Big Sur many times last week.

What I have learned from my experience throughout my life is that what we have done in responding to fires has been the best organizational structure in government. The whole incident command structure is now being used—it started in a California fire, and being used all over the United States and the rest of the world for how we should manage emergency incidents like fires; in fact, our whole structure within homeland security, which is essentially a lot of money that we spent to bring to one stop so that we can bring the resources necessary for prevention and response.

The one area, though, that has never been addressed has actually been in the area where we have to respond year after year after year, which is wildland fires. Last year, the U.S. Forest Service spent $1 billion on fires. And essentially that spending is an emergency process. And what happens at the end of the year is, when you want to say, okay, now it has stopped, the fire season, we have some time, let's go and do some prevention, let's do some control burns and do things like that, and we have no money to do it. And what this great bill does is it sets up a special fund that essentially recognizes that we need to have that emergency money there available to respond to emergencies.

And I would just like to say that in California we have really changed the nature of our whole State through our fire experiences. And we have changed the Department of Forestry in California.

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

Mr. RAHALL. I yield the gentleman an additional 30 seconds.

Mr. FARR. What this bill does is now, for the first time, to bring the Federal Government together and say let's do the same thing we've done with homeland security; let's have one stop, let's have fire planning; let's have prevention, and let's have the ability to respond. This is a great bill.

Mr. SALI. Mr. Speaker, I yield 5 minutes to the gentleman from Oregon (Mr. WALDEN).

Mr. WALDEN of Oregon. Mr. Speaker, I come to the floor today in support of this legislation and feel that it's a good first step. Unfortunately, it doesn't do quite what it was supposed to do, which was to really wall this off as emergency funding and address the problem. But it does authorize the money. It does set up a separate budget account.

Today in the Forest Service they spend 47 percent of their budget fighting fire. And for many years I've argued on this floor that what happens is we get the fire season, the Forest Service runs out of money, so then they rob from all the accounts where they had the projects in place to do the thinning to reduce the threat of fire for the next year. And then time runs out in the season, they can't do those projects, and we get fire. And then we restore the money as a Congress, and we repeat the cycle.

And today in America there are tens of millions, if not hundreds, of acres of Federal forest land that are subject to catastrophic fire, disease and bug infestation. If you're concerned about global warming and think carbon additions to the atmosphere are the problem, then you need to know that every year 290 million metric tons of carbon dioxide go into our atmosphere from forest fires. That's the equivalent of 4 to 6 percent of the Nation's carbon dioxide emissions from fossil fuel burning.

This portrait here is a picture of Judge Steve Grasty, a Democrat in my district, his grandkids. And they're standing out in the Egley fire after it occurred in Harney Country. This fire burned well over 100,000 acres in an area that obviously needed thinning and hadn't been thinned.

And that's part of what brings me to the floor today, not only to support this bill—because I think it makes sense to have a separate firefighting budget, I think it makes sense to identify the most highest risk areas that need the treatment and to go in and treat them and to help the communities with grants and the things that are in this bill—but we need to do more than that because we should have learned the lesson that a treated forest is a healthier forest.

When we collectively passed the Healthy Forest Restoration Act and signed into law by President Bush in 2003, the Forest Service began to have the tools to expedite the treatments in the wildland urban interface. And the collaborative process my colleague from Idaho talked about that brought together the Community Wildfire Protection Planning Program allowed them to go outside the 1.5 mile around the community, and the community decided what needed to be treated.

The problem in my region, region six in the northwest, the great forest of America, is that most of the fires—over 1,400 of them in 2007—started up in the ridge lines and deep in the forest. Only a dozen or two dozen started right around the wildland urban interface.

The foresters who are the trained scientists that deal with fire environment tell me they need to take that Healthy Forest Restoration authority we gave them as a Congress in a bipartisan way

and expand it out into the Condition Class 2 and 3 lands, the lands determined by the scientists to be most out of whack with balance in nature, to go in and do the thinning. And we know where that occurs, fire behaves differently. And you all from California know very clearly, this is the kind of fire you have today, it sweeps through these areas that are overstocked, bug-infested, disease-ridden, dried out and can't handle fire. This is the same area of that fire, the Squire's Peak Fire, that had been treated.

This area that's burning is the area they hadn't treated yet. This is the difference. Look at the green growth here. The fire went through under the brush that had been treated, and it's fine. This picture, by the way, was shot by the last guy doing treatment as they drove away from the fire. They were out doing the treatment, and then they turned into firefighters and he shot that out of the back of his rig.

So I think we need to move forward with different legislation. This is good legislation: Pass it; get it over to the Senate; declare it an emergency; do this funding piece. But we need to do more. If you want to deal with these fires that are setting records for how much they consume, not only of the taxpayers' purse, but of our Nation's resource, habitat, watershed, look at the greenhouse gases, the smoke, the pollutants in the atmosphere, then we have to be able to give our forest managers the tools that they've proven can work in a collaborative way around communities and extend those out into the great reserves, the forests that are Condition Class 2 and 3.

And so I hope we can build a bipartisan coalition to do that. And I hope the chairman of the Resources Committee will help us on that. Because if we don't, then the change that's occurring in our climate with temperature will only cause these forests to grow more drought-ridden, more disease-ridden, more bug-infested, more likely to burn up in fire. And I'll tell you what, when you go back to this picture, Judge Grasty's grandkids, this is what's left behind. This is not snow, this is ashen, destroyed ground. These are the trees which, by the way, may never get hard.

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

Mr. SALI. I yield the gentleman an additional 30 seconds.

Mr. WALDEN of Oregon. So we can do better. We can be better stewards of our Nation's forest. We owe it, as our legacy to the future, to be good stewards today. But we can't do it with the laws that are in place that impede the work. I mean, we owe it. I can't be more passionate about this. And I've worked with many of you in a bipartisan way to pass the Healthy Forest Restoration Act and the Forest Emergency Recovery and Research Act, which the Senate failed to take up last Congress. We've got to do better than we're doing now.

This is a good little step forward in terms of managing the money so that the forest workers can do their work. We need to do more.

Mr. RAHALL. Mr. Speaker, I'm very happy to yield 2 minutes to a very valued member of our Committee on Natural Resources, the gentlelady from California (Mrs. CAPPS), and commend her for her assistance in developing this legislation as well.

Mrs. CAPPS. Mr. Speaker, I rise in strong support of the FLAME Act. I thank Chairman RAHALL for yielding me time and for bringing this important legislation to the floor.

This bill comes at such a critical time. Our Nation is now and will continue to face longer and more intense fire seasons due to global warming and drought.

The cost of fighting fires has grown enormously in recent years, and projections indicate that this trend will only increase, especially in populated wildland urban interface areas.

The Forest Service has spent over $1 billion per year on 5 of the last 7 years to extinguish fires. And wildland fire management activities are estimated to consume close to half of the Forest Service's budget this year. These escalating costs are having a significant impact on the Forest Service. For example, the Forest Service is forced to pull funds from other programs, leaving fewer funds available for camp ground maintenance and forest restoration.

The emergency fund created by the FLAME Act will reduce the need to deplete important Forest Service programs and will provide more reliable funding than uncertain year-to-year supplementals. Even more important, the FLAME Act will ensure the Forest Service has regular funding available for day-to-day fire management. This includes such important prevention steps, like FIREWISE Communities, hazardous fuels treatment, and restoration work.

It's absolutely essential that our efforts to fight today's fires don't hurt our efforts to prevent tomorrow's fires. This bill will ensure this is the case.

Mr. Speaker, the Zaca Fire that burned 240,000 acres in my congressional district last year cost the Forest Service $120 million. That's one fire alone. With more than 1,700 fires in California this year already and the fire season is not even half over, it's pretty clear we're going to have to create an emergency Federal fund dedicated solely to devastating wildland fires.

This idea is long overdue, and this legislation deserves to be approved by the House. So I urge all of my colleagues to address the long-term wildfire suppression funding situation by supporting the FLAME Act.

Mr. SALI. Mr. Speaker, I yield 4 minutes to the gentlewoman from North Carolina (Ms. FOXX).

Ms. FOXX. Mr. Speaker, these fires are extremely dangerous, and our heart goes out to all those people in California who are suffering from these fires and all over the country.

In my area, we rely on volunteer firefighters who are dedicated and whose service I cherish. However, we're putting these dedicated servants who are volunteers all over this country at a terrible disadvantage with gas costs at $4.11 a gallon; 75 percent higher since the Democrats took control of Congress.

Now, let me say that again. Many Americans do not realize that the Democrats are in control of Congress. We are not being allowed to vote on increasing the supply of gasoline by the Democrats.

Now, what is the Democratic strategy for increasing supply of gasoline, which is what we have to do to bring down the price? Let me quote from an article in yesterday's Hill newspaper an aide to Speaker PELOSI.

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''Right now our strategy on gas prices is 'Drive small cars and wait for the wind.' '' Now, that reminds me of the episode which many people will remember from their history books, when the people of France were starving, people went to the Queen and said that the people need bread, they're begging for bread. She said, ''Let them eat cake.'' Again, the strategy of the Democrats is ''Right now our strategy on gas prices is 'Drive small cars and wait for the wind.' ''

Folks, that's not what we want in terms of leadership. We need leadership on this issue. We need action to bring down the price of gasoline. And what will bring down the price of gasoline is American-made energy. We are not being allowed to produce American-made energy that we can produce to bring down the price of gasoline.

On the last bill, the Democrats talked about the fact that our unemployment rate is up. We had 54 straight months of job growth in this country until January of this year when gas prices really started to go up. The price of gas is affecting everything in this country. Again, it's Democratic leadership that has put us in this position, not Republican leadership.

I met today with people from the Turkey Federation. They're concerned about the price of feed. It's driving up the cost of food. Why? Because we're giving such great subsidies to ethanol; so corn is being used to produce ethanol, not going into feed for our animals. We know that's happening all over the place.

Why is it that Congress has a 9 percent approval rating right now? It's because, as the Wall Street Journal said, this is the most do-nothing Congress in 20 years.

We have to respond to the American people. The American people have to know that the Democrats are in charge and they are not responding. We can bring down the price of oil, we can help volunteer firefighters, we can bring

down the cost of food by providing American-made energy, and it's time that we started doing that.

Democrats think you can defy the law of supply and demand. We cannot do that. If we increase supply, we will be able to bring down the price of gasoline, and that's what we have to do.

Mr. RAHALL. Mr. Speaker, in response to the last speaker, this gentleman certainly joins with her in commending our firefighters, especially those who have volunteered across our Nation to fight these fires where they occur. Our firefighters, as they showed us on 9/11, are certainly on the forefront of our Nation's defense and our first responders in this country.

In regard to the price of gas, though, let me remind the gentlewoman that when President George Bush took office, the price of gas, according to his own Energy Information Agency, was $1.47. The last time I left West Virginia yesterday morning, it was $4.14 a gallon.

Mr. Speaker, I am very honored to yield now such time as she may consume to the distinguished Speaker of the House of Representatives, Ms. PELOSI.

Ms. PELOSI. I thank the gentleman for yielding. I thank him and Mr. SALI for their leadership in bringing this important legislation to the floor in a timely fashion for us in California. I appreciate the good work of their committee.

Mr. Speaker, California today is fighting some of the most significant fires in terms of acres burned in our history, more than 675,000 acres, as the fires that have cost $276 million to fight, according to the State and Federal reports, to date. The number of active wildfires up and down the coast of California is 330. There have been 1,731 fires since June 21.

Up to 20,000 firefighters are battling the blazes, many of them from neighboring States, many from far and wide across the country. Some from other countries, from Mexico, from Canada, from Australia, and New Zealand and other places, coming to the rescue. Later today we will have a resolution offered by my colleague from California (Mr. FARR), whose district is greatly impacted by these fires, a resolution to commend our firefighters, thank them for their service and their sacrifice, and that will be an important resolution and debate at that time.

But in addition to extending our sympathy to those for their losses and our appreciation to our firefighters, we have to do more. And today, Mr. RAHALL, you have given us the opportunity to do just that.

This legislation, the FLAME Act, before us creates an emergency Federal fund dedicated solely to combating the catastrophic wildfires. This funding will help ensure that fire prevention resources are not consumed by emergency firefighting expenses. Others have spoken about the need for us to even go beyond this act in terms of treatment and prevention, but this act is important because this fund will prevent the soaking up of all of the other dollars that should be used for prevention but are used for extinction.

The FLAME Act also requires the administration to develop a cohesive wildfire management strategy. This is very, very important and long overdue. We need prevention. We need the treatment that was described by our colleague. A long-term strategy is needed and should include approaches to hiring and retaining experienced Federal wildland firefighters. We have enormously talented people in our country. We want many of them to work for the Federal Government, and that's why I oppose the administration's insistence on outsourcing and other policies that undercut the Federal workforce which extend to our wildland firefighters.

I want to commend Mr. RAHALL, whose leadership on the Natural Resources Committee is helping to strengthen efforts to better prepare for and combat wildfires, Mr. SALI as well, for bringing this legislation to the floor; Chairman RAÚL GRIJALVA of the Natural Resources Committee's National Parks, Forests and Public Lands Subcommittee; and Chairman NORM DICKS of the Appropriations Subcommittee on the Interior. These outstanding leaders have brought forward bipartisan legislation that will help us fight future catastrophic fires and ensure that sufficient resources are dedicated to protecting both citizens and property. That is why this legislation has such broad bipartisan support and has been endorsed by five former chiefs of the Forest Service, the National Association of State Foresters, the National Association of Counties, the National Federation of Federal Employees, the Western Governors Association, and nearly 40 other leading organizations.

As I said earlier, our colleague Congressman FARR is to be commended for authoring the resolution the House will consider shortly that commends our firefighters from California and throughout America for their courageous service. As we thank our colleagues for this much-needed legislation, we should also honor the service of our firefighters, the California Office of Emergency Services, the National Guard for helping protect our neighbors' lives and homes in California and throughout the West.

We also express our deepest sympathies to those who have suffered deep personal losses as a result of these fires, particularly the families of two firefighters who lost their lives: Robert Roland of the Anderson Valley Fire Department, a volunteer fireman who lost his life fighting a fire; and John Hermo of Oregon. He came down from Oregon to help fight the fires. He was drowned while off duty but, nonetheless, here in the service of this important fight.

This critical legislation is an opportunity to provide consistent assistance and structure for relief in these times of emergency. Again, we express our appreciation to the legislation's authors and hopes that the weather and the wind will assist our brave firefighters in combating the blazes. I know we all join in saying that we wish God will bless our courageous firefighters.

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

Mr. RAHALL. I urge support of the bill.

Mr. GOODLATTE. Mr. Speaker, I rise today to express my disappointment with the bill before us today, H.R. 5541, the Forest Land Assistance, Management, and Enhancement Act or the FLAME Act. Mr. Speaker, I believe that the authors of this bill are well intentioned and truly want to solve the wildfire funding problem, but, sadly, the FLAME Act does not provide the comprehensive solution needed to adequately resolve this problem.

With the unhealthy conditions in our forests, extreme drought, and the increasing influx of people building in fire-prone areas, the size and severity of wildfires has dramatically increased. In the 1990s, an average of 3.2 million acres burned each year. Since 2000, that annual average has doubled to 7.1 million acres. The cost of fighting these wildfires has skyrocketed, from averages of $400 million annually in the 1990s to roughly $1.4 billion in 2007. This year an area roughly the size of Connecticut has already burned, at cost of over $665 million to date.

This is not just a western issue. In my home State of Virginia, more acres have burned already this year than in any single entire year since 1963 at a cost of millions of dollars.

As firefighting costs have increased, the overall USDA Forest Service and Department of the Interior budgets have not. So, the Forest Service and DOI are footing the bill for these large, unpredictable emergency wildfires within the confines of a flat budget. For the Forest Service, this has meant a 77 percent increase in fire expenditures, a 23 percent decrease in funds to manage the national forests, and a 38 percent decrease in funds to help States and private owners manage their forests. Whether you're a wilderness advocate, a hunter, a mountain biker, or a logger, everyone will be impacted if we don't solve this problem.

Wildfires are not only consuming more forestland, they are consuming the Forest Service and the Department of the Interior themselves.

The FLAME Act falls short of protecting the Agencies' budgets from this continued erosion. H.R. 5541 does not change the current budget practice of funding firefighting based on the average expenses over the previous decade. Without this change, we will continue to see more and more of the Agencies' budgets go toward fire and less towards taking care of our Nation's forests.

In addition to this shortfall, the FLAME Act lacks a comprehensive set of solutions to the problem. Fixes to the wildfire budgeting system must be accompanied by strong cost containment and accountability standards while also ensuring firefighter safety, incentives to encourage communities to step up to the plate and reduce wildfire risks, and more tools to prevent or minimize damage due to catastrophic wildfires, particularly in our Federal forests.

H.R. 5648, the Emergency Wildland Fire Response Act of 2008 which Chairman PETERSON and I introduced along with a bipartisan group of our colleagues, provides this comprehensive solution. Unfortunately, negotiations for a more comprehensive solution were cut short.

I'm pleased to see that the authors of the FLAME Act have incorporated aspects of H.R. 5648 that encourage communities to step up to the plate and become "fire-ready" and encourage the Agencies to contain costs in their firefighting efforts.

Unfortunately, even with these improvements, the FLAME Act ignores the underlying problem causing the increases in firefighting costs—the unhealthy condition of our Federal forests. We will continue to see skyrocketing firefighting costs and more damage to our forests, watersheds, and communities unless we take steps to reduce fire risk in our Federal forests. We must provide the Agencies additional tools to get our Federal forests in a healthy, more fire resilient condition.

My alternative bill, H.R. 5648 provides a new contracting tool for the Forest Service to partner with States to address these unhealthy conditions in Federal forests. This authority has been tested in Colorado and Utah where it's proven to be very effective. Unfortunately, H.R. 5541 contains no such tools.

Mr. Speaker, as California and other States are dealing with massive wildfires even as we speak, we shouldn't squander our time with legislation that is only half the solution. H.R. 5541 is akin to using the watering can to fight a wildfire: it might have some short-term benefit of slowing down the flames, but ultimately, it won't stop the fire.

That being said, I will vote for this bill because it does move the ball forward. I'm hopeful that we can improve it as we move forward and ask my colleagues to join me in this effort.

Mr. RAHALL. 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 West Virginia (Mr. RAHALL) that the House suspend the rules and pass the bill, H.R. 5541, 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.

COMMENDING THE FIREFIGHTERS FROM CALIFORNIA AND THROUGHOUT THE UNITED STATES FOR THEIR COURAGEOUS ACTIONS AND SACRIFICES IN FIGHTING THE CALIFORNIA WILDFIRES

Mr. RAHALL. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1322) commending the firefighters from California and throughout the United States for their courageous actions and sacrifices in fighting the California wildfires.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1322

Whereas, since June 20, 2008, there have been 1,781 wildfires in California started by natural causes, including lightning, or by human activity;

Whereas 630,886 acres of land have burned in these wildfires, and, as of July 8, 2008, there are 323 wildfires still burning in California;

Whereas significant portions of National Forest System land and wilderness areas continue to burn in the Los Padres, Klamath, Shasta, Trinity, Mendocino, Plumas, Eldorado, Tahoe, Six Rivers, and Lassen National Forests;

Whereas areas of Butte, Monterey, Santa Barbara, and Shasta counties are under evacuation orders, and precautionary evacuation orders currently exist in areas of Kern, Mendocino, Monterey, Santa Barbara, and Plumas counties;

Whereas the wildfires are threatening 8,874 residences, 168 commercial buildings, and 2,085 outbuildings, but the heroic efforts of firefighters have limited the destruction to 40 residences, 1 commercial building, and 61 outbuildings;

Whereas firefighters have already been working for weeks on the front lines of a fire season that is just beginning;

Whereas firefighters have risked their lives and endured great hardship to protect life, property, and the environment;

Whereas there are currently 18,415 personnel committed, as well as 1,403 fire engines, 388 hand crews, 269 bulldozers, 392 water tenders, 31 air tankers, 30 incident management teams, and 95 helicopters;

Whereas 40 States and the District of Columbia have provided assistance to fight the wildfires:

Whereas the cooperative, unified approach to addressing wildland fires by Federal, State, local, tribal, and volunteer agencies have worked as one team under California's innovative incident command system;

Whereas the wildfires have been fought in a manner consistent with wilderness and wildlife protection, including protection of endangered species such as the Southern Sea Otter;

Whereas the people of California and the United States recognize that the dedication of the firefighters will remain steadfast throughout the ongoing suppression, repair, and rebuilding efforts;

Whereas firefighters continue to make progress in containing wildfires throughout California, and, as of July 8, 2008, more than 1,400 fires have been contained due to the diligent and tireless efforts of firefighters from California and throughout the United States, and

Whereas several firefighters have been injured and one firefighter has given his life while fighting the wildfires: Now, therefore, be it

Resolved, That the House of Representatives—

(1) commends firefighters from California and throughout the United States for their courageous actions and sacrifices in fighting wildfires on National Forest System land and other public lands in California;

(2) acknowledges the continued work of firefighters to protect National Forest System land, other public lands, and private property from further damage;

(3) praises the people of California for their great courage in this time of crisis; and

(4) extends its heartfelt sympathies to the families of those who have lost loved ones or their homes, businesses, or other property in the wildfires.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from West Virginia (Mr. RAHALL) and the gentleman from Idaho (Mr. SALI) each will control 20 minutes.

The Chair recognizes the gentleman from West Virginia.

GENERAL LEAVE

Mr. RAHALL. Mr. 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 on the resolution under consideration.

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

There was no objection.

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

Mr. Speaker, since June 20, 2008, as we have heard the distinguished Speaker tell us, there have been 1,781 wildfires in the State of California, over 600,000 acres of land have burned, and there are 323 fires still burning in the State. Firefighters have been working for weeks on the front lines of these fires, risking their lives and enduring great hardship. These firefighters are making progress in containing California's wildfires. As to date, over 1,400 fires have been contained.

Sadly, several firefighters have been injured and one firefighter has given his life in fighting these devastating wildfires in California.

This resolution commends these firefighters for their courageous actions and sacrifices in fighting the wildfires in California. The resolution also extends heartfelt sympathies to the families of those who have lost their homes, businesses, or loved ones in this tragedy.

I ask my colleagues to support this resolution.

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

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

I too rise today to commend the heroic efforts of firefighters throughout our Nation. At times they are called to pay the ultimate sacrifice to save the life and property of others. I have had the honor of meeting the men and women who fight these wildfires in my State of Idaho, and there is no greater example of courage than these folks.

I understand how important it is to provide firefighters who battle wildfires with the right tools they need to do their job. Threats to human life are compounded by the fact that more and more people are living in homes near the fire-prone forests, placing themselves and the firefighters who try to protect them at greater risk.

In April of this year, I offered an amendment to the United States Fire Administration Reauthorization Act of 2008 that allowed the Administrator of the United States Fire Administration to develop and distribute information on the importance of clearing biomass from Federal lands. This commonsense amendment will require USFA to work in consultation with other Federal agencies, such as the U.S. Forest Service and the Bureau of Land Management, to ensure that the USFA provides the best possible recommendation. As we come upon another deadly

and costly fire season, this information is as vital as ever. We must provide our Federal employees, who are the best in the world, all of the tools they need to keep our communities and themselves safe from catastrophic wildfires.

I urge the chairman of the Natural Resources Committee to hold more hearings on the crisis situation in our Nation's forests. We have had just one hearing this year on the wildfire problem compared to six last Congress. I urge Members on both sides of the aisle to continue to work on providing firefighters and our public land management officials with the necessary tools they need to do their job. As firefighters risk life and limb to protect us, the least we can do is to provide them with everything they need.

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

□ 1515

Mr. RAHALL. Mr. Speaker, I am very happy to yield such time as he may consume to the author of this resolution commending our firefighters, the gentleman from California (Mr. FARR).

Mr. FARR. Thank you, Mr. Chairman, for yielding. I rise, supporting this resolution, with the backing of almost all the Members of Congress and certainly many co-authors that are on here.

This resolution commends the firefighters who are fighting. On this incredible map, you can just see what the extent of fires are in California. Having come off the fire in the Big Sur region that I represent, you can't help but have an incredible amount of pride for the ability to call to order firemen and women from all over the United States, and in this case, because we are so over strapped, we are now asking help from Mexico with both crews and equipment. We have had firefighters come down from Canada and, as I understand, CAL FIRE is negotiating now with New Zealand and Australia to even bring in more personnel.

These firefighters work nonstop. They are on 12 hours and then off 12 hours. But they have to work every day. They don't stop on weekends. They just keep going out of the camps and into the fire lines. As was pointed out by the Speaker just a moment ago, the tragedy for two of those workers, one a volunteer fireman from Anderson Valley Fire Department, Robert Roland, died on the fire line of heart failure. John Hermo, who is a firefighter, full-time professional firefighter from Oregon, came down to fight the California fires and got some time off after so many days on the fire, and during his rest, just not being on the fire line, drowned in the river there, in the Kern River. It's really a tragedy. Here, these families have sent off these young folks to help us to respond as first responders, as emergency responders.

So this resolution is a profound debt of gratitude to them. I know that those firefighters can't see this on their C–SPAN at home, but certainly the parents and relatives of all of those who have sent loved ones to these fires.

Fires have threatened 9,000 homes and businesses. There are still 223 wildland fires burning in California. More than 14,000 fires have already been contained because of the work of the firefighters. There are 18,000 personnel, firefighters on the lines right now, and there have been evacuation orders in Kern, Mendocino, Santa Barbara, Plumas, and in my county, and I'd like to personally thank our sheriff, Mike Kanalakis, for lifting the mandatory evacuation, which made people leave their homes in the rural area, many of whom felt that they were best suited to protect those homes. That evacuation order has been lifted and now the Big Sur Highway, Highway 1, is back in order for local personnel.

So our firefighters are working nonstop, and some for 4 weeks without rest. They are going to need rest. You can't stop the fire burnings. You're going to have to bring in more personnel. That's why we are reaching out to other countries.

So I want to thank those who I saw on the lines, the people I talked to, the communities that rallied around them. This is a heartfelt thanks from the Congress of the United States of America to the personnel in this country who respond on a basis to keep our cities and rural areas safe during wildfires. Thank you very much.

Mr. SALI. I yield such time as he may consume to the gentleman from Tennessee (Mr. WAMP).

Mr. WAMP. I thank the gentleman for yielding. I especially thank the author of the resolution, Mr. FARR of California, for his leadership and insight here in the Congress. It's a privilege to serve alongside him. A very thoughtful man.

I want to join the chorus in praising these firefighters and encouraging others to answer this extraordinarily difficult call to public service every time that one of these fires encroaches on areas where people live and work. But I do find it ironic, having been here for 14 years, from time to time these issues cross over with each other because, frankly, the nexus between the environment, which is a part of these fires; energy, which is also a piece of this; and national security is the most important challenge of our generation, this nexus. And they are connected.

Over the last 14 years I have had the privilege, even with Mr. FARR, to travel to places like Yellowstone and Yosemite Valley and the Olympics in Washington State and actually see with the stewards of our public lands, which represent over one-third of the land mass of the continental United States, is government-owned land, and actually be there with the Forest Service, the Park Service, the Bureau of Land Management personnel, many of whom are registered foresters, who will say that one of the biggest problems with the creation of these fires is the dead and dying timber which we have refused to clean out in terms of our stewardship of the forest. You can't just leave this forest alone and let all of this timber become just a matchbox on the ground without huge problems with the fires.

So the mindset that says leave all forests alone and do not touch them, even to the point of not cleaning up the dead and dying timber, which creates with any kind of a spark these out-of-control fires that come into California into the areas where people live, the mindset that says, for whatever reason, do not touch these forests, is a flawed mindset that causes these fires.

The best thing we can do for the firefighters is to try to mitigate the fires with good forestry practices, good stewardship, and logical environmental response. I consider myself a very logical and rational lawmaker on issues of the environment. But that is the same mindset that says under no circumstance do you take a piece of land in the middle of the Arctic tundra and not explore for oil and gas there.

That is the same mindset. It's a flawed mindset. That is why we have the energy pinch. It's a mindset that says States cannot even go into the Outer Continental Shelf, if they want to, and explore oil and gas resources, when in fact we should leave that up to the States.

So here we are, kind of feeling the pinch and the adverse consequences of extremist environmental policy, whether it's fires, whether it's energy sources. We have to come back to a rational, logical modern approach.

Now I am very much part Cherokee Indian. The Cherokee National Forest is in my district. The Cherokee used to intentionally burn the forest. Why? Because it helped the nutrients in the ground. It became more robust. It's a natural cycle. They intentionally did it.

Speaking of good forestry practices, they were not only not afraid of fire, they used fire for the right purposes so that the forest wouldn't get out of control and just burn wildly.

It's that kind of thinking, long-term stewardship, that we need to get back to so that the political winds of the day do not stymie us on good management practices with our forests or good energy policy as a Nation so that everything is not off-limits to the point that the lights go out in California or we are paying $4.50 for a gallon of gas.

These are unacceptable outcomes when all we have to do is take a reasonable, responsible approach from the center of America, representing average people, and saying, We are all for stewardship, we are all for participating in global warming, but we don't want to do it at the expense of our future. Our economic future, our quality of life, all these issues come together.

So I would implore the leadership—I understand the Speaker of the House yesterday said in fact the SPR, the Strategic Petroleum Reserve, does need to be released so that we can increase some supply of oil. I am glad to

see these steps are taken finally to recognize that supply and demand are at stake here, they are at work here, and that we need to increase the supply of oil and gas in this country. Not that that is the cure-all, end-all, but it's one of many things that we need to do in an all-of-the-above approach to energy, which is connected to the environment and good long-term stewardship for our country.

I thank the gentleman for the time.

Mr. RAHALL. Mr. Speaker, I yield 2 minutes to the gentlelady from California (Mrs. CAPPS).

Mrs. CAPPS. I thank my committee chairman for yielding time.

Mr. Speaker, as a representative of areas affected by the recent wildfires and as a cosponsor of House Resolution 1322, I rise in strong support of this legislation, and I thank my colleague and my neighboring Member of Congress, Congressman FARR, for introducing this resolution.

In the last 3 weeks, more than 1,700 wildfires have burned hundreds of thousands of acres in our home State of California. In my district alone, the Gap Fire, one of the State's highest priorities now, has burned nearly 10,000 acres and threatened several hundred homes in the city of Goleta. Yet, despite high winds and temperatures, our incredible firefighters and emergency personnel have limited the destruction, have saved hundreds of homes, hundreds of lives.

I am so proud to say that California's emergency preparedness system and procedures are among the best in the Nation. My constituents in Goleta are the most recent beneficiaries of this system. I have to admit that I am a little biased toward our firefighters as well. Years ago, as a school nurse, they taught me CPR, they taught me first aid, they helped me train our school personnel. They are a wonderful asset to safety and preparedness in our communities.

From their base at Dos Pueblos High School, State and local officials have worked together to move resources from across the State to areas that needed them most. They're masters at doing this. If not for this organized and swift effort, many more acres, homes, and lives could have been lost.

As we speak here today on the floor of this House, in this well, thousands of men and women are putting their lives on the line, enduring great hardships to protect our wildlife, our property; indeed, our lives. Today, we commend these amazing individuals and we express our gratitude at their sacrifice and their service.

I urge my colleagues to join Mr. FARR, to join all of us in thanking and honoring these courageous individuals by supporting this legislation.

Mr. SALI. Mr. Speaker, I have no further speakers, so I would yield back the balance of my time.

Mr. RAHALL. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from West Virginia (Mr. RAHALL) that the House suspend the rules and agree to the resolution, H. Res. 1322.

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.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order: ordering the previous question on H. Res. 1318, and adopting H. Res. 1318, if ordered.

The first electronic vote will be conducted as a 15-minute vote. The second electronic vote will be conducted as a 5-minute vote.

PROVIDING FOR CONSIDERATION OF H.R. 5811, ELECTRONIC MESSAGE PRESERVATION ACT

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on House Resolution 1318, on which a recorded vote was ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The vote was taken by electronic device, and there were—ayes 228, noes 193, not voting 13, as follows:

[Roll No. 474]

AYES—228

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Cazayoux
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
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards (MD)
Edwards (TX)
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
Holt
Honda
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)
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
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reichert
Reyes
Richardson
Rodriguez
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 (WA)
Snyder
Solis
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NOES—193

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)
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Chabot
Childers
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
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
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hill
Hobson
Hoekstra
Holden
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
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pitts
Platts
Poe
Porter
Price (GA)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Scalise
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Souder
Stearns
Sullivan
Tancredo
Terry
Thornberry

Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield (KY)
Wilson (NM)
Wilson (SC)
Wittman (VA)
Wolf
Young (AK)
Young (FL)

NOT VOTING—13

Baird
Boswell
Brown-Waite, Ginny
Fossella
Hodes
Hulshof
Melancon
Pickering
Pryce (OH)
Renzi
Rush
Smith (TX)
Udall (CO)

□ 1555

Messrs. YOUNG of Alaska, HAYES, LUCAS, TURNER, BUYER, and SAXTON changed their vote from ''aye'' to ''no.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

MOMENT OF SILENCE IN REMEMBRANCE OF MEMBERS OF ARMED FORCES AND THEIR FAMILIES

The SPEAKER. The Chair would ask the House to observe a moment of silence in remembrance of our brave men and women in uniform who have given their lives in the service of our Nation in Iraq and Afghanistan, their families, and all who serve in our Armed Forces.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Without objection, 5-minute voting will continue.

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 5811, ELECTRONIC MESSAGE PRESERVATION ACT

The SPEAKER. The question is on the resolution.

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

Mr. HASTINGS of Washington. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 229, nays 193, not voting 12, as follows:

[Roll No. 475]

YEAS—229

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
Cazayoux
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards (MD)
Edwards (TX)
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
Honda
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
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)
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
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Richardson
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 (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NAYS—193

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)
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
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
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hill
Hobson
Hoekstra
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
LaTourette
Latta
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pitts
Platts
Poe
Porter
Price (GA)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Scalise
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 (NM)
Wilson (SC)
Wittman (VA)
Wolf
Young (AK)
Young (FL)

NOT VOTING—12

Baird
Boswell
Brown-Waite, Ginny
Fossella
Hulshof
McMorris Rodgers
Melancon
Pickering
Pryce (OH)
Renzi
Rush
Udall (CO)

□ 1606

Mr. FEENEY changed his vote from ''yea'' to ''nay.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H. CON. RES. 362

Mr. CLAY. Mr. Speaker, I ask unanimous consent to withdraw my name as a cosponsor of House Concurrent Resolution 362.

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

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 6304. An act to amend the Foreign Intelligence Surveillance Act of 1978 to establish a procedure for authorizing certain acquisitions of foreign intelligence, and for other purposes.

ELECTRONIC MESSAGE PRESERVATION ACT

Mr. CLAY. Mr. Speaker, pursuant to House Resolution 1318, I call up the bill (H.R. 5811) 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, and ask for its immediate consideration.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5811

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 ''Electronic Communications Preservation Act''.

SEC. 2. PRESERVATION OF ELECTRONIC COMMUNICATIONS.

(a) REQUIREMENT FOR PRESERVATION OF ELECTRONIC COMMUNICATIONS.—

(1) IN GENERAL.—Chapter 31 of title 44, United States Code, is amended by adding at the end the following new section:

''§ 3108. Electronic communications

''(a) REGULATIONS REQUIRED.—Not later than 18 months after the date of the enactment of this section, the Archivist shall promulgate regulations governing agency preservation of electronic communications that are records. Such regulations shall, at a minimum—

''(1) require the electronic capture, management, and preservation of such electronic records;

''(2) require that such electronic records are readily accessible for retrieval through electronic searches;

''(3) establish mandatory minimum functional requirements and a software certification testing process to certify electronic records management applications to be used by Federal agencies for purposes of complying with the requirements in paragraphs (1) and (2); and

''(4) include timelines for agency compliance with the regulations that ensure compliance as expeditiously as practicable but not later than four years after the date of the enactment of this section.

''(b) COVERAGE OF OTHER ELECTRONIC RECORDS.—To the extent practicable, the regulations promulgated under subsection (a) shall also include requirements for the capture, management, and preservation of other electronic records.

''(c) COMPLIANCE BY FEDERAL AGENCIES.—Each Federal agency shall comply with the regulations promulgated under subsection (a).

''(d) REVIEW OF REGULATIONS REQUIRED.—The Archivist shall periodically review and, as necessary, amend the regulations promulgated under this section.

''(e) REPORTS ON IMPLEMENTATION OF REGULATIONS.—

''(1) AGENCY REPORT TO ARCHIVIST.—Not later than four years after the date of the enactment of this section, the head of each Federal agency shall submit to the Archivist a report on the agency's compliance with the regulations promulgated under this section.

''(2) ARCHIVIST REPORT TO CONGRESS.—Not later than 90 days after receipt of all reports required by paragraph (1), the Archivist shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives a report on Federal agency compliance with the regulations promulgated under this section.''.

(2) CLERICAL AMENDMENT.—The table of sections for chapter 31 of title 44, United States Code, is amended by adding after the item relating to section 3107 the following new item:

''3108. Electronic communications.''.

(b) DEFINITION OF ELECTRONIC RECORDS MANAGEMENT APPLICATION.—Section 2901 of title 44, United States Code, is amended—

(1) by striking ''and'' at the end of paragraph (14);

(2) by striking the period at the end of paragraph (15) and inserting ''; and''; and

(3) by adding at the end the following new paragraph:

''(16) the term 'electronic records management application' means a software system designed to manage electronic records within an information technology system, including by categorizing and locating records, identifying records that are due for disposition, and storing, retrieving, and disposing of records stored in a repository.''.

SEC. 3. PRESIDENTIAL RECORDS.

(a) ADDITIONAL REGULATIONS RELATING TO PRESIDENTIAL RECORDS.—

(1) IN GENERAL.—Section 2206 of title 44, United States Code, is amended—

(A) by striking ''and'' at the end of paragraph (4);

(B) by striking the period at the end of paragraph (5) and inserting ''; and''; and

(C) by adding at the end the following:

''(5) provisions for establishing standards necessary for the economical and efficient management of Presidential records during the President's term of office, including—

''(A) records management controls necessary for the capture, management, and preservation of electronic communications;

''(B) records management controls necessary to ensure that electronic communications are readily accessible for retrieval through electronic searches; and

''(C) a software certification testing process to certify the electronic records management application to be used by the President for the purposes of complying with the requirements in subparagraphs (A) and (B).''.

(2) DEFINITION.—Section 2201 of title 44, United States Code, is amended by adding at the end the following new paragraph:

''(6) The term 'electronic records management application' has the meaning provided in section 2901(16) of this title.''.

(b) CERTIFICATION OF PRESIDENT'S MANAGEMENT OF PRESIDENTIAL RECORDS.—

(1) CERTIFICATION REQUIRED.—Chapter 22 of title 44, United States Code, is amended by adding at the end the following new section:

''§ 2208. Certification of the President's management of Presidential records

''(a) ANNUAL CERTIFICATION.—The Archivist shall annually certify whether the records management controls established by the President meet requirements under sections 2203(a) and 2206(5) of this title.

''(b) REPORT TO CONGRESS.—The Archivist shall report annually to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives on the status of the certification.''.

(2) CLERICAL AMENDMENT.—The table of sections for chapter 22 of title 44, United States Code, is amended by adding at the end the following new item:

''2208. Certification of the President's management of Presidential records.''.

(c) REPORT TO CONGRESS.—Section 2203(f) of title 44, United States Code, is amended by adding at the end the following:

''(4) One year following the conclusion of a President's term of office, or if a President serves consecutive terms one year following the conclusion of the last term, the Archivist shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives a report on—

''(A) the volume and format of Presidential records deposited into that President's Presidential archival depository; and

''(B) whether the records management controls of that President met the requirements under sections 2203(a) and 2206(5) of this title.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect one year after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to House Resolution 1318, 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. 5811

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 ''Electronic Message Preservation Act''.

SEC. 2. PRESERVATION OF ELECTRONIC MESSAGES.

(a) REQUIREMENT FOR PRESERVATION OF ELECTRONIC MESSAGES.—

(1) IN GENERAL.—Chapter 29 of title 44, United States Code, is amended by adding at the end the following new section:

''§ 2911. Electronic messages

''(a) REGULATIONS REQUIRED.—Not later than 18 months after the date of the enactment of this section, the Archivist shall promulgate regulations governing agency preservation of electronic messages that are records. Such regulations shall, at a minimum—

''(1) require the electronic capture, management, and preservation of such electronic records in accordance with the records disposition requirements of chapter 33 of this title;

''(2) require that such electronic records are readily accessible for retrieval through electronic searches;

''(3) establish mandatory minimum functional requirements for electronic records management systems to ensure compliance with the requirements in paragraphs (1) and (2);

''(4) establish a process to certify that Federal agencies' electronic records management systems meet the functional requirements established under paragraph (3); and

''(5) include timelines for agency compliance with the regulations that ensure compliance as expeditiously as practicable but not later than four years after the date of the enactment of this section.

''(b) COVERAGE OF OTHER ELECTRONIC RECORDS.—To the extent practicable, the regulations promulgated under subsection (a) shall also include requirements for the capture, management, and preservation of other electronic records.

''(c) COMPLIANCE BY FEDERAL AGENCIES.—Each Federal agency shall comply with the regulations promulgated under subsection (a).

''(d) REVIEW OF REGULATIONS REQUIRED.—The Archivist shall periodically review and, as necessary, amend the regulations promulgated under this section.

''(e) REPORTS ON IMPLEMENTATION OF REGULATIONS.—

''(1) AGENCY REPORT TO ARCHIVIST.—Not later than four years after the date of the enactment of this section, the head of each Federal agency shall submit to the Archivist a report on the agency's compliance with the regulations promulgated under this section.

''(2) ARCHIVIST REPORT TO CONGRESS.—Not later than 90 days after receipt of all reports required by paragraph (1), the Archivist shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives a report on Federal agency compliance with the regulations promulgated under this section.''.

(2) CLERICAL AMENDMENT.—The table of sections for chapter 29 of title 44, United States Code, is amended by adding after the item relating to section 2910 the following new item:

''2911. Electronic messages.''.

(b) DEFINITIONS.—Section 2901 of title 44, United States Code, is amended—

(1) by striking ''and'' at the end of paragraph (14);

(2) by striking the period at the end of paragraph (15) and inserting a semicolon; and

(3) by adding at the end the following new paragraphs:

''(16) the term 'electronic messages' means electronic mail and other electronic messaging systems that are used for purposes of communicating between individuals; and

''(17) the term 'electronic records management system' means a software system designed to manage electronic records within an information technology system, including by—

''(A) categorizing and locating records;

''(B) ensuring that records are retained as long as necessary;

''(C) identifying records that are due for disposition; and

''(D) the storage, retrieval, and disposition of records.''.

SEC. 3. PRESIDENTIAL RECORDS.

(a) ADDITIONAL REGULATIONS RELATING TO PRESIDENTIAL RECORDS.—

(1) IN GENERAL.—Section 2206 of title 44, United States Code, is amended—

(A) by striking ''and'' at the end of paragraph (3);

(B) by striking the period at the end of paragraph (4) and inserting ''; and''; and

(C) by adding at the end the following:

''(5) provisions for establishing standards necessary for the economical and efficient management of Presidential records during the President's term of office, including—

''(A) records management controls necessary for the capture, management, and preservation of electronic messages;

''(B) records management controls necessary to ensure that electronic messages are readily accessible for retrieval through electronic searches; and

''(C) a process to certify the electronic records management system to be used by the President for the purposes of complying with the requirements in subparagraphs (A) and (B).''.

(2) DEFINITION.—Section 2201 of title 44, United States Code, is amended by adding at the end the following new paragraphs:

''(5) The term 'electronic messages' has the meaning provided in section 2901(16) of this title.

''(6) The term 'electronic records management system' has the meaning provided in section 2901(17) of this title.''.

(b) CERTIFICATION OF PRESIDENT'S MANAGEMENT OF PRESIDENTIAL RECORDS.—

(1) CERTIFICATION REQUIRED.—Chapter 22 of title 44, United States Code, is amended by adding at the end the following new section:

''§ 2208. Certification of the President's management of Presidential records

''(a) ANNUAL CERTIFICATION.—The Archivist shall annually certify whether the records management controls established by the President meet requirements under sections 2203(a) and 2206(5) of this title.

''(b) REPORT TO CONGRESS.—The Archivist shall report annually to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives on the status of the certification.''.

(2) CLERICAL AMENDMENT.—The table of sections for chapter 22 of title 44, United States Code, is amended by adding at the end the following new item:

''2208. Certification of the President's management of Presidential records.''.

(c) REPORT TO CONGRESS.—Section 2203(f) of title 44, United States Code, is amended by adding at the end the following:

''(4) One year following the conclusion of a President's term of office, or if a President serves consecutive terms one year following the conclusion of the last term, the Archivist shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives a report on—

''(A) the volume and format of Presidential records deposited into that President's Presidential archival depository; and

''(B) whether the records management controls of that President met the requirements under sections 2203(a) and 2206(5) of this title.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect one year after the date of the enactment of this Act.

The SPEAKER pro tempore. The gentleman from Missouri (Mr. CLAY) and the gentleman from Virginia (Mr. DAVIS) each will control 30 minutes.

The Chair recognizes the gentleman from Missouri.

GENERAL LEAVE

Mr. CLAY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

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

There was no objection.

Mr. CLAY. Mr. Speaker, at this time I would like to recognize and yield 5 minutes to the chairman of the Committee on Oversight and Government Reform, Mr. WAXMAN.

Mr. WAXMAN. Mr. Speaker, I rise in strong support of H.R. 5811, the Electronic Message Preservation Act of 2008, and I want to thank Representatives CLAY and HODES for their commitment to oversight and accountability and for their hard work on this bill.

The Electronic Message Preservation Act amends both the Federal Records Act and the Presidential Records Act to ensure the preservation of e-mail records.

In recent years, e-mail has become an essential form of communication and a key source of information about Federal decision-making. Despite the importance of these records, serious deficiencies exist in the way e-mails are preserved both by the White House and Federal agencies. The preservation of these records must be improved if historians are to have access to a complete record of government decision-making and if Congress is to perform needed oversight.

Under President Bush, the White House has allowed senior officials to use nongovernmental e-mail accounts maintained by the Republican National Committee for official business. An investigation by the Committee on Oversight and Government Reform found that many of these e-mails have been destroyed. Other e-mails have been lost because the White House relied for 5 years on an e-mail archiving system described as ''primitive'' by a former White House information technology officer.

While the problems have been particularly acute under the Bush administration, other administrations, including President Clinton, have also encountered problems preserving e-mail records.

To ensure that these Presidential records are appropriately preserved, H.R. 5811 directs the Archivist to establish standards for the capture, maintenance and preservation of e-mail records and to certify that the White House is meeting these standards.

Committee investigations have also revealed that Federal agencies are inconsistent in the management of e-mail records. Most agencies still rely on an unreliable ''print and file'' process to preserve e-mail records rather than preserving them electronically.

GAO, in a report released yesterday, found that senior agency officials are not compliant with key e-mail preservation requirements. GAO reviewed the practices of senior agency officials and determined that the e-mails were not retained in adequate record keeping systems, making the e-mail records easier to lose or delete and harder to find and use.

This bill would modernize agency record keeping. The bill directs the Archivist to issue regulations mandating that within 4 years of the enactment of this legislation, all Federal agencies manage and preserve their e-mail records electronically.

Mr. Speaker, some have said that this bill is about preserving history. And it is. But it also is about our constitutional responsibility for oversight and for holding this and any administration accountable. Access to Presidential and Federal records helps us do our job. I urge all Members to support this bill.

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

Mr. Speaker, H.R. 5811, the Electronic Message Preservation Act would require the preservation of certain electronic records by Federal agencies and certification in reports by the National Archives relating to Presidential records.

Why are we taking up this bill? We have been out of session for more than a week. We have been getting ready for a month-long recess, and this is the best they can offer to discuss on the House floor? This is the major bill of the week? Not the housing crisis, not gasoline prices, not retirement security for baby boomers, we are here today to talk about preservation of electronic records in Federal agencies.

□ 1615

This is the best they can come up with?

And though the answer to that is appropriately ''yes,'' this bill doesn't take the right approach. As I said many times, secure information is the lifeblood of effective government. And more often than not, in today's society, information takes the form of electronic transmissions and e-mails.

I have personally spent years focusing on government-wide information management and policy and have consistently encouraged the Federal Government to continue to embrace digital government, expand e-government initiatives and find more ways to leverage information technology.

With more and more of the government's business conducted electronically, we need to make sure our records are protected and preserved. Effective government is essential, and an effective government depends not only on secure information but on an accurate record.

The majority substitute amendment at markup addressed certain technical definitional concerns that we raised. It clarified that the legislation would apply to electronic messages rather than electronic communications and provided a workable definition of ''electronic messages.'' Similarly, based on comments from the National Archives that the term ''electronic records management applications'' may limit agencies' abilities to adopt changing technologies, the amendment clarified that agencies and the White House should rely on broadly defined electronic records management systems to manage records.

At that time, I urged the chairman to continue to refine this bill to make sure that we got it right on issues like managing the cost of preserving unknown, but presumably vast, electronic databases, how to include emerging media in a system, and the functional parameters of any requirement that voluminous and varied data be ''searchable.'' Those issues have not been addressed in any meaningful way in the markup.

In addition, several issues raised by the Archives and the White House remain unresolved as well. For example, Archives believes that the annual certification requirement is unprecedented and would be a significant departure from accepted and long-standing practice. Also, there are several clarifications of terms and definitions asked for by the Archives which are not addressed in the bill we're taking up today.

In addition, among other things, the White House views the bill as overturning the historical distinction in law between agency records and Presidential records, and the Statement of Administration Policy issued yesterday reiterates the White House's veto threat.

Now, we have to remember the White House in this case is protecting the ''institution,'' not the Bush administration. This bill doesn't affect the current administration. And our interests here are institutional as well. But if we want to legislate, we should do it appropriately and thoughtfully, not in some needless rush to somehow punish an administration that won't even be affected by this bill.

I'm not certain that this bill is the appropriate legislation, but I do believe legislation is necessary in this area. And I want to work with Chairman WAXMAN and the White House and the Archives on a bill that will give appropriate guidelines to agencies and the White House on preserving electronic records.

I reserve the balance of my time.

Mr. CLAY. Mr. Speaker, I yield 5 minutes to the gentleman from New Hampshire (Mr. HODES).

Mr. HODES. I thank my distinguished colleague, Mr. CLAY, for his leadership along with Mr. WAXMAN on this bill.

I rise today in strong support of H.R. 5811, the Electronic Message Preservation Act. My colleague from Virginia has said that the Archivist suggests that the requirement for certification under this bill is unprecedented. Well, this bill is filed, in part, as a response to White House practices that have been unprecedented and show clearly the need for this legislation. The documents, which include e-mails, correspondence, memos produced by an administration belong not to the President but to the people of the United States.

This bill will help ensure that these records are preserved properly for our future generations, and more importantly, this bill will help lift the veil of secrecy that has fallen over our government under this administration.

Every day the President and his staff generate thousands of documents on the issues confronting our Nation. These documents contain important insights into the way that our government is making decisions that affect our lives. Why are those decisions being made? Who benefits? Who gets to influence our government leaders?

We have serious concerns about the way the White House is preserving these documents, or not preserving them, and whether the true purpose of not preserving them is to hide the dealings from the American people. Through the investigations by the House Oversight and Government Reform Committee, we have learned that the White House lost hundreds of days of e-mail records between the years 2003 and 2005. Additionally, it appears that senior officials in the White House have been found to be skirting the historical record laws by using an e-mail system provided by the Republican National Committee for most of their e-mail correspondence.

For example, Karl Rove, former Deputy Chief of Staff, is said to have used the RNC system for 95 percent of his e-mail correspondence to which the American people will never have access. Under the Presidential Records Act, the President has the sole authority to manage his records during his time in office. The General Accountability Office found that this administration did not keep records as it was required to.

So the question becomes: What were they trying to hide? It is no surprise that the administration that leaked Valerie Plame's covert identity and organized propaganda to promote a war in Iraq is evading record-keeping practices to hide information from the American people. This is arguably partisan politics at its worse, and the only remedy is more accountability and more sunshine. The Electronic Message Preservation Act will help to make sure that these important records are kept and help shine light on what our government is doing and why.

Mr. Speaker, I would like to enter for the RECORD a letter supporting this legislation that brings accountability back to the White House. The letter was signed by a number of groups that advocate for an open, transparent government, including the Government Accountability Project and openthegovernment.org.

Mr. Speaker, the Bush administration has been one of the most secretive and least transparent and most closed in American history. We still don't know what was said in closed-door meetings with Big Oil executives to set our energy policy, and today, we suffer from record-high gas prices. The secrecy in the White House has prevented officials in the White House from being held accountable to the American people.

The Electronic Message Preservation Act will reform White House record keeping and allow the American people to have confidence that future administrations will not be able to hide the truth from the people of this country or from history.

JULY 9, 2008.

Hon. HENRY WAXMAN
Chair, House Committee on Oversight and Government Reform, House of Representatives, Washington, DC.

DEAR CHAIRMAN WAXMAN: We are writing to support the passage of H.R. 5811, the Electronic Message Preservation Act.

Investigations and reports by your Committee and by several nonprofits document the significant deficiencies in the preservation of e-mail by the federal government. H.R. 5811 directs the Archivist of the United States to establish standards for the capture, management, and preservation of White House e-mails and other electronic communications and to issue regulations requiring agencies to preserve electronic communications in an electronic format. This legislation demonstrates that Congress is paying attention to this serious issue, and taking steps to begin addressing the systemic problems with electronic records in general and electronic communications records that the federal agencies and the White House have failed for too long to address.

Thank you for your leadership on this critical aspect of government management and accountability. We look forward to working with you on this and other issues in the future.

Sincerely,

American Association of Law Libraries, American Library Association, Association of Research Libraries, Common Cause, Essential Information, Freedom of Information, Oklahoma, Government Accountability Project (GAP), iSolon.org, Liberty Coalition, National Coalition Against Censorship, National Coalition for History, Mine Safety and Health News, and Minnesota Coalition on Government Information.

Mississippi Center for Freedom of Information, National Freedom of Information Coalition, National Security Archives, National Press Club, 9/11 Research Project, Open TheGovernment.org, Peacefire, People For the American Way, Project on Government Oversight (POGO),

ReadtheBill.org Foundation, Society of Professional Journalists, and Washington Coalition for Open Government.

Mr. DAVIS of Virginia. Let me just note that as the chairman noted in his opening remarks, this was not just a Bush administration issue, this was a Clinton administration issue as well. Over 2 million e-mails were lost from the Vice-President's office, according to the GAO.

There has been a great deal of attention paid to the White House e-mails, and the chairman and I are both working to make sure we can preserve all the records from this administration. We've had a long-going investigation on the committee, and a lot of Bush bashing here today has become a personal hobby or even a crusade for some.

I understand the desire to pass legislation and score points, but I hope my colleagues recognize that this bill does nothing today to this administration. This doesn't take effect until the next administration. It's effective 1 year after enactment. So keep in mind these provisions affect the next President and the next administration for which there is no guidance for the White House, and that's why the need for legislation is there.

Our objection and concern, and something we hope to work with the majority on, is that this legislation is currently too broad and it gives unlimited authority to the Archivist who doesn't even want it. There's got to be a better medium to be able to do that. But if we're going to be in the games of blasting the administration which this will not even apply to, we can play the game, too.

I would yield at this point 4 minutes to the gentleman from California (Mr. DANIEL E. LUNGREN).

Mr. DANIEL E. LUNGREN of California. I thank the gentleman for yielding, and I rise in opposition to this bill for the reasons stated by the gentleman from Virginia. We could have had a bill here with bipartisan support dealing with the problems as they truly exist, but instead, we have this bill on the floor.

The gentleman that just spoke on the other side of the aisle talked about the fact that we had unprecedented action by this administration and therefore we need to act. The fact of the matter is that what is unprecedented, what is unprecedented is the tremendous increase that we have had in the cost of gasoline to average Americans back home.

I just got back from my district. I had two town hall meetings. I met with people at a local gas station. I talked with many, many other people. They didn't want to know about what we were going to do about electronic record keeping, and I do disappoint the gentleman. That was not on the tip of their tongues. That was not in the back of their brain. They never even thought about it. Frankly, they think we could do that some time else. As a matter of fact, since this bill doesn't take place until another year, we could do it another time.

What we should be doing here is responding to the American people who are saying, When are you people going to get your act together?

So I came back hoping that I could find the electronic communications, the secret e-mails of the Democratic leadership as to what we're going to do about energy. And what I found was the statement by one of the aides to one of the top Democrat leaders, and this is their energy plan: Right now, our strategy is drive small cars and wait for the wind. Drive small cars and wait for the wind.

I hope everybody across this land understands what the Democratic plan for energy appears to be. It basically means, listen, to those of you back home, sit down and shut up; you don't know what you're talking about. We've got more important things to do. We have to rush back and deal with the electronic record keeping bill because that is what is going to be most important to the American people.

Now, I don't know about you, but I haven't found a single person in my district who drives with a wind-driven car. And I'm all for wind energy, and I'm all for solar energy. They want to know when we're going to do something about bringing the cost down.

Now soon, we might hear from the Democratic side they're going to bring a bill to suspend the laws of economics, and they're going to tell us that supply and demand no longer prevail. Maybe that's the new magic we're waiting for. But that won't satisfy the people in my district. I'm in a small community in the foothills. The people I met in the Delta, in Rio Vista, the folks I met in Citrus Heights, the folks I was talking to in the Sacramento area, they demand that we do something now. And what we ought to be doing is drill here. That's in America. Drill now. Not 10 years from now. And pay less.

Now you can hear all the arguments that it's not going to make any difference. If it's not going to make any difference, why do we hear from the Speaker of the House that their first step with dealing with this is to empty the Strategic Petroleum Reserve claiming that that's going to make a big impact on the world market? At least they're saying that supply does matter. If supply really matters, then let's not tell the American people, as we hear now from the Democrats, drive small cars and wait for the wind, or as we hear from the Senator from Illinois who said that he's not so upset about the price of gasoline going up, it's that it went up so fast. It would have been better for us if the price of gasoline had gone up more slowly and continued on. That's not an energy policy.

So while I respect the work of the chairman of the subcommittee and the committee on this issue, and as important as electronic message preservation is, it pales, it pales compares to the energy needs of the American people. And certainly we can do better. We ought to demand we do better. We ought to do better or not go home at all.

Mr. CLAY. Mr. Speaker, to get back to the subject matter before the House, I yield 3 minutes to the gentleman from California (Mr. WAXMAN).

□ 1630

Mr. WAXMAN. Thank you very much for yielding.

The issue of energy is very much related to this question of e-mails and the preservation of the records. Now, why do we have our energy problems in this country? Suddenly Republicans are saying, notwithstanding the fact that they have run this government for 7½ years, the Democrats, the Democrats are at fault.

Well, let me point out that as soon as President Bush came into office, he asked Vice President CHENEY to chair an energy task force, and they operated in secrecy. We don't know exactly who they heard from or what they were asked to do, but we know that the legislation that the administration requested from the Congress was for billions of dollars to be given to the oil, gas, coal, and nuclear industries, industries that are making record profits.

Now, at that same time, those of us from California were having a very difficult situation because energy wholesalers, including Enron, were holding back supplies in order to drive up the price, and we all met with Vice President CHENEY. And you know what he said to us, The reason you're having high prices of electricity is because of environmental laws. And we said, No, it's because we're being taken to the cleaners by Enron and other energy wholesalers. And he said, No, it's not true. Well, when we did our investigations on Enron, we found out it was exactly what was happening.

Now, the point I want to make is we don't know what went on with this administration's deliberations for energy policy. We know that they've all failed. We wouldn't have the high price of gas today if they had done their job of getting us off our reliance on oil because we're so dependent now on bringing in oil from overseas. Even if we drill every possibility in the United States, we'd still be importing oil from places that are very vulnerable and are very hostile to us.

But this energy task force, and this administration, proposed benefits for the oil companies and no policies to help us get out of that dependence on foreign oil and domestic oil, to look for alternatives, to look for conservation, to do something other than drill, drill, drill, and make the oil companies more profitable.

And when we tried to find out what went on, we couldn't get the e-mails. We couldn't look at the e-mails. And why? Well, do you know why? Because they weren't using e-mails from the government of the United States while they were doing government business.

They were using the e-mails of the Republican National Committee. Are they doing Party business or are they doing government business?

That's one of the reasons we need this bill, and we need to get away from this partisanship on the question of high oil prices.

Mr. DAVIS of Virginia. Mr. Speaker, let me just note that, once again, getting back to the legislation at hand, which has not been discussed recently, the Archivist, in testimony before the committee, noted that the cost of this bill could be billions of dollars before all is said and done. That money would come out of agency programs. That's money not spent on securing information. That's money for an open-ended and poorly defined initiative.

We want to better define this and work with the majority to do that, something I thought we had agreed to in the committee. We need to get a better hand on the price tag involved before we move forward.

I yield at this point 3 minutes to the gentleman from North Carolina (Mr. HAYES).

Mr. HAYES. I thank the gentleman from Virginia for yielding, and, Mr. Speaker, I rise today to confirm what I'm hearing here.

We've got an energy crisis. Gas prices, food prices are through the roof, but the answer is to investigate. People at home in Raeford, North Carolina, and Laurinburg and Albemarle are telling me: Congress, legislate. Do what you need to do to get the price of gasoline down.

But I hear today we're going to investigate future Presidents and how they communicate. My concern, Mr. Speaker, as I listen to my constituents carefully at home is they're going to examine the records, electronic and otherwise, of this Congress, and they will see that we failed to legislate and do the four things that we need to do to drive down the price of gas.

Expand our nuclear capacity, it's clean. We need to have tar sands. We need to have coal turned into liquid and burn cleanly. We need to expand our refinery capacity because, as we import refined product, it costs us even more. And oh, by the way, exploration and drilling in areas where we have known reserves is something that we could stand together on the steps of this Capitol today and say we were going to do, and people around the world who watch signals, telling us where the price of energy is going, would see that America, the richest, the best, and the most powerful Nation in the world, is serious about becoming dependent of energy.

But no, Democrats, Republicans, I hear it off the floor of this House, Democrats want to do that, Republicans want to do that, yellow dogs, Blue Dogs, but the big dogs, the Democrat leadership, refuse to allow a vote on this floor that will do the four things that I'm talking about.

It's even in our own internal newspaper. It was there yesterday. Read it and weep. We need to act. We have the ability, the capability, and the capacity to do that. And by the way, we must not, as we take the steps we need to take, let happen what has happened before, and that is, as we drive gas prices down, and we can—and there's a bill with my name on it that says any money that we derive from additional leases will be used for research and development for alternative sources of energy which are crucial.

So, Mr. Speaker, legislate, do it now, get gas prices down.

Mr. CLAY. Mr. Speaker, at this time, I yield 2 minutes to my good friend from Illinois (Mr. DAVIS).

Mr. DAVIS of Illinois. Mr. Speaker, I want to commend Chairman WAXMAN and Representative CLAY for their recognition of this serious deficiency that we have in the way that we handle White House e-mails.

You know, the more I listen to this debate, the more convinced I am that we need H.R. 5811, the Electronic Message Preservation Act, and I'm convinced because even as we talk about energy, even as we talk about the solution to problems, and even as we talk about Blue Dogs and yellow dogs and big dogs, it seems to me that we ought to be able to know what the conversations are about in the White House. It seems to me that we ought to be able to look back historically and find out what was being discussed, what was being planned, what the deliberations were.

And as long as the level of secrecy exists, and I don't care which administration it is, then it means that the public does not know, and this bill simply opens up information and opportunity for the public to know.

I support it.

Mr. DAVIS of Virginia. I would yield 4 minutes to the gentleman from Texas (Mr. GOHMERT).

Mr. GOHMERT. Mr. Speaker, I thank my friend from Virginia.

I rise in opposition to this. Here we are talking about e-mails from the White House and the executive branch when all we're hearing from the people in America is you've got to help us with energy prices.

Now, I realize there may be, if you look at enough e-mails from the White House, you may find out they're getting the same messages that all of us are getting: help us with energy prices, we're desperate.

Now, what I was hearing was from retailers, from restaurateurs, from people that are providing jobs, from people who have jobs and they're hanging on just by the skin of their teeth. They're union jobs, hardworking folks like that, that are just trying to make ends meet, and now they're at the end point where they're having to use their credit cards to pay for gas to get to the job so they can get paid so they can pay down their credit card enough to buy gas the next month. I'm seeing more and more people running out of gas on the interstate. They're getting desperate. And what is so sickening to me is knowing that in the last year all these different resources are becoming so much more clear that we have.

You know, we have been told, some of us, that there may be 900 billion to 1 trillion barrels of oil left in the entire Middle East, and then we hear that from that black shale that's in Utah, Colorado, and Wyoming, that we could recover three times that much at least in barrels of oil that could supply this Nation.

We've heard for all these decades now, for 3 decades, gee, let's don't go after ANWR, it will take 10, 15 years. Well, the latest information, as my friend from Alaska has pointed out, is there's a pipeline 74 miles away. It can be flowing to this country, this continental U.S., within 3 years.

And when you think about the Outer Continental Shelf, we may have more natural gas out there than any country in the world. We have been so blessed with natural resources, and yet, instead, we're making our citizens struggle just day-to-day to make ends meet. We're losing jobs. People are laying people off.

And I know—and I said this over a year ago—I know we have friends across the aisle who believe that perhaps even $20 a gallon gasoline would be a good thing because it would save the planet because people would quit using it. And as Al Gore said, the internal combustion engine was the worst invention ever created for the destruction of man, something along those lines.

And the fact is, we do need to move to the alternative energy sources. We need to do that. But it's going to be 30, 40 years before we can get there, and in the meantime, it appears now we have enough natural resources, we could tell some of these other countries to kiss our backside and we don't need your fuel anymore. We can do it with what we have ourselves, and we ought to be doing that.

We ought to be doing coal-to-liquid. We ought to be using ANWR, and what's more, if you look at the royalties that could be obtained from all of that wealth of resources, we could cut taxes and create some of the programs that my friends across the aisle want to do. Do all of that with the massive revenue that would come in. Everybody would win, but until we get realistic and want to help folks, all we're going to be doing is talking about e-mails.

So let's do the right thing by the people that send us here. Let's help them with their energy costs. It is getting desperate, and it's time to put that word and all that wind being created—you talk about carbon emissions. There's no worse carbon emitter than this floor of the House of Representatives, gosh, with all the wind being generated.

But let's do something constructive and put it into action.

Mr. CLAY. Mr. Speaker, before returning to the subject matter before

the House, I yield myself as much time as I may consume.

I'm pleased to join my colleagues in the consideration of H.R. 5811, and H.R. 5811 seeks to modernize the requirements of the Federal Records Act and the Presidential Records Act to ensure the preservation of e-mails and other electronic messages.

This bill was introduced by Chairman WAXMAN, Representative HOLT and myself on April 15 and reported as amended from the committee on June 11. I want to thank Chairman WAXMAN and Representative HOLT for their dedication to this important issue.

Now, my friend from Virginia and others have made some statements that I would like to refute, and one is that this bill strikes a careful balance. It's not going after this administration, but the Act itself recognizes the President's authority to carry out the day-to-day management of his records. This bill preserves that framework.

The Federal Records Act gives the Archivist the authority to conduct inspection of agencies' record keeping programs, but the Presidential Records Act does not include such language. This bill does not give the Archivist any new authority to conduct inspections of Presidential records. And also, the Archivist has the expertise and the responsibility to determine how records should be managed and preserved and to certify that it is done properly.

The status quo of having those at the White House make the decisions has not worked, and so, therefore, Mr. Speaker, we know that this bill is needed. And that's why we have it under consideration on the floor today.

□ 1645

I urge my colleagues to safeguard our Nation's rich history. Therefore, I urge swift passage of the bill.

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

Mr. DAVIS of Virginia. Let me again just say to my friend from Missouri and the chairman of the committee, we appreciate their efforts on this.

We all agree that this initiative has to be addressed, that from previous administrations from both parties there have been shortcomings in our ability to adequately preserve electronic records, that these administrations don't have the proper guidance from the outset. We recognize that this bill will not affect the current administration, it will affect the next administration.

I think the frustration on this side of the aisle comes from the fact that, although this is an important issue, that the most important issue in this country right now are the rising cost of fuels. And we can't have a debate on that because the leadership on the other side refuses to allow us votes on more domestic exploration. And the only meaningful energy debate that we can have on the House floor comes on this bill, to expand the National Archives' ability to preserve electronic records from the executive branch.

This is a great frustration, I think, not just on this side, but on the other side as well, to discuss this issue in a bipartisan manner, to debate this issue, to make the requisite compromises and accommodations to address this problem in a bipartisan manner, to include more alternative fuel options and more research and development in these areas, but also to include more domestic production and more conservation efforts. I think they're all part of it. And we are sitting here on, I think, issues that are important, but not nearly as important as the issues we're all hearing about when we go home.

To that end, I yield 4 minutes to the former chairman of the Transportation Committee, the gentleman from Alaska (Mr. YOUNG).

(Mr. YOUNG of Alaska asked and was given permission to revise and extend his remarks.)

Mr. YOUNG of Alaska. I thank the gentleman for yielding.

This is an issue. And the frustration on this side—and it should be on that side—is on the lack of an energy policy that only Congress can solve.

I know there's a lot of talk. The Speaker just sent a letter to the President to use the SPR, as if that's going to solve the problem. That's not going to solve the problem. In fact, it will make the problem worse. We have to address the supply side of this issue, and we're not doing it.

The last time we produced any new energy on this floor was 1973 when we had an embargo and we had no fuel, so we passed the Trans-Alaskan Pipeline. In 1976, we produced the first barrel of oil to America from Alaska. In 3 years, we built an 800-mile-long pipeline 48 inches around. We built the terminus point in Valdez, and I wear that today on my tie. We drilled the wells and we built the collection lines to deliver that oil. And we got as high as 2.2 million barrels a day to the United States of America because we were under the threat at that time, the same threat we are today, of control by overseas forces, not forces of military fact, but in fact those that control our supply. At that time, we were importing 39 percent of our oil from overseas. Today, it's 70 percent. And we have done nothing in this Congress to relieve that problem.

Your constituents are paying for it today. There is no shortage of fuel. There is a high cost of fuel because we don't have the domestic capability of providing it. We need to have this debate on the floor. Let us stand up and be counted on both sides of the aisle who is for domestic production.

There is no shortage of fossil fuel in the United States of America. We have an abundance of it. We've had the lack of will to produce it. It was easier to buy it abroad. We just had a sale in Alaska, other than ANWR, in Chukchi Sea about $2.6 billion from an oil company to try to develop it because there is a lot of argument on that side, well, they're not drilling the acreage they have now. You know why they're not drilling? Because your friends and your allies are filing suits not allowing them to drill, suits that say, oh, there's going to be polar bears affected or there's going to be some little other type of animal affected. In the meantime, your constituents are paying that $4.62 a gallon. Yes, the oil did drop yesterday, but it will go up tomorrow and the next day because we are not supplying the oil to our people through the domestic source.

We have the shale that was mentioned in Utah and Wyoming and all the other areas, Colorado; huge amounts of oil. We have more coal in the United States than there is all around the world and we're not developing it. We have not had the will to develop it because this Congress sits by and talks about saving records of the past administration. Your bill may not do that, but this is what this is all about. And I'm saying that doesn't produce any gas. That doesn't help the truck driver. It costs $2,000 to fill up one Peterbilt truck that delivers your food to your grocery store. Wait until that price starts hitting the prices in the grocery store, and it already has. The harvester who harvests the grain today now is paying sometimes as high as $4 and $5 for diesel fuel to run it. That's going to affect you, too.

We have not acted on this floor. And the responsible way of addressing the issue—now, some people will say we'll have the other forms of energy, wind and hippy-hoppies and that type of thing to solve the problem. But the reality is fossil fuels drive objects. It's the trucks, the planes, the trains, and the automobiles that deliver to your homes and your hospitals and your schools, and we must have that.

Yes, we can go into nuclear. Yes, we can go into wind. Yes, we can go into solar. And we can go to geothermal and hydro. We can do all those things and we should. My bill, H.R. 6107, to open ANWR—this, by the way, 12 times it passed this House floor. We won't have a vote on it this year, but we should have a vote. The one time we got it out of the Senate and Bill Clinton vetoed it.

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

Mr. DAVIS of Virginia. I yield the gentleman 2 additional minutes.

Mr. YOUNG of Alaska. Bill Clinton vetoed it because he said it will take 10 years to produce it; ANWR, 10 years. That was 13 years ago. If we had built it then, we would have it pumping today over 1 million barrels a day, but no, he didn't do that.

Let me stress again, ANWR is, in fact, 74 miles away from the existing pipeline, 800 miles long, a terminus point and all the infrastructure in place, and we built that in 3 years. And if you don't think we can build a pipeline 74 miles away and drill the oil and

get it to that pipeline in 3 years, you're not studying this fact. It can be done for the American people.

I'm asking you on both sides, let's drill, let's develop our domestic sources for the good of America, the good of the Nation, and make sure we can go forth.

Mr. CLAY. Mr. Speaker, I continue to reserve.

Mr. DAVIS of Virginia. Mr. Speaker, because of the inability to figure what the costs of this are, and that's from the Archivist's own testimony, money will be taken from other parts of the budget to pay for this until we can get a handle on it, including information security. And I would remind my friends that secure information is the lifeblood of effective government.

We all know there have been a wide range of incidents involving data loss or theft, privacy breaches and security incidents at Federal agencies. The protection of personal information at Federal agencies presents unique challenges. These recent data breach incidents demonstrate the importance of strengthening the laws and the rules protecting personal information held by Federal agencies.

And we can't address these issues after the fact. The evolving nature of cyber threats requires us to continually look for ways to improve government information privacy and security. We need to be proactive, not retroactive. I am concerned that the costs of this bill, being as nebulous as they are, without the regulations written and the like, will draw away from some of these other areas.

In summary, let me just say our concerns at this point are our inability to pin down the cost, which could be in the billions of dollars. The Archivist testified that the cost could be in the billions. The unlimited and unclear authority to the Archivist—who doesn't really want this authority in this particular case—to define it, these are issues that we can work on as it moves through. There are issues that need to be worked on. It's an issue that needs to be addressed. But I'm not comfortable with the way the legislation reads today.

Finally, we have to think about what we're doing here in shifting the Archivist from an advisory and collaborative role to that of a regulatory enforcer in a role that they have never had in the past.

Again, I think the legislation is a step forward in many ways, but it needs some refinement. We had hoped to be able to offer some amendments, but we just got word last Wednesday or Thursday this bill was on the floor. I didn't arrive back in town until Tuesday, when the deadline had expired, so we were not able, from our point of view—I was incommunicado—to address this, not having the advance warning, or we might have been able to address these through the amendment process.

At this point, I yield 3 minutes to the gentleman from Pennsylvania (Mr. PETERSON), who has been waiting patiently.

Mr. PETERSON of Pennsylvania. Mr. Speaker, I've been listening to the discussion and the debate here. Having served in local government and State government and here in Washington, I find it unbelievable that we're talking about an issue that came from an energy discussion of the beginning of the Bush administration's e-mail records.

Back home people are struggling—and I live in a big rural area—to drive their cars. They're soon going to find out that natural gas prices are probably going to double by fall and the costs to heat their homes are going to double. My schools are going to pay twice as much to transport their children. They're going to pay twice as much to heat those schools. My hospitals are going to pay twice as much to heat those facilities and to transport patients. I'm losing the air service at my rural airports because you can't fly small planes with these fuel prices.

This country's economic base is crumbling as we talk here today because of exploding energy costs. We are not going to live in the country we were born in. Opportunity is not going to abound. Americans are frightened and concerned, and we're worried about e-mail records of a meeting 8 years ago.

I think our priorities are backwards. We passed an energy bill in '05 that was timid. I think this administration has been timid. We've had three administrations in a row that locked up our Outer Continental Shelf, the only modern country in the world to do that. We've had 14 Congresses in a row that have locked up the Outer Continental Shelf where there's huge resources.

I'm for all the wind we can produce. I'm for all the solar we can absorb. But if we double them both in the next 5 years, we're less than 1 percent of our energy need, and our energy need is growing more than 1 percent a year, so it can't even fill that gap.

Whether we like it or not, we need fossil fuels. We need coal, we need oil, we need gas—clean, green natural gas. I can't believe that people are afraid of drilling a gas well.

Natural gas is driving the blue collar jobs out of this country as we speak. Dow Chemical used to do 64 percent of its business in this country in 2000; they're now at 34 percent of their business in this country. They paid $8 billion for gas in '02; they now pay $8 billion in natural gas quarterly. They can't afford to be here, folks.

Americans can't afford to heat their older homes. They can't afford to drive their older cars. One hundred small trucking companies are going out of business every week because they can't afford fuel oil prices.

The working poor of this country are being destroyed economically. The middle class are going to become poor. Most people in this Congress won't feel much pain. They can afford to pay these prices. But I want to tell you, my neighbors can't. A young lady that lives besides me drives 36 miles to work. She makes $11 an hour.

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

Mr. DAVIS of Virginia. I yield the gentleman an additional 30 seconds.

Mr. PETERSON of Pennsylvania. She pays $200 a month to heat her home, and she can't afford a doubling of those prices and she can't afford to drive to work. I can tell you story after story after story.

Mr. CLAY. Mr. Speaker, I continue to reserve.

Mr. DAVIS of Virginia. Mr. Speaker, I think we have discussed this, and more, over the last few days.

I would just note that the frustration of some of our Members comes from the fact that we have massive issues facing this country; retirement of baby boomers and what this does to Federal budget deficits in the out years, and what this means to our future generation; American competitiveness, immigration, health care, and energy costs, and we're not dealing with them. We're kind of fiddling, sitting on this until after the election, and the public wants action now.

I would say this though, I would say to our chairman, he is moving ahead with items under his agenda. I appreciate him moving on this. I hope to work with him in the future, should this be successful, to try to strengthen this bill as it moves through.

I yield back the balance of my time.

Mr. CLAY. Mr. Speaker, this bill addresses a real problem, and that is a government operating in secret. And it requires agencies to electronically preserve e-mail records.

Additionally, the bill has new requirements for the maintenance and preservation of e-mail records that are sent and received by Presidential advisers. The bill calls on the Archivist of the United States to establish standards for the management and preservation of these records.

It's ironic, Mr. Speaker, that the other side has talked about energy during this entire debate when this administration's energy policy was conducted in secret, which may explain why the country is in the position it is in now because there was no openness to the policy, and this certainly wasn't the correct path to take.

With that, Mr. Speaker, I hope we can go on and pass this bill and open up our government for public perusal.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in support of this legislation. H.R. 5811, the Electronic Message Preservation Act, requires the preservation of certain electronic records by Federal agencies, requires a certification and reports relating to Presidential records, and requires that the information be readily retrieved through electronic searches.

E-mail, because of its nature, presents challenges to records management. First, the information contained in e-mail records is not uniform: it may concern any subject or function and document various types of transactions. As a result, in many cases, decisions on which e-mail messages are records must

be made individually. Second, the transmission data associated with an e-mail record—including information about the senders and receivers of messages, the date and time the message was sent, and any attachments to the messages—may be crucial to understanding the context of the record. Third, a given message may be part of an exchange of messages between two or more people within or outside an agency, or even of a string (sometimes branching) of many messages sent and received on a given topic. In such cases, agency staff need to decide which message or messages should be considered records and who is responsible for storing them in a recordkeeping system. Finally, the large number of federal e-mail users and high volume of e- mails increase the management challenge.

Preliminary results of GAO's ongoing review of e-mail records management at four agencies show that not all are meeting the challenges posed by e-mail records. Although the four agencies' e-mail records management policies addressed, with a few exceptions, the regulatory requirements, these requirements were not always met for the senior officials whose e-mail practices were reviewed. Each of the four agencies generally followed a print and file process to preserve e-mail records in paper-based recordkeeping capabilities. (Among other things, a recordkeeping system allows related records to be grouped into classifications according to their business purposes.) Unless they have recordkeeping capabilities, e-mail systems may not permit easy and timely retrieval of groupings of related records or individual records. Further, keeping large numbers of record and nonrecord messages in e-mail systems potentially increases the time and effort needed to search for information in response to a business need or an outside inquiry, such as a Freedom of Information Act request. Factors contributing to this practice where the lack of adequate staff support and the volume of e-mail received. In addition, agencies had not ensured that officials and their responsible staff received training in recordkeeping requirements for e-mail. If recordkeeping requirements are not followed, agencies cannot be assured that records, including information essential to protecting the rights of individuals and the Federal Government, are being adequately identified and preserved. H.R. 5811 ensures that these records will be kept properly. I support this legislation and urge my colleagues to do likewise.

□ 1700

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 1318, 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. DAVIS OF VIRGINIA

Mr. DAVIS of Virginia. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. DAVIS of Virginia. I am, in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Tom Davis moves to recommit the bill H.R. 5811 to the Committee on Oversight and Government Reform with instructions to report the same back to the House forthwith, with the following amendment:

At the end of the bill, add the following new sections:

SEC. 4. PROCEDURES TO PREVENT UNAUTHORIZED REMOVAL OF CLASSIFIED RECORDS FROM NATIONAL ARCHIVES.

(a) IN GENERAL.—The Archivist of the United States shall prescribe internal procedures to prevent the unauthorized removal of classified records from the National Archives and Records Administration or the destruction or damage of such records, including when such records are accessed or searched electronically. The procedures shall include the following prohibitions:

(1) No person, other than personnel of the National Archives and Records Administration (in this section hereafter referred to as ''NARA personnel''), shall view classified records in any room that is not secure except in the presence of NARA personnel or under video surveillance.

(2) No person, other than NARA personnel, shall at any time be left alone with classified records, unless that person is under video surveillance.

(3) No person, other than NARA personnel, shall conduct any review of documents while in the possession of any cell phone or other personal communication device.

(4) All persons seeking access to classified records, as a precondition to such access, must consent to a search of their belongings upon conclusion of their records review.

(5) All notes and other writings prepared by persons during the course of a review of classified records shall be retained by the National Archives and Records Administration in a secure facility.

(b) DEFINITION OF RECORDS.—In this section, the term ''records'' has the meaning provided in section 3301 of title 44, United States Code.

SEC. 5. RESTRICTIONS ON ACCESS TO PRESIDENTIAL RECORDS.

Section 2204 of title 44, United States Code (relating to restrictions on access to presidential records) is amended by adding at the end the following new subsection:

''(f) The Archivist shall not make available any original presidential records to any individual claiming access to any presidential record as a designated representative under section 2205(3) if that individual has been convicted of a crime relating to the review, retention, removal, or destruction of records of the Archives.''.

Mr. DAVIS of Virginia (during the reading). Mr. Speaker, I ask unanimous consent that the reading of the motion be dispensed with.

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

Mr. WAXMAN. I object.

The SPEAKER pro tempore. Objection is heard.

The Clerk will continue reading.

The Clerk continued to read.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia is recognized for 5 minutes in support of the motion.

Mr. DAVIS of Virginia. Mr. Speaker, this motion to recommit would ensure that the integrity of the public record is preserved from people who abuse their positions and remove highly sensitive records from the National Archives.

Secure and accurate information is the lifeblood of effective government. There has been a wide range of incidents involving data loss, theft, privacy breaches. But more troubling is that some seek to tamper with or corrupt the official records of this Nation, to rewrite history, if you will.

Our goal here is to protect the integrity of the public record. Under this motion the Archivist of the United States shall prescribe internal procedures to prevent unauthorized removal of classified records from the National Archives and Records Administration or the destruction or damage of such records, including when such records are accessed or searched electronically.

First, we set forth a number of procedures to ensure these records remain secure. Second, we close a loophole in the Presidential Records Act that allows those previously convicted of unauthorized removal of classified materials back into the archives where they could do more damage. If a person has demonstrated propensity to commit crimes relating to the removal and destruction of classified Federal records, we should take the simple step of blocking their access in the future.

The professionals at the National Archives are serious-minded historians and are not well suited to the role of police officer or security guard. The motion states that the archives shall not make available any original Presidential records to any person convicted of a crime involving the review, retention, removal, or destruction of archives records. This prohibition extends to individuals with special designations by former Presidents. In short, if you're convicted of mishandling classified materials, we want to remove you from the pool of people coming to the archives. You're a risk, and we are obligated to mitigate risks of this type.

I would like to note that this second provision passed the House in identical form over a year ago as part of H.R. 1255, the Presidential Records Act, which still has not been enacted into law, by a vote of 333–93.

If we are serious about preserving and protecting the historical records of the Nation, we must vote in favor of this motion to recommit. I urge my colleagues to support it.

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

Mr. WAXMAN. Mr. Speaker, I wish to speak on the motion to recommit.

The SPEAKER pro tempore. Without objection, the gentleman from California is recognized for 5 minutes.

There was no objection.

Mr. WAXMAN. Mr. Speaker, I want to point out to everyone who is listening to this debate that fundamentally this bill is about accountability and preventing cover-up. On the Oversight Committee, we have seen firsthand how destruction of e-mails frustrates accountability and allows officials to hide wrongdoing.

We investigated Jack Abramoff's contacts with the White House. We saw

that Abramoff told his colleagues that he used the Republican National Committee e-mail accounts when he was dealing with White House officials so that his communications would remain secret. This bill shuts down that loophole. It says Jack Abramoff can't send secret e-mails to White House officials.

We tried to investigate the false intelligence that led to the war in Iraq, but this investigation did not have access to Karl Rove's e-mails because they were destroyed. This bill says that Karl Rove's e-mails have to be preserved and not destroyed.

We tried to investigate the Cheney Energy Task Force, which gave us the energy policy this Nation has followed under President Bush for the last 7½ years, which I believe has led to these incredible high prices for energy. But once again we needed access to the e-mails to understand what deals were cut with the special interests, including at that time Enron, which played a very active role on Vice President CHENEY's Energy Task Force.

A vote for this bill will make sure that the White House cannot hide its abuses. What we need is for this bill to pass so we can have honest and open and accountable government. That's why this legislation is before us today.

Of course, we don't know what the motion to recommit is until the very last minute; so we have to prepare for whatever may come. This is not a motion to recommit that would destroy the bill, and I appreciate that fact. It's a motion to recommit that, by and large, I think makes sense, and why it wasn't offered as an amendment leaves me perplexed. I do have some minor concerns about the motion to recommit, but that can be worked out in conference. This should have been brought up as an amendment to the bill. But, in effect, a motion to recommit is a motion to amend the bill. And since I do not oppose, in effect, the amendment that's being offered, I will join in support of this motion to recommit because this bill is too important. I know it was minimized a lot in the debate where people said why are we talking about e-mail preservation when we should be talking about drilling in Alaska and off the coast of the United States? Well, they are related because had we been able to have the Energy Task Force, chaired by CHENEY, Vice President CHENEY, we could have found out how we had this policy decided, and now that we're saddled with it, we could have done something about it 7½ years ago.

I will join in support of this motion to recommit, and I will urge my colleagues to vote for it so we can get the bill passed with this amendment that's being offered to it. I urge a vote for the motion.

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

The SPEAKER pro tempore. 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 ayes appeared to have it.

Mr. DAVIS of Virginia. Mr. 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; motions to suspend the rules on H.R. 3329 and H.R. 6184.

The vote was taken by electronic device, and there were—yeas 419, nays 1, answered ''present'' 2, not voting 12, as follows:

[Roll No. 476]

YEAS—419

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
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
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Broun (GA)
Brown (SC)
Brown, Corrine
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Cazayoux
Chabot
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
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)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
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
Scalise
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 (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield (KY)
Wilson (OH)
Wilson (SC)
Wittman (VA)
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NAYS—1

Dicks

ANSWERED ''PRESENT''—2

Jackson-Lee (TX)
Waters

NOT VOTING—12

Andrews
Boswell
Brown-Waite, Ginny
Fossella
Hulshof
Pickering
Pryce (OH)
Renzi
Richardson
Rush
Udall (CO)
Wilson (NM)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Two minutes remain in this vote.

□ 1739

Ms. ESHOO, Ms. KILPATRICK, Ms. WASSERMAN SCHULTZ, Mrs. NAPOLITANO and Messrs. COHEN, GUTIERREZ, SCOTT of Virginia, ROGERS of Alabama, GONZALEZ, AL GREEN of Texas and CARNAHAN changed their vote from ''nay'' to ''yea.''

Ms. JACKSON-LEE of Texas changed her vote from ''yea'' to ''present.''

So the motion to recommit was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mrs. WILSON of New Mexico. Mr. Speaker, on rollcall No. 476, I was unavoidably detained. Had I been present, I would have voted "yea."

Mr. CLAY. Mr. Speaker, pursuant to the instructions of the House on the motion to recommit, I report the bill, H.R. 5811, back to the House with an amendment.

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

The Clerk read as follows:

Amendment offered by Mr. CLAY:

At the end of the bill, add the following new sections:

SEC. 4. PROCEDURES TO PREVENT UNAUTHORIZED REMOVAL OF CLASSIFIED RECORDS FROM NATIONAL ARCHIVES.

(a) IN GENERAL.—The Archivist of the United States shall prescribe internal procedures to prevent the unauthorized removal of classified records from the National Archives and Records Administration or the destruction or damage of such records, including when such records are accessed or searched electronically. The procedures shall include the following prohibitions:

(1) No person, other than personnel of the National Archives and Records Administration (in this section hereafter referred to as ''NARA personnel''), shall view classified records in any room that is not secure except in the presence of NARA personnel or under video surveillance.

(2) No person, other than NARA personnel, shall at any time be left alone with classified records, unless that person is under video surveillance.

(3) No person, other than NARA personnel, shall conduct any review of documents while in the possession of any cell phone or other personal communication device.

(4) All persons seeking access to classified records, as a precondition to such access, must consent to a search of their belongings upon conclusion of their records review.

(5) All notes and other writings prepared by persons during the course of a review of classified records shall be retained by the National Archives and Records Administration in a secure facility.

(b) DEFINITION OF RECORDS.—In this section, the term ''records'' has the meaning provided in section 3301 of title 44, United States Code.

SEC. 5. RESTRICTIONS ON ACCESS TO PRESIDENTIAL RECORDS.

Section 2204 of title 44, United States Code (relating to restrictions on access to presidential records) is amended by adding at the end the following new subsection:

''(f) The Archivist shall not make available any original presidential records to any individual claiming access to any presidential record as a designated representative under section 2205(3) if that individual has been convicted of a crime relating to the review, retention, removal, or destruction of records of the Archives.''.

Mr. CLAY (during the reading). Mr. Speaker, I ask unanimous consent that the reading of the amendment be waived.

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

There was no objection.

The SPEAKER pro tempore. The question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 286, nays 137, not voting 11, as follows:

[Roll No. 477]

YEAS—286

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Buchanan
Butterfield
Capito
Capps
Capuano
Carnahan
Carney
Carson
Castle
Castor
Cazayoux
Chabot
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Emanuel
Engel
English (PA)
Eshoo
Etheridge
Farr
Fattah
Filner
Fortenberry
Foster
Frank (MA)
Frelinghuysen
Gallegly
Gerlach
Giffords
Gilchrest
Gillibrand
Gonzalez
Gordon
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Heller
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
Kirk
Klein (FL)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lampson
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McHugh
McIntyre
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Platts
Pomeroy
Porter
Price (NC)
Rahall
Ramstad
Rangel
Reichert
Reyes
Rodriguez
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shuler
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Tiahrt
Tiberi
Tierney
Towns
Tsongas
Turner
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weller
Wexler
Wilson (NM)
Wilson (OH)
Woolsey
Wu
Yarmuth
Young (FL)

NAYS—137

Aderholt
Akin
Alexander
Bachmann
Bachus
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Brady (TX)
Broun (GA)
Brown (SC)
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Carter
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Foxx
Franks (AZ)
Garrett (NJ)
Gingrey
Gohmert
Goode
Goodlatte
Granger
Hall (TX)
Hastings (WA)
Hayes
Hensarling
Herger
Hoekstra
Hunter
Inglis (SC)
Issa
Johnson, Sam
Jordan
King (IA)
King (NY)
Kingston
Kline (MN)
Lamborn
Latta
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pitts
Poe
Price (GA)
Putnam
Radanovich
Regula
Rehberg
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Royce
Ryan (WI)
Sali
Scalise
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Smith (NE)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Thornberry
Wamp
Weldon (FL)
Westmoreland
Whitfield (KY)
Wilson (SC)
Wittman (VA)
Wolf
Young (AK)

NOT VOTING—11

Boswell
Brown-Waite, Ginny
Cardoza
Fossella
Hulshof
Pickering
Pryce (OH)
Renzi
Richardson
Rush
Udall (CO)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1751

Mrs. MYRICK, Messrs. LEWIS of California, McCOTTER, Mrs. BONO MACK, and Mr. CAMP of Michigan changed their vote from ''yea'' to ''nay.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 6331. An act to amend titles XVIII and XIX of the Social Security Act to extend expiring provisions under the Medicare Program, to improve beneficiary access to preventive and mental health services, to enhance low-income benefit programs, and to maintain access to care in rural areas, including pharmacy access, and for other purposes.

HOMES FOR HEROES ACT OF 2008

The SPEAKER pro tempore (Mr. CHILDERS). The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 3329, 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 gentleman from Texas (Mr. AL GREEN) that the House suspend the rules and pass the bill, H.R. 3329, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 412, nays 9, not voting 13, as follows:

[Roll No. 478]

YEAS—412

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
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Broun (GA)
Brown (SC)
Brown, Corrine
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Cazayoux
Chabot
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
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
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
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
Pallone
Pascrell
Pastor
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Petri
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
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
Scalise
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
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
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Tsongas
Turner
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield (KY)
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wittman (VA)
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NAYS—9

Campbell (CA)
Cannon
Duncan
Flake
Hensarling
Marchant
Paul
Sensenbrenner
Tancredo

NOT VOTING—13

Boswell
Brown-Waite, Ginny
Fossella
Hulshof
Linder
McHugh
Peterson (PA)
Pickering
Pryce (OH)
Renzi
Richardson
Rush
Udall (CO)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1759

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AMERICA'S BEAUTIFUL NATIONAL PARKS QUARTER DOLLAR COIN ACT OF 2008

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 6184, 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 New York (Mrs. MALONEY) that the House suspend the rules and pass the bill, H.R. 6184.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 419, nays 0, not voting 15, as follows:

[Roll No. 479]

YEAS—419

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
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Broun (GA)
Brown (SC)
Brown, Corrine
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Cazayoux
Chabot
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney

Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
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
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
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
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Reyes
Reynolds
Richardson
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
Scalise
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 (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 (NM)
Wilson (OH)
Wilson (SC)
Wittman (VA)
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—15

Boswell
Brown-Waite, Ginny
Fossella
Hulshof
Johnson (GA)
Kennedy
Linder
Marchant
Miller, George
Neugebauer
Pickering
Pryce (OH)
Renzi
Rush
Udall (CO)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining on the vote.

□ 1806

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.

DTV TRANSITION ASSISTANCE ACT

Mr. HILL. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 2607) to make a technical correction to section 3009 of the Deficit Reduction Act of 2005.

The Clerk read the title of the Senate bill.

The text of the Senate bill is as follows:

S. 2607

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 ''DTV Transition Assistance Act''.

SEC. 2. DTV TRANSITION.

(a) IN GENERAL.—Section 3008(a) of the Digital Television Transition and Public Safety Act of 2005 is amended—

(1) by inserting ''(1) IN GENERAL.—'' before ''The Assistant Secretary''; and

(2) by adding at the end thereof the following:

''(2) USE OF FUNDS.—As soon as practicable after the date of enactment of the DTV Transition Assistance Act, the Assistant Secretary shall make a determination, which the Assistant Secretary may adjust from time to time, with respect to whether the full amount provided under paragraph (1) will be needed for payments under that paragraph. If the Assistant Secretary determines that the full amount will not be needed for payments authorized by paragraph (1), the Assistant Secretary may use the remaining amount for consumer education and technical assistance regarding the digital television transition and the availability of the digital-to-analog converter box program (in addition to any amounts expended for such purpose under 3005(c)(2)(A) of this title), including partnering with, providing grants to, and contracting with non-profit organizations or public interest groups in achieving these efforts. If the Assistant Secretary initiates such an education program, the Assistant Secretary shall develop a plan to address the educational and technical assistance needs of vulnerable populations, such as senior citizens, individuals residing in rural and remote areas, and minorities, including, where appropriate, education plans focusing on the need for analog pass-through digital converter boxes in areas served by low power or translator stations, and shall consider the speed with which these objectives can be accomplished to the greatest public benefit.''.

(b) FISCAL YEARS TO WHICH APPLICABLE.—Section 3009(a) of the Deficit Reduction Act of 2005 (Public Law 109–171) is amended—

(1) by striking ''fiscal year 2009'' and inserting ''fiscal years 2009 through 2012''; and

(2) by striking ''no earlier than October 1, 2010'' and inserting ''on or after February 18, 2009''.

The SPEAKER pro tempore (Mr. CARSON of Indiana). Pursuant to the rule, the gentleman from Indiana (Mr. HILL) and the gentleman from Florida (Mr. STEARNS) each will control 20 minutes.

The Chair recognizes the gentleman from Indiana.

GENERAL LEAVE

Mr. HILL. Mr. 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 on the legislation under consideration.

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

There was no objection.

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

I rise today in support of S. 2607, the Digital Television Transition Assistance Act. We have little more than 7 months until February 17, 2009, the date of the digital television transition when all full-power television stations in the country will stop broadcasting analog signals and broadcast only digital signals.

The Subcommittee on Telecommunications and the Internet, of which I am a member, has been working hard to prepare consumers for this event. However, not all television stations will immediately start broadcasting in digital on that day of transition. There are many stations that broadcast at low-power levels or that rely upon translators and boosters to reach viewers, and many of these stations will be transitioning to digital some time after February 17. Many of these stations serve viewers in districts like mine that are largely rural.

When Congress passed the Digital Television Transition and Public Safety Act in 2005, it recognized that many of these smaller, rural stations lacked the resources necessary to immediately switch to digital. Therefore, the statute established two grant programs designed to aid these stations.

One grant program provides funds so that low power and translator stations may purchase the equipment needed to facilitate continued service for viewers of low-power stations and translators on analog television sets.

The other grant program provides funds for low-power stations to upgrade

their facilities to digital. The provision establishing the grant program for low-power stations to upgrade their facilities to digital included a technical error that S. 2607 will correct. Current law prohibits grant funds from being awarded to stations after October 1, 2010, more than a year after full-power stations are broadcasting only in digital.

S. 2607 changes that date to February 18, 2009, one day after the transition begins. This technical correction will ensure that low-power stations can begin to transition to digital as quickly as possible. S. 2607 would also ensure that the funds Congress set aside for the translator grant programs are used to further the DTV transition.

This program allocated $10 million for qualified low power and translator stations to buy digital-to-analog conversion equipment so they can continue to offer analog signals after February 17.

However, it is estimated that at least $3 million of these funds will be unspent because not all stations are expected to take advantage of the program. Therefore, S. 2607 would permit the National Telecommunications and Information Administration to use the excess moneys to further consumer education efforts concerning DTV transition and the TV Converter Box Coupon Program.

S. 2607 would permit the NTIA to use extra funds from the $10 million grant program to create a program that addresses the educational and technical assistance needs of vulnerable populations such as senior citizens, residents of rural and remote areas, and minorities.

This is a simple bill that would make commonsense changes designed to speed the transition to digital television in all areas of the country and ensure that consumers are informed about the transition.

I urge Members to join me in supporting S. 2607.

I reserve the balance of my time.

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

My colleagues, I rise in support of the DTV Transition Assistance Act, the Senate bill, S. 2607, and urge its immediate passage.

By setting February 17, 2009 as the date for full-power broadcasters to transmit exclusively in digital format, the DTV legislation gave industry the needed incentives to prepare for this transition.

The result, 91 percent of broadcasters are transmitting in digital; 68 percent are already on their post-transition channel and 68 percent are already broadcasting at full strength.

□ 1815

As of April 30, 2008, 78 percent of households had all their televisions prepared for the transition, and 91 percent of households had one or more televisions that were prepared for this transition. This means that with more than 9 months still to go, about 10 percent of households were relying exclusively on analog over-the-air broadcasts and needed to take action to receive programming after the transition.

Because low-power translator stations are not required to transition to digital television, our original DTV legislation created a $10 million grant program at the National Telecommunications and Information Administration, NTIA, to help translators convert digital broadcast signals back to analog.

As it turns out, not many requests for money from the conversion fund have really been made. Moreover, even if every translator participated in the program, it looks like we will still have money left over. Therefore, this bill allows some of the $10 million to be used for DTV consumer education, but only if the NTIA determines that not all the money will be needed for the converter box program.

The original DTV legislation also created a second grant program making $65 million available to help low-power stations voluntarily upgrade to digital broadcasting. At the time, it was believed that low-power stations would not upgrade until after full-power stations transitioned in 2009. Consequently, money from the $65 million upgrade fund was not to become available until 2010. It now appears low-power stations intend to upgrade sooner, so this bill makes the upgrade funds available in 2009 instead of 2010.

In conclusion, Mr. Speaker, this is a commonsense bill that will give the NTIA additional flexibility to help ensure that the DTV transition goes as smoothly as possible. I strongly support this legislation, and I urge my colleagues to also support it.

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

Mr. HILL. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Virginia (Mr. BOUCHER).

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

Mr. BOUCHER. I rise, Mr. Speaker, in support of this measure which will ease the transition next February to exclusively digital over-the-air television broadcasting. The bill makes funds available in a timely manner for low-power television transmitters to make the transition to digital, and it makes approximately $7 million available for public education, technical assistance, and the converter box program. While this new support is welcome, I'm deeply concerned that a truly smooth transition will require that this Congress do much more.

The total funding for the public education component of our program remains miniscule. While polls show that more than one half of the population has heard about the digital TV transition, most who know about it are confused about how it will apply to them and what they may need to do in order to prepare themselves effectively for it.

The need for technical assistance installing converter boxes and analyzing reception problems that may be experienced in the home will be vast. This bill makes little provision to meet that need which will be acute among our elderly population and in rural and low-income areas of the Nation.

In the United Kingdom, which has carried out their transition in some regions of the nation, as many as 10 percent of the external antennas and rabbit ears had to be replaced in order to receive a digital signal. Our experience with antennas will be no different, and we still have no public funding in order to meet that need.

The antenna replacement problem will be magnified by the lack of technical assistance. Viewers who correctly install their converter box may still not receive a digital signal, and without technical help will have great difficulty determining that the problem is an antenna that could receive an analog signal but is too far away from the transmitter to receive digital service. That viewer will lose TV reception on February 17. When he later finds that the antenna has to be replaced, he will have to shoulder that replacement cost on his own.

This Congress should do more to assure a smooth transition. If we don't, I fear that millions of Americans will lose the vital lifeline that television service represents next February.

We might want to consider instituting a program similar to the help scheme that has been employed in the United Kingdom. For a payment of the American equivalent of $40, TV households receive on-site technical support and, if necessary, hardware, including antenna replacement. Such a program in the United States would ensure a successful transition and would prevent the vital lifeline that television represents from being lost by millions of Americans who I otherwise fear will lose that service next February.

I thank the gentleman from Indiana for yielding.

Mr. STEARNS. Mr. Speaker, I heard my good colleague from Virginia talk about some suggestions, and his suggestion is that we adopt something that Britain has adopted. But I'm not sure it's necessary because we're having a demonstration project of the digital transition in North Carolina. And I think with that sort of demonstration, I think after that, if we see problems, then probably that's the best time to adjust.

Mr. BOUCHER. Will the gentleman yield?

Mr. STEARNS. I would be glad to yield.

Mr. BOUCHER. I thank the gentleman for yielding, and I share his belief that the demonstration project that we are going to have in Wilmington, North Carolina, sometime later this year will yield valuable information. My concern is that whatever information we receive from that demonstration, should it indicate that

additional steps need to be taken for technical assistance, for public education, for the replacement of either rabbit ears or external antennas, will not be information that is very useful to us in the absence of funding in order to carry out whatever steps that information suggests should be appropriate.

So my recommendation today is that we begin to have a conversation about how we could use information collected from the Wilmington experience, how we could use information that we can gain very usefully from the larger experience they've already had in the United Kingdom and put that information to work to make sure that our transition is as smooth here in the United States as it has been in the U.K.

Mr. STEARNS. I would note that certainly his points are well taken, but I think after the Wilmington, North Carolina, demonstration, if it does not work, there is perhaps a possibility of another demonstration. But certainly most of the kinks should be worked out after that first demonstration, and I look forward to taking a very careful look at it.

I reserve the balance of my time.

Mr. HILL. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from New York (Mr. ENGEL).

Mr. ENGEL. I thank the gentleman, and I rise in support of S. 2607, the DTV Transition Assistance Act.

I agree with everything that all my colleagues have said, and I certainly agree with Mr. BOUCHER that we really need to help facilitate the digital transition, which is what this bill does. This has been a long time coming, and we're now coming down to the wire. We have only 223 days until analog TV signals will go dark.

In the Energy and Commerce Committee several years ago, I joked and said when people turn on their TV sets on February 17, 2009 and their TV goes dark, many of our political futures will go dark if we don't have a good transition along the way. Since we began this process several years ago, I have been saying repeatedly that we need to make this transition work. That's why I introduced legislation, the National Digital Television Consumer Education Act. My legislation would help to educate consumers about the effects of the digital transition and what they need to do to prepare for it.

So I do agree with Mr. BOUCHER that we're ill-prepared. Even if people know that it's coming, we also have to make sure that they know how to set up their TV for digital broadcasts.

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

Mr. HILL. I yield the gentleman an additional minute.

Mr. ENGEL. People need to know how to set up their television for digital broadcasts. They need instructions on how to get the coupons that the government is providing to enable them to get these converter boxes, they need to know where to purchase the converter boxes, how to set them up, and many people need these instructions in languages other than English.

These are very, very huge challenges, and we are not spending nearly enough money to rise to the occasion. This bill is a good bill, but we need other legislation as well to help facilitate the digital transition.

In February, every American must be able to turn on their television and watch a crisp digital broadcast. I urge all of my colleagues to support this bill and other bills we will be providing to ease the digital transition.

Mr. STEARNS. Mr. Speaker, I have no additional speakers, but I will reserve the balance of my time just until I understand whether my colleague has additional speakers.

Mr. HILL. Mr. Speaker, I am pleased to yield 2 minutes to the gentlewoman from California (Ms. SOLIS).

Ms. SOLIS. I would like to thank the gentleman from Indiana for recognizing me, and I also want to declare my strong support for S. 2607, the DTV Transition Assistance Act, which will help improve our country's transition to digital television, or DTV, as it is known.

This bill ensures that the funds already set aside for the DTV transition are being used more effectively. With leftover funds from a low-power TV grant program, this bill enables the National Telecommunications and Information Administration to allocate an additional $5 to $7 million this year for consumer education in underserved communities, such as seniors, minorities, and in rural areas.

All of the underserved populations, especially Spanish-speaking households, are at the greatest risk of being left out of the DTV transition. According to recent testimony from the NTIA, 40 percent of the calls coming into the converter box coupon call center are from Spanish speakers. There is a demonstrated need for additional education in Spanish-speaking households about DTV, and this additional funding will also help smooth the DTV transition for all Americans.

I also want to urge my colleagues to address the DTV transition issues along the U.S.-Mexican border. While the funding for the bill will help, we need a targeted outreach effort along the border because of access to both analog and digital TV signals from Mexico and the U.S. after the U.S. DTV transition.

I have personally introduced H.R. 5435, the DTV Border Fix Act, and urge my colleagues to please consider cosponsoring this piece of legislation. It will help facilitate those emergency responses so that people on both sides of the border can hear what's happening, but particularly on our side of the border.

I urge the Members today and colleagues to support this bill before us but also to think more importantly about what the next steps are and how to help those underserved communities who don't speak English.

□ 1830

Mr. HILL. Mr. Speaker, I'm pleased to yield 3 minutes to the gentlelady from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. I thank the gentleman so much for giving me the time to speak on this important bill.

The digital television transition is now 223 days away and many of our constituents are simply not prepared. I'm especially concerned about our most vulnerable population, our seniors. Eight million older Americans are in risk of losing their television reception on February 17, 2009.

I've been pleased to work with a number of groups that work directly with seniors, including the National Association of Area Agencies on Aging, the AARP, and the National Council on Aging, to ensure that older Americans are not left in the dark.

In May, Representative G.K. BUTTERFIELD joined me and 21 of our colleagues in sending a letter to the National Telecommunications and Information Administration regarding this imminent problem, and I'm pleased that the bill before us today would take some of the necessary steps to ensuring that seniors are prepared.

Seniors could suffer real consequences if their TVs do not operate past February 17, 2009, including isolation from society, anxiety, or mental and physical decline. Imagine your parents or grandparents going to turn on the television on February 18 and finding nothing on the screen.

Also, we have to remember that there are hundreds and thousands of homebound seniors who are unable to go and buy a converter box. Many seniors face considerable physical challenges associated with the transition, and without people to help come in their homes and install these boxes, they're just going to be out of luck. And those seniors that have gotten the converter box may face real technological barriers. Most people have problems setting the clock on their VCRs. I have zeros blinking myself occasionally. Think about the challenge of looking at a converter box and trying to figure out what to do next.

That's why I rise in support of this bill. This legislation will free up funds not being used by the NTIA in the distribution of coupons so they can be used for consumer education and technical assistance.

It further directs NTIA to partner with, provide grants to, and contract with nonprofit organizations and public interest groups to provide for educational and technical assistance to seniors, rural residents, and others who may face difficulties with the digital transition.

Despite these efforts, there are sure to be people who we don't reach and who wake up on February 18 with no signal. I look forward to working with my colleagues to establish any future

funding needed to ensure that these individuals receive needed assistance.

Again, we're 223 days away from the digital television transition. I urge all of my colleagues to work to ensure that our constituents are aware of and prepared for the coming transition.

I want to thank the leadership for bringing this crucial bill to the floor quickly.

Mr. HILL. Mr. Speaker, we have no further speakers if the gentleman from Florida, my good friend, would like to close.

Mr. STEARNS. Mr. Speaker I would support the bill and urge its passage.

I yield back my time.

Mr. HILL. Mr. Speaker, in closing, I'd like to reiterate that this bill fixes two technical errors in order to bring great benefits to our constituents through their digital television transition.

I urge my colleagues to support this bill.

Mr. DINGELL. Mr. Speaker, I rise in support of S. 2607, the "DTV Transition Assistance Act". This measure will help facilitate the transition to digital television (DTV), a technology which holds great promise for this country. It will allow for more broadcast programming with better sound and picture quality. It will provide new opportunities for wireless technologies on analog spectrum being vacated by broadcasters. And most importantly, some of this vacated analog spectrum will be used to create a nationwide, interoperable broadband network for first responders.

With the February 17, 2009, DTV transition date slightly more than 7 months away, however, we must ensure that all Americans are prepared for it. S. 2607 takes a step in the right direction by solving some outstanding problems relating to the transition in a thoughtful manner.

Not all television stations will make the transition to digital broadcasting on February 17th. Low-power and translator stations, many of which serve rural, minority, and other underserved communities, do not have a set date by which they must switch to digital. The "Digital Television Transition and Public Safety Act of 2005" established a grant program to help often financially constrained low-power television stations acquire the equipment needed to make the transition to digital. S. 2607 makes those funds available beginning in fiscal year (FY) 2009, rather than in FY 2011, as provided by current law. It also extends the availability of funding through FY 2012. These changes will help facilitate the DTV transition for low-power stations so they can offer consumers th benefits of digital broadcasting.

The 2005 Act also established a $10 million program to help translator stations continue providing an analog broadcast signal after February 17, 2009. Such stations are eligible for grants of up to $1,000 toward the purchase of digital-to-analog conversion equipment. That grant program is currently undersubscribed and includes more than enough money to accommodate every translator station. Accordingly, S. 2607 gives the Assistant Secretary of Communications and Information the flexibility to reallocate unspent money from the program to DTV consumer education.

Consumer education is the key to a successful DTV transition, and its importance cannot be overemphasized. Television is the predominant medium through which Americans receive critical public safety information and is one of the chief conduits for news and political discourse, as well as entertainment. Therefore, the most critical aspect of the DTV transition is ensuring that consumers are prepared for it. Congress mandated the DTV transition, and it is its responsibility to protect our constituents by ensuring the transition proceeds as smoothly as possible.

I am pleased to see the House consider this measure, which will contribute to a more successful transition. I strongly support S. 2607 and urge my colleagues to do the same.

Mr. HILL. 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 Indiana (Mr. HILL) that the House suspend the rules and pass the Senate bill, S. 2607.

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

A motion to reconsider was laid on the table.

SUPPORTING THE GOALS AND IDEALS OF "NATIONAL INTERNET SAFETY MONTH"

Mr. HILL. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1260) supporting the goals and ideals of "National Internet Safety Month".

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1260

Whereas, during the 110th Congress, the House of Representatives has passed several bills aimed at protecting children online and promoting Internet safety education;

Whereas, on June 12, 2007, the House of Representatives passed H. Res. 455 recognizing "National Internet Safety Month";

Whereas, on May 22, 2008, the Senate passed S. Res. 567 designating June 2008 as "National Internet Safety Month";

Whereas the Federal Trade Commission, in coordination with several other Federal agencies, maintains OnGuard Online, a Web-based resource to educate all Americans on Internet safety;

Whereas law enforcement, educators, community leaders, nonprofit organizations, and Internet service providers have sought to raise awareness for Internet safety across the United States;

Whereas America's youth will need to master the Internet to stay competitive in a global information economy;

Whereas there are more than 1,000,000,000 Internet users worldwide;

Whereas, in the United States, more than 35,000,000 children in kindergarten through grade 12 have Internet access;

Whereas 93 percent of children between 12 and 17 years old use the Internet;

Whereas more than half of all of online children between 12 and 17 years old use an online social networking site;

Whereas 43 percent of teens between 13 and 17 have experienced cyberbullying within the past year;

Whereas approximately 24 percent of students in grades 5 through 12 have hidden their online activities from their parents;

Whereas 61 percent of the students admit to using the Internet unsafely or inappropriately;

Whereas 68 percent of parents have household rules about what type of Internet sites their child can or cannot visit;

Whereas 56 percent of parents feel that online bullying of children is an issue that needs to be addressed;

Whereas 65 percent of parents report that after their child has been on the Internet, they check to see what Web sites he or she viewed;

Whereas 47 percent of parents feel that their ability to monitor and shelter their children from inappropriate material on the Internet is limited; and

Whereas 61 percent of parents want to be more personally involved with Internet safety: Now, therefore, be it

Resolved, That the United States House of Representatives—

(1) supports the goals and ideals of "National Internet Safety Month";

(2) recognizes that "National Internet Safety Month" provides the citizens of the United States with an opportunity to learn more about the importance of being safe and responsible online;

(3) commends and recognizes national and community organizations for—

(A) promoting the safe use of the Internet; and

(B) providing information and training that develops critical thinking and decision making skills that are needed to use the Internet safely; and

(4) calls on parents, educators, Internet safety organizations, law enforcement, community leaders, Internet service providers, and volunteers to increase their efforts to raise the level of awareness for the need for online safety in the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Indiana (Mr. HILL) and the gentleman from Florida (Mr. STEARNS) each will control 20 minutes.

The Chair recognizes the gentleman from Indiana.

Mr. HILL. Mr. Speaker, I rise in support of House Resolution 1260, a resolution that expresses support for the goals and ideals of National Internet Safety Month.

During the past decade, the Internet has become an integral part of our lives. Members of our armed services stationed abroad use the Internet to stay in contact with their families.

Telemedicine relies on the Internet to bring cutting-edge medical care to rural residents in their communities, reducing health care costs without sacrificing the high quality of service that everyone deserves.

Through the Internet, our students have access to the world's informational and educational resources. Distance learning levels the playing field so that all students have the opportunity to learn.

The Internet has also had a profound impact on the way that we do business. Through the Internet, the entire world has become a market for American goods and services.

Our children have never known a world without the Internet. They have incorporated the advantages of the Internet into their everyday lives, to communicate with their friends, to do research for school assignments, and to entertain themselves.

The Internet offers great promise to the next generation. In order to achieve those promises, we must give our children the tools they need to safely navigate the Internet.

Just as the Internet has offered many good people the opportunity to better themselves, it has also created a pathway for dangerous activities. This is most troubling when the potential victims are our children.

Internet Safety Month reminds us all that there are ways to use the Internet wisely and responsibly.

The Federal Trade Commission has created ''OnGuard Online,'' a resource for both parents and children to take advantage of all of the opportunities of the Internet in a safe and responsible manner.

Congress provided for the establishment of a kids.us domain to provide a safe online environment for children and help prevent them from being exposed to harmful material on the Internet.

Educational, industry, and community-based organizations have also created resources to help families use the Internet safely. If we educate our children, we give them the tools they need to navigate the Internet safely.

I strongly urge my colleagues to join me in supporting the goals and ideals of National Internet Safety Month.

I reserve the balance of my time.

Mr. STEARNS. Mr. Speaker, I rise also in strong support of H. Res. 1260, supporting the goals and ideals of National Internet Safety Month. This legislation is very important, and of course, it's quite timely. I urge my colleagues obviously to support it.

The Internet, as we all know, has revolutionized communications, business, and entertainment. Much of its success is due to the largely unregulated status that we have given it. Industry has done a tremendous job of deploying it, including to children, who increasingly rely on it to learn and to create things.

In the United States, more than 35 million children in kindergarten through grade 12 have Internet access, and 93 percent of children between 12 and 17 years old use the Internet. But just like any other technology, it is sometimes used by bad people to do bad things.

Recent studies show that sexual predators, cyber bullies, cyber stalkers, and identity thieves represent very real online dangers for children of all ages. According to the Crimes Against Children Research Center, 22 percent of people targeted by online predators were children with ages between 10 and 13. The National Center for Missing and Exploited Children reports 25 percent of children say they've received unwanted sexual material while simply surfing the Internet. The Identity Theft Resource Center reports that children are the newest target for identity theft, since they can be easily persuaded to divulge personal information, and the crime is unlikely to be discovered until the victim is much older. As these numbers demonstrate, Internet safety should be of paramount concern to all of us.

Furthermore, these statistics highlight why online safety education is so very important. By arming parents and children with the information, we can go a long way to avoiding some of the pitfalls out there on the Internet and obviously maximize its benefits.

That's why I support National Internet Safety Month and this resolution, and I urge its support.

I reserve the balance of my time.

GENERAL LEAVE

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

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

There was no objection.

Mr. HILL. Mr. Speaker, the creator of this piece of legislation is our next speaker. She has worked tirelessly and skillfully in bringing this issue to the floor of the House of Representatives, and at this time, I yield such time as she may consume to the gentlelady from Illinois (Ms. BEAN).

Ms. BEAN. Mr. Speaker, I thank the gentleman from Indiana for yielding and for his work to promote Internet safety.

I rise today in strong support of H. Res. 1260, which supports the goals and ideals of National Internet Safety Month, and I echo the sentiments shared by my colleagues here tonight. Consideration of this resolution today follows House passage of a similar resolution last year recognizing June as National Internet Safety Month. Although we are considering today's resolution just following the close of the month, I believe it is important to recognize June 2008 as National Internet Safety Month and use this opportunity to continue to raise awareness for Internet safety.

H. Res. 1260 recognizes the important work many Internet safety organizations, Internet service providers, all levels of government, schools, parents, and concerned citizens do regularly to protect children online and promote Internet safety education.

The resolution calls on all concerned citizens to increase their efforts to raise the level of awareness for the need for online safety in the United States.

I want to commend the Internet safety organizations, Internet service providers, FTC, and other individuals who joined me this June in launching the National Partnership for Safe Computing. I am proud to join Congressman FRANK WOLF as a co-chair of this partnership, which will work with Members of Congress to provide resources and experts for Internet safety forums in their districts.

Over 35 million students have access to the Internet and use it every day to expand their knowledge beyond what they can learn in textbooks and in the classroom.

But while the Internet has increased their productivity and opened new opportunities to our children, it has also created new threats. These threats, whether it be unwanted online solicitations, Internet scams, or cyber bullying, are troubling and real.

In order for our children to use the Internet safely, we must work together to raise awareness, and as noted in today's resolution, 93 percent of children between 12 and 17 years old use the Internet regularly. Half of them use an online social networking site. Forty-three percent of teens between 13 and 17 have experienced cyber bullying within the past year. And 61 percent of students admit to using the Internet unsafely or inappropriately.

Fortunately, our schools and nonprofits, local, State and Federal governments, and concerned corporate citizens have been actively engaging children regarding Internet safety. Programs vary, but they all emphasize the importance of protecting personal information, keeping parents informed of Internet actions, and being careful who kids are talking to when they're online.

Over the last few years, parents have been getting more involved in their children's actions online, but there's room for improvement. As noted in today's resolution, 68 percent of parents have household rules about what type of Internet sites their children can or cannot visit, and 65 percent of parents review the Web sites their children have visited while on the Internet.

But parents need to stay engaged and ask their children what they're doing online. As a parent, you wouldn't let your son or daughter play with a friend without knowing who was in charge and where they would be playing. The same should be the case with the Internet. It is a large virtual playground, and just like the stranger danger at the neighborhood park, kids need to be supervised.

While raising awareness is important, I am very proud that since June 2007, when we recognized National Internet Safety Month last, the House has passed several pieces of legislation as part of an Internet safety initiative. They included the SAFER NET Act, which I introduced, which would authorize national public awareness campaigns and create a virtual clearinghouse of all necessary Internet safety information at the FTC.

□ 1845

We also passed the PROTECT Act, which I introduced with Congresswoman DEBBIE WASSERMAN SCHULTZ, which would build a strong nationwide network of highly trained law enforcement experts to track down the digital footprints of known sex offenders.

The KIDS Act was also passed, which was introduced by Congressman EARL POMEROY, which I was proud to cosponsor, and would require sex offenders to

register their e-mail and instant message addresses with the National Sex Offender Registry so Internet service providers could prohibit their access to Web sites used by children. They already have to register their physical addresses if they move into your community. They should also have to register their Internet addresses as well. These bills and the others the House has passed will assist parents and teachers in keeping our kids safe online.

In closing, I urge my colleagues to support H. Res. 1260 and encourage them to use the recent observance of National Internet Safety Month as an opportunity to support the efforts of our local, State and Federal Government, our local and national nonprofit organizations, and other concerned citizens in promoting Internet safety.

Mr. STEARNS. Mr. Speaker, I yield back the balance of my time and urge my colleagues to support this very good legislation.

Mr. HILL. Mr. Speaker, a designated National Internet Safety Month would provide parents, educators, and communities with an opportunity to further coordinate efforts to protect our children on the Internet. I urge my colleagues to support this bill.

Mr. POMEROY. Mr. Speaker, I rise today in support of House Resolution 1260, a bill that recognizes June 2008 as National Internet Safety Month, and supports helping all citizens, especially our children, to learn more about being safe and responsible online.

The Internet is truly transformational technology that over 21 million teens—87 percent of kids across the Nation—take advantage of everyday. While this technology has presented our children with unprecedented opportunities, it has also presented our kids with new dangers.

Just as we tell our kids not to talk to strangers when we send them off to school, the digital age now requires us to give our children the same warning when they log on to the Internet. Parents, educators, Internet safety organizations, and law enforcement have taken extraordinary measures to proactively help our children avoid the dangers that exist on the Internet, and we must continue to increase our efforts to raise the level of awareness for the need for online safety.

I have long been a strong supporter of internet safety efforts, and I believe that Congress must continuously update our laws to keep our children safe from sexual predators who would exploit our children with this technology. I strongly urge you to support House Resolution 1260 to make sure that all citizens know about the importance of online safety.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in support of H. Res. 1260 supporting the goals and ideals of "National Internet Safety Month". I would first like to thank my distinguished colleague, Representative MELISSA BEAN of Illinois, for introducing this important legislation. The bill reaffirms our commitment to the safety of our children when they use the internet and the importance of providing information and training to develop skills to use the internet safely.

We all know what an amazing tool the internet is. We can do everything from taking classes to reconnecting with old friends online. But despite this, the internet has many flaws.

In America, 93 percent of children ages 12 to 17 use the internet, but how wisely do they use it? Studies have shown that approximately 24 percent of students in grades 5 through 12 have hidden their online activities from their parents and 61 percent of them admit to using the internet unsafely or inappropriately. Even when they aren't looking at inappropriate material, children are picking on one another. 43 percent of teens ages 13 to 17 have experienced cyber bullying within the past year. This must stop.

It saddens me that a wonderful resource like the internet can be used in such a damaging way. Cyber bullying is a serious epidemic that must be addressed by all levels of government. Unlike regular bullying, where there is often physical damage, cyber bullies leave their victims with lasting emotional trauma. With the high level of connectivity our children now have, it is nearly impossible for them to escape these new bullies. We owe our children more.

It is up to us to teach our children the difference between right and wrong in life and this principle should not be ignored when dealing with the internet. In passing this resolution, we are telling parents that the children need guidance and that it is their responsibility to provide that guidance.

And we can help the parents in their task. 61 percent of parents want to be more involved in the internet safety of their children. It is simply a matter of giving them the tools they need to get involved. When we pass this legislation, we help parents, educators, Internet service providers, and volunteers to increase their efforts to raise the level of awareness for the need for online safety in the United States.

The Houston public libraries have recently adopted a budget that would allow them to provide all their branches full internet access. In doing so, however, they added a limitation: the computers in the children's section would have filters to prevent them from accessing inappropriate material. This is an example the rest of the nation needs to follow. We can all take simple actions like installing filters and monitoring internet use to make our children safer.

I urge my colleagues to pass this resolution and establish our support of internet safety. Tell communities around the nation we need to follow the example of Houston's public libraries and consider the children when designing policies. Tell communities that progress needs to be made.

Mr. HILL. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Indiana (Mr. HILL) that the House suspend the rules and agree to the resolution, H. Res. 1260.

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.

SENSE OF HOUSE REGARDING PROSTATE CANCER DETECTION AND TREATMENT

Mr. HILL. Mr. Speaker, I ask unanimous consent that House Resolution 353, which was adopted by the House on June 26, 2008, be considered to have been adopted with the corrected text that I have placed at the desk, and that the resolution be re-engrossed in that corrected form.

The SPEAKER pro tempore. The Clerk will report the corrected form.

The Clerk read as follows:

Resolved, That it is the sense of the House of Representatives that there should be increased support for research and development of advanced imaging technologies for prostate cancer detection and treatment.

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

There was no objection.

KENNETH JAMES GRAY POST OFFICE BUILDING

Mr. DAVIS of Illinois. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6061) to designate the facility of the United States Postal Service located at 219 East Main Street in West Frankfort, Illinois, as the "Kenneth James Gray Post Office Building".

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6061

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

SECTION 1. KENNETH JAMES GRAY POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 219 East Main Street in West Frankfort, Illinois, shall be known and designated as the "Kenneth James Gray Post Office Building".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Kenneth James Gray Post Office Building".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. DAVIS) and the gentlewoman from North Carolina (Ms. FOXX) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. DAVIS of Illinois. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

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

There was no objection.

Mr. DAVIS of Illinois. Mr. Speaker, it is my pleasure to yield such time as he might consume to my colleague from the State of Illinois and the author of this legislation, Representative COSTELLO.

Mr. COSTELLO. I thank my friend from Illinois, Chairman DAVIS.

Mr. Speaker, I rise today in support of H.R. 6061, legislation designating a post office building in West Frankfort, Illinois, as the "Kenneth James Gray Post Office Building."

I would like to thank Chairman WAXMAN and Chairman DAVIS for working

with me on this legislation and for bringing the legislation to the floor today.

Congressman Gray was born and raised in West Frankfort, Illinois. He was first elected to the House of Representatives in 1954, serving through 1974. In 1984, Ken ran again and was elected to the House and served two more terms.

When I was elected to the House of Representatives in 1988, Kenny Gray was very helpful to me. We worked together and fought to improve housing, education, and to bring jobs to southern Illinois. We, of course, continue that fight today with my colleagues in the Illinois delegation.

Prior to his tenure in Congress, Congressman Gray earned three Bronze Stars for his service in World War II. He also owned a car dealership and operated an air service in Benton, Illinois.

After retiring in 1988, Ken remained active in community affairs, serving on several boards and heading up many local projects to further economic growth in our region. Naming this post office after Kenny Gray will serve as a lasting reminder of his accomplishments in Southern Illinois.

Mr. Speaker, I urge my colleagues to join me in honoring our former colleague and friend by supporting this legislation.

Ms. FOXX. Mr. Speaker, I yield as much time as he may consume to my distinguished colleague from the State of Illinois (Mr. SHIMKUS).

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

Mr. SHIMKUS. I thank my colleague from North Carolina for the time.

I want to commend my colleague, Congressman COSTELLO, for bringing this forward, and of course my colleague from Chicago, Chairman DAVIS, for helping get this bill on the floor.

In Southern Illinois everyone knows Ken Gray. In this environment it's always hard to figure out with past Congresses, but he is admired and adored and lovingly called the ''Prince of Pork'' for a couple of reasons, probably a lot more than I even know since I'm a youngster to this institution, but for helping President Eisenhower pass the Federal highway transportation bill, which brought the interstate highway system, and then lobbying diligently to make sure that those routes came through Southern Illinois.

And although Southern Illinois continues to struggle along the interstate routes that are part of my district and part of Congressman COSTELLO's district where there are jobs and economic activity, they are around the hubs of the interstate highway system. So he does get great credit for that. Also, a major lake, Rend Lake, is there that provides water for much of the communities of Southern Illinois. And that was all part of his due diligence and his activity.

I also like the story, being a veteran, of Ken Gray lying about his age, going into the war, and then serving honorably in World War II and being awarded three Bronze Stars for his service.

He is quite the character. People who know him and have served with him can tell you some quite colorful stories. He has welcomed me in the institution as a colleague. I look to him for advice and counsel when I get into the deep part of Southern Illinois.

I think this is a fitting tribute. I thank my colleague, Congressman COSTELLO, for bringing it forward. I implore and ask my colleagues to support the naming of this post office.

Mr. DAVIS of Illinois. Mr. Speaker, I would reserve the balance of my time.

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

Congressman Kenneth J. Gray, formerly an esteemed Member of the U.S. House of Representatives, has been a life long son of Illinois. Born in West Frankfort on November 14, 1924, Congressman Gray was a graduate of West Frankfort Community High School and owner of Gray Motors in West Frankfort. He served in the Second World War for two years until discharged in 1945 as a first sergeant and three bronze star recipient for his service.

After returning from the war, Congressman Gray became active in his community and was one of the founders of the Walking Dog Foundation for the Blind and an active leader in the American Legion.

In the same district where Mr. Gray served as the Commander of the American Legion, he was encouraged to run against the incumbent Congressman as many thought that the issues affecting the veterans of southern Illinois were being overlooked.

While running for Congress for the first time in 1954, his campaign slogan was "a fighting man for a fighting job," which he lived up to during the 11 Congressional terms he served the citizens of the 25th District of Illinois. He ran on the platform of change for the people in his District. Southern Illinois was suffering a period of high unemployment at the time Mr. Gray was running for Congress. After his election, he set about meeting the challenges of getting the 30,000 unemployed people back to work.

He was placed on the Public Works Committee at the beginning of his first term, where he was able to shed light on the plight of his constituents and worked to get projects directed to his District. Congressman Gray became known throughout his career as a man who, in his words, wouldn't roll down his sleeves until the job was done. To this day, he has not rolled down his sleeves and continues to get things done. You can see his footprints on such things as hospitals, schools, and federal buildings.

Because of Congressman Gray's many accomplishments on behalf of the citizens of Southern Illinois as well as the entire country, it is very fitting that we would designate the naming of the West Frankfort Post Office after Congressman Gray. We wish Congressman Gray well during his illness and thank him for his life-long service to the United States.

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

Mr. DAVIS of Illinois. Mr. Speaker, obviously I rise in strong support of H.R. 6061, which designates the East Main Street post office facility in West Frankfort, Illinois, after one of our former colleagues and Member of Congress, Representative Kenneth James Gray.

Representative COSTELLO sponsored this measure to show appreciation and gratitude for the service former Representative Gray exhibited toward his constituents and the country.

H.R. 6061 would dedicate the post office located in Representative Gray's former congressional district. I am pleased to join with Representatives COSTELLO and SHIMKUS and other members of the delegation in urging passage of this legislation.

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 Illinois (Mr. DAVIS) that the House suspend the rules and pass the bill, H.R. 6061.

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.

HONORING SERGEANT FIRST CLASS ANTHONY LYNN WOODHAM

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

Mr. BOOZMAN. Mr. Speaker, I rise today to honor a brave American soldier who sacrificed his life for freedom, SFC Anthony Lynn Woodham from Rogers, Arkansas.

A mechanic assigned to the Arkansas National Guard Delta Company, 39th Brigade Support Battalion, 39th Brigade Combat Team of Heber Springs, Anthony put himself in harm's way to make this world a better place.

His commitment to this country is second to none. Anthony considered his service an honor, first enlisting in 1989, and re-enlisting after he returned from his deployment in 2005. He died Saturday, 6 months shy of 20 years in the military. He will be remembered as a soldier, a son, a husband and a father who cared about everyone around him. His wife Crystal describes Anthony as a loving husband and great father.

Mr. Speaker, Anthony is a true American hero. I ask that my colleagues keep his family and friends in their thoughts and prayers during this very difficult time.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

THE KILLER OF BORDER AGENT LUIS AGUILAR IS RELEASED

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

Mr. POE. Mr. Speaker, in January, Border Patrol Agent Luis Aguilar was tracking drug smugglers on the Mexican-U.S. border. A Hummer apparently carrying drugs crossed into the United States and tried to flee back to Mexico when Aguilar and other Border Patrol agents gave pursuit. Aguilar got in front of the Hummer at some distance and he put spikes in the road of retreat, but the Hummer, rather than go over the spikes, drove off the road, ran over and killed Aguilar, and fled back to Mexico.

The driver was Jesus Navarro Montes. And he fled to Mexico, ditched the Hummer with some friends, but was arrested by Mexican authorities 3 days later and charged with certain offenses.

□ 1900

Now, Mr. Speaker, the facts get a little messy. Montes is the only suspect in the murder of Aguilar, but he has recently been released from jail in Mexico. Some Mexican authorities say he was not in jail for the murder but unrelated smuggling charges. Even so, he was not tried for those charges even though he waited in jail for 6 months.

Mexico also says that the United States has failed to file extradition papers from the United States to Mexico requesting the extradition of this individual Montes. Extradition papers are a legal requirement between countries to bring criminals from one country to another. It's been 6 months, Mr. Speaker, and certainly those papers should have been filed some time ago.

Our Justice Department, however, refuses to comment on whether extradition was requested or the papers were filed. This is a bit odd and curious why our government won't say whether or not they even filed the appropriate paperwork and what the problem is. Did our government fail to file this simple paperwork? And if so, people in our government ought to be fired. This is inexcusable. And if Mexican authorities released prematurely, Mexico has some explaining to do as well. There is obviously incompetence in somebody's government regarding the release of this individual.

Meanwhile Navarro Montes is running lose somewhere in Mexico, laughing at both governments and probably still smuggling drugs into the United States. The Aguilar family still weeps, and they are waiting for justice for the death and murder of their loved one.

Mr. Speaker, this ought not to be. Our government should be as concerned about prosecuting drug smugglers that murder American Border Patrol protectors as they are about relentless prosecuting border agents like Ramos and Compean that were doing their job when charged with violating the civil rights of a drug smuggler on the border. We need some answers, Mr. Speaker, and not blissful silence and excuses from our government. Navarro Montes needs a trial so that justice can prevail because justice is what we do in this country.

And that's just the way it is.

THE NEED FOR A COMPREHENSIVE STRATEGY TO ADVANCE U.S. INTERESTS

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

Mr. SKELTON. Mr. Speaker, I rise today to talk about a fundamental problem affecting the national security of the United States which has not received the notice and consideration it deserves.

The United States suffers from the complete absence of a comprehensive strategy for advancing U.S. interests. This strategic void detracts from almost every policy effort advanced by the United States Government. As a result, major policies are inconsistent and contradictory in different areas of the world and across different policy realms. We find ourselves unable to agree upon and set national priorities for addressing the major challenges of our time. We suffer from a splintering of national power and an inability to coherently address threats and reassure and cooperate with allies.

What do I mean by a comprehensive national strategy? The word ''strategy'' has military roots, coming from the Greek word for ''generalship,'' but the concept of a strategy extends well beyond just the military context. In the context of this speech, and others that I intend to deliver on this topic, it means a commonly agreed-upon description of critical U.S. interests and how to advance them using all elements of national power: economic, diplomatic, and military.

The next President will have a unique opportunity to develop a successful strategy for the Nation. When President Dwight D. Eisenhower took office, he commissioned the Solarium Project to review strategies for dealing with the Soviet Union. After a competitive process in which three teams of advisers promoted the merits of three strategies, President Eisenhower decided to continue the policy of containment developed by President Truman, and did so with a largely unified administration.

Over the course of our history, the U.S. has had numerous successful strategies. During the Cold War, both major political parties supported a strategy of containment for confronting the Soviet Union. During World War II, the United States had a widely-supported strategy of focusing first on the war in Europe and deferring some effort from the war in the Pacific until the Nazi threat was contained. At other times in our Nation's history, we have pursued less successful strategies, such as a strategy of isolationism during the period between World Wars I and II.

The next President would be well advised to engage in and personally lead a Solarium-type approach to determining a strategy for today's rapidly changing world. To ensure that a new strategy for America can truly develop support across the political spectrum, Congress should be involved in the process, and to ensure that a new strategy is one that the American people can support, the general outline of the debate should be shared with and involve the American people.

This speech is the first in a series. In the future I will discuss the objectives and challenges that a new U.S. strategy will need to contend with; some of the means by which the U.S. will likely need to pursue its objectives and their ramifications for the national security apparatus of the United States Government; and some of the options that a Solarium-type review of a strategy by the next President would need to consider.

I hope that my colleagues will join me in urging the next President to address this problem and join with me in a conversation, both in Congress and with the American people, about what today's strategy should be.

THE PRESIDENTIAL SIGNING STATEMENTS ACT

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

Mr. JONES of North Carolina. Mr. Speaker, on May 8, 2008, I introduced H.R. 5993, the Presidential Signing Statements Act. This bill would promote congressional and public awareness and understanding of presidential signing statements.

The history of presidential signing statements dates back to the 19th century; however, a September 17, 2007, Congressional Research Service report noted that U.S. Presidents have increasingly employed the statements to assert constitutional and legal objections to congressional enactments. In doing so, a President sometimes communicates their intent to disregard certain provisions of bills that have been signed into law.

It is for this reason that I have introduced the Presidential Signing Statements Act. Just as the American people have access to the text of bills that are signed into law, they should have easy and prompt access to the content of presidential signing statements that may affect how those laws will be executed. To enable a more complete public understanding of our Nation's laws, the Congress should also be able to call for the executive explanation and justification for a presidential signing statement.

According to CRS, President Clinton issued 381 signing statements while in

office; 70 of these statements raised legal or constitutional objections. President George W. Bush has issued 157 signing statements; 122 of these statements have contained some type of constitutional challenge or objection. Because it's reasonable to assume that future Presidents will continue this practice, Congress should act now to pass legislation to ensure proper understanding and disclosure of these signing statements.

The American Bar Association recently examined the issue of presidential signing statements and appointed the Task Force on Presidential Signing Statements and the Separation of Powers Doctrine. That task force issued a report urging Congress to ''enact legislation requiring the President to promptly submit to Congress an official copy of all signing statements he issues . . . to submit to Congress a report setting forth in full the reasons and legal basis for the statement.'' The ABA also recommended that ''such submissions be available in a publicly accessible database.''

Mr. Speaker, the bill that I have introduced would require the President to transmit copies of the signing statements to congressional leadership within 3 days of issuance; require signing statements to be published in the Federal Register; third, require executive staff to testify on the meaning and justification for presidential signing statements at the request of the House or the Senate Judiciary Committee; and, fourth, provide that no moneys may be authorized or expended to implement any law accompanied by a signing statement if any provision of the law is violated.

Mr. Speaker, because it's important that we preserve the provision of power in our government and public understanding of our Nation's laws, I hope many of my colleagues will consider cosponsoring this legislation, H.R. 5993.

And, Mr. Speaker, I would also like to ask God to continue to bless our men and women in uniform and ask God to continue to bless the families, and may God continue to bless America.

CONGRESSIONAL WAR POWERS

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, yesterday Warren Christopher and James Baker released a groundbreaking report on the powers of the Congress and the White House about declaring war.

The Constitution is clear that only Congress has the right to declare war. Not only that, but Congress is granted the power of the purse. We in the Congress decide when it's appropriate to enter into armed conflict and then fulfill our commitment by fully funding and protecting our troops.

The publication may sound like dry stuff, another commission with another report. But that's not the case.

The fact that this report even needed to be written is noteworthy, however. It's noteworthy on its very own. Who would have thought that Members of Congress would need to be reminded of our constitutional duties? But the Baker-Christopher report is absolutely necessary, particularly now, as the administration's drumbeat for war with Iran builds.

We have seen over the past years how some have exploited the so-called war on terror to mean war with anyone who does not agree with America. We have heard it before: ''If you're not with us, you're against us.'' Some even question the patriotism of those of us who have spoken up in opposition to some of the misguided policies of the White House, policies over the Iraq occupation, the loss of civil rights and liberties in the name of security, just as an example.

Recently, the New Yorker Magazine revealed that the administration sought up to $400 million to fund a major escalation of covert operations against Iran, described in a presidential finding—my colleague was just talking about those—signed by President Bush and designed to destabilize the country's religious leadership.

Mr. Speaker, you don't need a secret decoder ring to know what that means. How often does a country spend hundreds of millions of dollars to declare peace with another nation?

Congress must assert itself. We can't just be waiting around to be ''consulted.'' Consulting, not an open hearing or floor debate, is exactly what got us where we are today. I just don't think that we can sit back and wait for the executive branch to come down here to us and ask our permission.

This Congress, and the American people, will not stand for another war. We must strengthen our diplomatic efforts and work at it 24 hours a day. This is not something we can wait until the next administration takes over or until the current one forces our hand.

Negotiating with Iran's leaders may not be the ideal situation for some, but for others and most of us know it is the best opportunity that we have. Wouldn't it be nice if we could only talk to our friends? Well, that's not the way it is. We don't need to talk to our friends. We have to talk to those with whom we have differences. We have to talk to our enemies. That's the only way we are going to bring about any kind of disarmament and any kind of nonproliferation because talking to friends won't bring about human rights. It certainly won't bring about regional stability. We must have dialogue with Iran and we must do it now.

□ 1915

ENERGY INDEPENDENCE

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. Mr. Speaker, on both sides of the aisle, Democrats and Republicans, we realize that we need to start looking at every source of energy that we can come up with; solar, wind. Every kind. We need to move toward new forms of transportation; hybrid cars and other vehicles, maybe hydrogen-powered cars.

But in addition to that, while this transition from fossil fuels is taking place to these new technologies, we need to drill for oil. We need to be energy independent. We need to use such things as coal shale and offshore drilling, and drilling in Alaska, the ANWR, in order to get the oil that is necessary for us to move and become energy independent, and we can do that. But this Congress and the Senate, this House and the Senate, really needs to get together and come up with a plan that covers all of these things. If we don't start drilling for oil and using fossil fuel more efficiently in this country, we are going to have a severe problem.

The Iranians just fired some test missiles the other day. They did that in response to the Israelis flying about a hundred war planes down the Mediterranean for a distance that was pretty close to Tehran's distance from Israel. I think they are both sending signals. The head of the air force for the Iranians said that if there was any kind of an act of war toward them, they would sink ships in the Persian Gulf.

Twenty percent of the world oil goes through the Persian Gulf. You sink two ships in the Gulf of Hormuz and you're going to have chaos. We get as much as 40 percent of our oil from that region. If anything like that occurs, and as long as Iran keeps working toward their nuclear goals of building a nuclear weapon, the threat of war is definitely there.

Israel has been threatened with extinction by the Iranian leaders, Ahmadinejad, the President, and so the threat of a conflict is definitely there. The United States economically would be devastated if we weren't prepared for that eventuality because we don't have the energy here necessary to keep this economy moving.

The best way to make sure that doesn't happen is to use every source of energy we can come up with. While we are transitioning to these other forms of energy like air, wind, like solar, like hybrid cars, like coal shale, like hydrogen-powered cars, all those things, while we are moving toward those, which is going to take probably at least 10 years, or longer, some people say as many as 20, we need to have the energy to keep this country afloat without depending on Saudi Arabia, the Middle East, Venezuela and the Communist leader down there, Mr. Chavez. We need to move toward energy independence. The American people are paying between $4 and $5 a gallon for oil.

The Fourth of July parades just took place and I know that all of my colleagues heard from their constituents: Do something about the price of gasoline. The best thing we can do is start

drilling and looking for energy in America. I believe, and I think many experts believe, that if we start drilling in America and make a movement toward energy independence, you will see the price of oil drop very rapidly and, along with it, the price of gasoline.

But as long as we stand around here and don't do anything, we run the threat of a real economic chaos in this country because we aren't prepared to be dealing with our own energy problems if we can't get the oil from Venezuela and from other parts of the world, like Saudi Arabia. We are just not prepared for it.

We have the energy in this country and we are not drilling for it. We are sending as much as $500 million a day, a day, to Saudi Arabia and Venezuela for oil that we have right here in this country. We could keep that money at home, we could create more jobs while we are coming up with alternative sources of energy. But we are not doing it.

So I say to my Democrat colleagues again tonight, and I will be down here day after day and week after week saying, Let's get together and solve this problem.

I saw that the popularity of the Congress is now down to 7 percent. You know why? The American people are fed up with us not doing anything. We need to get together and solve this energy problem. We need to have energy independence. And we need to start doing it right now.

Remember what I said. If a conflict breaks out over there, all of us are going to be sorry that we didn't do something about it, about dealing with energy here at home.

Energy independence. Drill in America.

ANGLO-IRAQI TREATY OF 1930

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

Mr. McDERMOTT. Mr. Speaker, the reports out of Iraq these days make 2008 sound an awful lot like 1930. That's when the British strong-armed a so-called treaty to take control of Iraq's oil wealth. And it remained that way for decades until the people in the Middle East nationalized their oil wealth to end outside control. But western oil interests and the neocons have wanted it back ever since.

War Secretary Donald Rumsfeld may have said that invading Iraq had nothing to do with oil, but the announcement that western oil companies would get what they have lusted for says otherwise.

And editorial cartoonist Rob Tornoe of politicker.com summed up the world view the other day in a cartoon displayed right here next to me. He spoke truth to power with one compelling image. He says all at once that this entire war, its tragic casualties and immense cost, was all about oil.

As so many suspected all along, Secretary of State Rice tried to claim that the U.S. Government played no role whatsoever in securing sweetheart oil deals for Iraq's sweet crude oil. But the New York Times reported in a front page story, ''A group of American advisers led by a small State Department team played an integral part in drawing up contracts between the Iraq Government and five major western oil companies.''

The immense oil reserves beneath Iraq are the world's second largest, and western oil companies want them, just as they did 78 years ago. And like 1930, they plan to permanently occupy Iraq. To remove any doubt from the minds of the American people, I would like to enter into the RECORD the entire Angelo-Iraqi Treaty of 1930.

Let's look at Article 5. It says that maintaining order inside Iraq is the primary responsibility of the Iraq Government. But then it immediately says that Iraq recognizes and accepts Britain's role inside Iraq and grants Britain the right to build air bases and maintain military forces inside Iraq.

That is exactly what the President and this administration has been saying all along.

The President has made it clear he wants the U.S. to stay in Iraq permanently. In 1930, they didn't call it occupation, they called it a treaty. And they are doing it all over again.

Here's another example. The Angelo-Iraqi Treaty of 1930 addresses immunity for British forces and unlimited rights to bases and troop movements. And this administration is doing the same thing. People like Jonathan Schwartz on the Web site democrats.com, Internet sites like After Downing Street and newspapers like the Independent have all examined the 1930 document and compared it to current proposals. They conclude the date is different and it is now the U.S. instead of the British Empire.

Seventy-eight years later, the West is again trying to assume control of the Middle East under the guise of protecting them from themselves. In 2003, Donald Rumsfeld addressed U.S. troops in Baghdad and said, ''Unlike other armies in the world, you come not to conquer, not to occupy, but to liberate.''

In 1917, British General Stanley Maude, addressing Iraqis in Baghdad, said, ''Our armies do not come into your cities and lands as conquerors, but as liberators.'' The only new thing this administration added was that our soldiers would be greeted by flowers. We know that was not true, just as we know the entire basis for the U.S.-led invasion of Iraq was not true.

When the Prime Minister of Iraq the other day said that he wants a timetable for the withdrawal of U.S. forces, the President said no, he wants Americans in Iraq indefinitely.

The calendar may say 2008, but this administration is acting like it's 1930 all over again. A journalist has just summed it up in a cartoon. There lies Saddam, and the new statue will be the logos of our five favorite oil companies.

If we ignore the lessons of history, we are doomed to repeat the mistakes of history.

THE ANGLO-IRAQI TREATY OF 1930

Treaty of Alliance between His Majesty in respect of the United Kingdom and His Majesty the King of Iraq. Signed at Baghdad, June 30, 1930.

His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, and His Majesty the King of Iraq, whereas they desire to consolidate the friendship and to maintain and perpetuate the relations of good understanding between their respective countries; and Whereas His Britannic Majesty undertook in the Treaty of Alliance signed at Baghdad on the thirteenth day of January, one thousand nine hundred and twenty-six of the Christian Era, corresponding to the twenty-eighth day of Jamadi-al-Ukhra, one thousand three hundred and forty-four, Hijrah, that he would take into active consideration at successive intervals of four years the question whether it was possible for him to press for the admission of Iraq into the League of Nations; and

Whereas His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland informed the Iraq Government without qualification or proviso on the fourteenth day of September, one thousand nine hundred and twenty-nine that they were prepared to support the candidature of Iraq for admission to the League of Nations in the year one thousand nine hundred and thirty-two and announced to the Council of the League on the fourth day of November, one thousand nine hundred and twenty-nine, that this was their intention; and

Whereas the mandatory responsibilities accepted by His Britannic Majesty in respect of Iraq will automatically terminate upon the admission of Iraq to the League of Nations; and whereas His Britannic Majesty and His Majesty the King of Iraq consider that the relations which will subsist between them as independent sovereigns should be defined by the conclusion of a Treaty of Alliance and Amity:

Have agreed to conclude a new Treaty for this purpose on terms of complete freedom, equality and independence which will become operative upon the entry of Iraq into the League of Nations, and have appointed as their Plenipotentiaries:

His Majesty the King of Great Britain, Ireland, and the British Dominions beyond the Seas, Emperor of India, for Great Britain and Northern Ireland: Lieutenant-Colonel Sir Francis Henry Humphrys, Knight Grand Cross of the Royal Victorian Order, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Knight Commander of the Most Excellent Order of the British Empire, Companion of the Most Eminent Order of the Indian Empire, High Commissioner of His Britannic Majesty in Iraq; and

His Majesty the King of Iraq: General Nuri Pasha al SA'ID, Order of the Nadha, Second Class, Order of the Istiqlal, Second Class, Companion of the Most Distinguished Order of Saint Michael and Saint George, Companion of the Distinguished Service Order, Prime Minister of the Iraq Government and Minister for Foreign Affairs; Who having communicated their full powers, found in due form, have agreed as follows:

ARTICLE 1

There shall be perpetual peace and friendship between His Britannic Majesty and His Majesty the King of Iraq.

There shall be established between the High Contracting Parties a close alliance in consecration of their friendship, their cordial understanding and their good relations, and there shall be full and frank consultation between them in all matters of foreign policy which may affect their common interests.

Each of the High Contracting Parties undertakes not to adopt in foreign countries an attitude which is inconsistent with the alliance or might create difficulties for the other party thereto.

ARTICLE 2

Each High Contracting Party will be represented at the Court of the other High Contracting Party by a diplomatic representative duly accredited.

ARTICLE 3

Should any dispute between Iraq and a third State produce a situation which involves the risk of a rupture with that State, the High Contracting Parties will concert together with a view to the settlement of the said dispute by peaceful means in accordance with the provisions of the Covenant of the League of Nations and of any other international obligation which may be applicable to the case.

ARTICLE 4

Should, notwithstanding the provisions of Article 3 above, either of the High Contracting Parties become engaged in war, the other High Contracting Party will, subject always to the provisions of Article 9 below, immediately come to his aid in the capacity of an ally. In the event of an imminent menace of war the High Contracting Parties will immediately concert together the necessary measures of defence. The aid of His Majesty the King of Iraq in the event of war or the imminent menace of war will consist in furnishing to His Britannic Majesty on Iraq territory all facilities and assistance in his power including the use of railways, rivers, ports, aerodromes and means of communication.

ARTICLE 5

It is understood between the High Contracting Parties that responsibility for the maintenance of internal order in Iraq and, subject to the provisions of Article 4 above, for the defence of Iraq from external aggression rests with His Majesty the King of Iraq. Nevertheless His Majesty the King of Iraq recognises that the permanent maintenance and protection in all circumstances of the essential communications of His Britannic Majesty is in the common interest of the High Contracting Parties.

For this purpose and in order to facilitate the discharge of the obligations of His Britannic Majesty under Article 4 above, His Majesty the King of Iraq undertakes to grant to His Britannic Majesty for the duration of the Alliance sites for air bases to be selected by His Britannic Majesty at or in the vicinity of Basra and for an air base to be selected by His Britannic Majesty to the west of the Euphrates. His Majesty the King of Iraq further authorises His Britannic Majesty to maintain forces upon Iraq territory at the above localities in accordance with the provisions of the Annexure of this Treaty on the understanding that the presence of those forces shall not constitute in any manner an occupation and will in no way prejudice the sovereign rights of Iraq.

ARTICLE 6

The Annexure hereto shall be regarded as an integral part of the present Treaty.

ARTICLE 7

This Treaty shall replace the Treaties of Alliance signed at Baghdad on the tenth day of October, one thousand nine hundred and twenty-two of the Christian Era 1, corresponding to the nineteenth day of Safar, one thousand three hundred and forty-one, Hijrah, and on the thirteenth day of January, one thousand nine hundred and twenty-six, of the Christian Era 2, corresponding to the twenty-eighth day of Jamadi-al-Ukhra, one thousand three hundred and forty-four, Hijrah, and the subsidiary agreements thereto, which shall cease to have effect upon the entry into force of this Treaty. It shall be executed in duplicate, in the English and Arabic languages, of which the former shall be regarded as the authoritative version.

ARTICLE 8

The High Contracting Parties recognise that, upon the entry into force of this Treaty, all responsibilities devolving under the Treaties and Agreements referred to in Article 7 hereof upon His Britannic Majesty in respect of Iraq will, in so far as His Britannic Majesty is concerned, then automatically and completely come to an end, and that such responsibilities, in so far as they continue at all, will devolve upon His Majesty the King of Iraq alone.

It is also recognised that all responsibilities devolving upon His Britannic Majesty in respect of Iraq under any other international instrument, in so far as they continue at all, should similarly devolve upon His Majesty the King of Iraq alone, and the High Contracting Parties shall immediately take such steps as may be necessary to secure the transference to His Majesty the King of Iraq of these responsibilities.

ARTICLE 9

Nothing in the present Treaty is intended to or shall in any way prejudice the rights and obligations which devolve, or may devolve, upon either of the High Contracting Parties under the Covenant of the League of Nations or the Treaty for the Renunciation of War signed at Paris on the twenty-seventh day of August, one thousand nine hundred and twenty-eight.

ARTICLE 10

Should any difference arise relative to the application or the interpretation of this Treaty and should the High Contracting Parties fail to settle such difference by direct negotiation, then it shall be dealt with in accordance with the provisions of the Covenant of the League of Nations.

ARTICLE 11

This Treaty shall be ratified and ratifications shall be exchanged as soon as possible. Thereafter it shall come into force as soon as Iraq has been admitted to membership of the League of Nations. The present Treaty shall remain in force for a period of twenty-five years from the date of its coming into force. At any time after twenty years from the date of the coming into force of this Treaty, the High Contracting Parties will, at the request of either of them, conclude a new Treaty which shall provide for the continued maintenance and protection in all circumstances of the essential communications of His Britannic Majesty. In case of disagreement in this matter the difference will be submitted to the Council of the League of Nations. In faith whereof the respective Plenipotentiaries have signed the present Treaty and have affixed thereto their seals. Done at Baghdad in duplicate this thirtieth day of June, One thousand nine hundred and thirty, of the Christian Era, corresponding to the fourth day of Safar, One thousand three hundred and forty-nine, Hijrah.

(L. S.) F. H. HUMPHRYS.
(L. S.) NOURY SAID.

ANNEXURE TO TREATY OF ALLIANCE

1. The strength of the forces maintained in Iraq by His Britannic Majesty in accordance with the terms of Article 5 of this Treaty shall be determined by His Britannic Majesty from time to time after consultation with His Majesty the King of Iraq. His Britannic Majesty shall maintain forces at Hinaidi for a period of five years after the entry into force of this Treaty in order to enable His Majesty the King of Iraq to organise the necessary forces to replace them. By the expiration of that period the said forces of His Britannic Majesty shall have been withdrawn from Hinaidi. It shall be also open to His Britannic Majesty to maintain forces at Mosul for a maximum period of five years from the entry into force of this Treaty. Thereafter it shall be open to His Britannic Majesty to station his forces in the localities mentioned in Article 5 of this Treaty, and His Majesty the King of Iraq will grant to His Britannic Majesty for the duration of the Alliance leases of the necessary sites for the accommodation of the forces of His Britannic Majesty in those localities.

2. Subject to any modifications which the two High Contracting Parties may agree to introduce in the future, the immunities and privileges in jurisdictional and fiscal matters, including freedom from taxation, enjoyed by the British forces in Iraq will continue to extend to the forces referred to in Clause 1 above and to such of His Britannic Majesty's forces of all arms as may be in Iraq in pursuance of the present Treaty and its annexure or otherwise by agreement between the High Contracting Parties, and the existing provisions of any local legislation affecting the armed forces of His Britannic Majesty in Iraq shall also continue. The Iraq Government will take the necessary steps to ensure that the altered conditions will not render the position of the British forces as regards immunities and privileges in any way less favourable than that enjoyed by them at the date of the entry into force of this Treaty.

3. His Majesty the King of Iraq agrees to provide all possible facilities for the movement, training and maintenance of the forces referred to in Clause 1 above and to accord to those forces the same facilities for the use of wireless telegraphy as those enjoyed by them at the date of the entry into force of the present Treaty.

4. His Majesty the King of Iraq undertakes to provide at the request and at the expense of His Britannic Majesty and upon such conditions as may be agreed between the High Contracting Parties special guards from his own forces for the protection of such air bases as may, in accordance with the provisions of this Treaty, be occupied by the forces of His Britannic Majesty, and to secure the enactment of such legislation as may be necessary for the fulfilment of the conditions referred to above.

5. His Britannic Majesty undertakes to grant whenever they may be required by His Majesty the King of Iraq all possible facilities in the following matters, the cost of which will be met by His Majesty the King of Iraq. 1. Naval, military and aeronautical instruction of Iraqi officers in the United Kingdom. 2. The provision of arms, ammunition, equipment, ships and aeroplanes of the latest available pattern for the forces of His Majesty the King of Iraq. 3. The provision of British naval, military and air force officers to serve in an advisory capacity with the forces of His Majesty the King of Iraq.

6. In view of the desirability of identity in training and methods between the Iraq and British armies, His Majesty the King of Iraq undertakes that, should he deem it necessary to have recourse to foreign military instructors, these shall be chosen from amongst British subjects. He further undertakes that any personnel of his forces that may be sent

abroad for military training will be sent to military schools, colleges and training centres in the territories of His Britannic Majesty, provided that this shall not prevent him from sending to any other country such personnel as cannot be received in the said institutions and training centres. He further undertakes that the armament and essential equipment of his forces shall not differ in type from those of the forces of His Britannic Majesty.

7. His Majesty the King of Iraq agrees to afford, when requested to do so by His Britannic Majesty, all possible facilities for the movement of the forces of His Britannic Majesty of all arms in transit across Iraq and for the transport and storage of all supplies and equipment that may be required by these forces during their passage across Iraq. These facilities shall cover the use of the roads, railways, waterways, ports and aerodromes of Iraq, and His Britannic Majesty's ships shall have general permission to visit the Shatt-al-Arab on the understanding that His Majesty the King of Iraq is given prior notification of visits to Iraq ports.

F.H.H.
N.S.

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

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

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

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

TROUTMAN INDEPENDENCE DAY PARADE

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from North Carolina (Ms. FOXX) is recognized for 5 minutes.

Ms. FOXX. Last week, when I was home in North Carolina, I enjoyed celebrating our American freedom and independence in several parades and celebrations. One of the highlights of the many celebrations was the town of Troutman, North Carolina's Fourth Annual Independence Day Parade.

Thanks to the leadership of Parade Committee Chairman Dennis Cleary and members of the Marine Corps League Detachment 1091, as well as Troutman Mayor Elbert Richardson and many local citizens, this celebration was a tremendous display of American patriotism.

More than 200 Vietnam veterans served as grand marshals for this year's parade, as they led attendees through the streets of Troutman to the loud applause and cheers of their fellow citizens who welcomed them home with yellow ribbons tied along the parade route.

Many local organizations participated in this one-of-a-kind parade, led by many members of North Carolina's Rolling Thunder chapters, such as Ross Moore; North Carolina Rolling Thunder Chapter 2 from Statesville led by Chapter President George ''Mike'' Keller, a U.S. Army Vietnam veteran; North Carolina Rolling Thunder Chapter 6 from Winston-Salem led by Chapter President Bob Penn, a U.S. Marine Corps Vietnam veteran; as well as many veterans from the local American Legion, the local Veterans of Foreign Wars, and the local Disabled American Veterans.

It was an honor to join one of America's true heroes in the parade, Medal of Honor recipient Rodolfo P. Hernandez. Parading through Troutman with heroes like Mr. Hernandez is a poignant reminder of why it has been such a pleasure to participate in the celebration for the past 4 years. After all, this is a celebration of what makes America great: Our love for liberty and willingness to make great personal sacrifice for the cause of liberty.

I thank also all those who worked behind the scenes to make this annual parade another great success. I give a special thanks to our veterans and current service men and women, without whom we would have little to celebrate this year. Their sacrifices are not forgotten and must not be overlooked as they put their lives on the line each day to secure our freedoms. We are the land of the free because they are the brave.

God bless our military men and women and God bless America.

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.)

PANIC AND THE ENERGY CRISIS

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Minnesota (Mrs. BACHMANN) is recognized for 5 minutes.

Mrs. BACHMANN. Mr. Speaker, we are at what I think is a very refreshing moment of clarity on the national energy debate that is occurring right now in hamlets and towns and villages all across the United States. We have captured people's attention because we really are at a crisis point because, at least in my district, the Sixth District of Minnesota, people are paying close to $4 for a gallon of gas. I know that the national average is at about $4.11 a gallon. It's at historic highs and people are frantic.

When I was home over the break, I had met with people from all aspects of dealing with the energy issue. In particular, I met with some car dealers and they told me that people come into the dealership, this was Morrie Wagner Chevrolet, and they told me that they have people literally coming into the store with panicked looks on their faces saying, Take my truck, take my SUV. It's a new car. Take my minivan. It's new. We still owe quite a bit of money on it but we can't afford to drive this thing. Sheer panic and trying to find anything else because they just don't know how much higher prices are going.

□ 1930

But I say that we are at a refreshing point in this debate for this reason: We have clarity right now on the debate that we have never had before. Frankly, I have been baffled; baffled by how are we going to be able to get us back to $2 a gallon gasoline or less? And I mean that sincerely. I know that we can be at $2 a gallon again.

It wasn't that long ago when I took office, 18 months ago. I am a first-termer in Congress, Mr. Speaker. When I came in, gas was $2 and change a gallon. Think of that. Eighteen months ago, gas was $2 and change, and here we are topping out at over $4 a gallon gasoline.

What happened in that amount of time, when we have seen a 76 percent rise in the price of gasoline? What happened? We have seen worldwide demand go up and up and up, so that worldwide demand exceeds the amount of supply. That has fed into the price going up and up and up.

Well, what do we do to deal with that? We need to get more supply so we can get the price down. Why isn't that happening? It is really clear to me now. And I was baffled about this. I couldn't believe it, but it is absolutely true.

The Democrats' position so far, Mr. Speaker, has been drive less, pay more. That is where they are coming from. I find that really hard to believe. I grew up a Democrat in a Democrat home, and I thought that just can't be. It defies commonsense. Drive less, pay more? That is your plan?

Well, that isn't just some Republican saying that. That is the Democrats' own words. There was just an aide of the Democrat leadership that just came out and said, ''This is what our plan is: It is drive small cars and wait for the wind.'' That is actually true. This was not a tongue in cheek remark. It is ''drive small cars and wait for the wind.'' Well, I don't know about you, but I think Members of Congress are going to be gone with the wind if we don't do something about the price of gasoline to bring it down again.

Not only that, I was reading on the Hill from Roll Call newspaper and another Democrat leadership aide had this to say: They said that the majority is confident they would be able to defeat the offshore drilling amendment.

Now, just think of that for a moment, Mr. Speaker. The Democrats are confident they would be able to defeat the offshore drilling amendment, which means what are we supposed to do for energy? We have got to go get it. We have got to drill for it. They want to kill being able to drill offshore to bring on line the energy that we need so we

can get the American people back to $2 a gallon and so we can get the economy back on track. But they are confident that they can kill this bill.

They have no intention of bringing more energy supplies on line. In fact, this aide was quoted as saying, ''We have defeated that amendment before, and we will defeat it again.'' They are proud of it. They admitted, at least I give them credit for that, yes, it is true, the Democrats are responsible for defeating drilling to get the energy that we need, and they are confident they are going to defeat it again.

It is almost unbelievable to me, because, as this chart says, what we need to do is bring it on. If we are short on energy, we need to bring it on. We need to bring the onshore oil on line, we need to bring the offshore oil on line, and the new refineries on line, because we are the Saudi Arabia of oil. We have more oil in three States, Utah, Colorado, Wyoming, we have more oil in those three States than all of Saudi Arabia. We have 25 percent of the world's coal in this country. We can be the Saudi Arabia of coal. We have more natural gas. We have 420 trillion cubic feet of natural gas in the Gulf of Mexico, and we can't get it.

Now, why is that? It is because of Congress. Congress created this problem. We are about the only country in the world that has made it illegal to access our own energy. Congress created this problem. Congress can solve this problem by making it legal to access our own energy reserves.

Well, that can't be done. We hear, Mr. Speaker, from the Democrat presidential nominee, Senator OBAMA, it will take 20 years before we can get any of this energy on line. Are you kidding? That is balderdash, so-to-speak. Of course, we can.

I have a bill that I am introducing this week that will fast track the permitting so we can have the Secretary of the Interior start immediately to get it online. We need to do this, the American people want us to do this, and we can get back to $2 a gallon gas.

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

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

THE CARMELO RODRIGUEZ MILITARY MEDICAL ACCOUNTABILITY ACT OF 2007

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

Mr. HINCHEY. Mr. Speaker, I would like to bring to your attention the circumstances of Sergeant Carmelo Rodriguez and the series of extraordinary mistakes the military made which led directly to his death.

In 1997, when Carmelo Rodriguez enrolled in the Marines, a physical performed by U.S. military staff concluded that Carmelo Rodriguez had melanoma present on his right buttock. No action, however, was taken.

In March of 2000, Carmelo marked ''no'' on a medical report indicating he was not aware of his melanoma.

On February 5, 2003, during a prescreening for foot surgery, another military doctor made note of a so-called ''birthmark'' present on his right buttock. Again, no action was taken.

During March of 2005, while Carmelo was deployed in Iraq, he saw another military doctor for a growth or sore on his buttock. He was told to keep it clean and visit the doctor again when he got back to the United States, which would be 5 months later.

On November 11, 2005, Carmelo saw the same doctor and was directed to dermatology to have the so-called birthmark removed for cosmetic purposes.

The next year, several months later, April 2006, while several referrals were ''lost in the system,'' Carmelo's so-called birthmark was bleeding and pussing constantly. He finally succeeded in seeing an appropriate doctor and was told he had stage III malignant melanoma.

Carmelo had three surgeries, received radiation and chemotherapy, but it was too late. The cancer had spread to his lymph nodes, to his liver, kidney and stomach, throughout his body. The doctors told him that if it had been caught earlier, it would have made a big difference.

Carmelo Rodriguez was a young, strong man and a dedicated member of the Armed Forces. At the age of 29, he died of a skin cancer that should have been caught much earlier by the military he was counting on. He left behind a family who loved him deeply, including his 7-year old son.

His family, like so many service men and women and their families, have been left with many unanswered questions. How could the military health system fail in such a significant and painful way? Why, after such a critical failure in health care, has the military not conducted and completed a full investigation into the circumstances that led to Carmelo's death? And how could it be possible that of all Americans, members of the military and their families are left no recourse in the face of such medical negligence?

In California, the wife and two small children of Staff Sergeant Dean Witt want to know why the military can't be held accountable when he died after routine appendicitis surgery.

Christine Lemp, whose husband, James, died after receiving questionable medical care for a stomach virus in Missouri, deserves to know why there is no recourse to holding the military accountable for his death.

Eight National Guardsmen and their families from New York City deserve answers in the face of the medical negligence that occurred after their exposure to depleted uranium.

The Feres Doctrine was a ruling by the U.S. Supreme Court nearly 60 years ago that denies service men and women the ability to hold the military accountable for acts of negligence, including medical malpractice. Under the Federal Tort Claims Act, Federal prisoners and even illegal aliens in the United States have the ability to seek damage from the Federal Government for medical malpractice, but members of our Nation's military still do not.

What I have done is crafted a piece of legislation to allow members of the military to seek just recourse in cases of military medical malpractice. This bill is about holding our military accountable for its actions and for its responsibility to our military members.

Carmelo's situation and this legislation speak directly to the fact that our military, including the military's health system, is spread thin by the occupation of Iraq. Our military is facing shortfalls of doctors, nurses and other health care staff across-the-board. This highlights just one of the many consequences of the decision to invade Iraq on false pretenses.

Service men and women must be on equal footing as all American civilians. I think Americans will agree that anything to the contrary contradicts the fundamental principles of our Nation. As a military veteran and Member of Congress, I believe we must match the dedication and sacrifice of our soldiers with the adequate health care they deserve and a fair avenue of recourse in the case that they do not receive that adequate health care.

I am hopeful that my colleagues will also agree and join me in support of the Carmelo Rodriguez Military Medical Accountability Act of 2008.

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

(Mr. SHERMAN 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 New Jersey (Mr. GARRETT) is recognized for 5 minutes.

(Mr. GARRETT of New Jersey 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 Illinois (Mr. WELLER) is recognized for 5 minutes.

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

EXPRESSING SUPPORT FOR MIDWEST FLOOD AND TORNADO VICTIMS AND APPRECIATION TO THOSE WHO HAVE HELPED

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

Mr. LOEBSACK. Mr. Speaker, I rise today to express my sincere sympathy for individuals and families in my district, people across Iowa and throughout the Midwest who have experienced and in some cases are still experiencing severe flooding, record-setting water levels and other threatening weather conditions, including the tornadoes that swept through Northeast and Western Iowa. My thoughts are also with those individuals and families who are beginning the difficult task of assessing the extreme damage to their homes and businesses and just now starting the recovery process.

To date, the Governor of Iowa has issued emergency declarations for 86 of 99 Iowa counties and the President has declared 78 of those counties major disaster areas. Despite these dire circumstances, just days ago when back in my district, I saw home and business owners who saw their life's work washed away come together to rebuild a stronger and a better community. I was especially moved by a business owner whose company had been damaged. He was in tears talking about the situation, but his only concern was for his employees, their families and their homes.

The storms have devastated much of the Midwest, but Iowans and other Midwesterners have not lost their enduring spirit. I am extremely thankful to the thousands of volunteers who have sacrificed their free time to help their neighbors in these difficult times. I have spent time myself helping with the flood fighting and cleanup efforts and have been touched by the intensity and the commitment of the residents and volunteers, despite the circumstances. I commend them for their perseverance.

I am also extremely thankful for the hard work of Iowa's Governor's Office, local city officials, first responders, Iowa Homeland Security, the Departments of Human Services, Agriculture, Natural Resources, Public Health and Transportation, the Incident Management Team and the Iowa Insurance Division.

The U.S. Army Corps of Engineers Rock Island Division has also been an integral partner in the flood response efforts, as well as the Federal Emergency Management Agency, the Small Business Administration and the Red Cross in their response and assistance.

The Iowa National Guard deserves special attention. Many of these servicemembers had already served their country overseas in Iraq or Afghanistan in combat roles. Now they were called upon to perform their domestic function of helping tens of thousands of Iowans battle the raging floodwaters.

□ 1945

These men and women deserve our gratitude and respect. Through the cooperation and bipartisan work of the House and Senate, the delegations of the affected States, the Appropriations Committees, and the party leaderships, we were able to provide a meaningful down payment of Federal assistance for the victims of this immense natural disaster. I want to thank all of you for your support so far, especially those colleagues who have offered their sympathy and assistance to me and my district personally. We have only just begun to assess the magnitude of damage in Iowa and across the Midwest.

As the recovery process continues, I hope the House and Senate will continue to work together in a bipartisan fashion to address the needs of individuals, families, communities, and businesses in all the affected States. I remain committed to working together to necessary Federal support to my fellow Iowans.

The road to recovery for Iowa and other Midwestern States will be long and difficult, but the commitment of local, State, and Federal Governments, combined with the steadfast resiliency of our Midwest families, will enable our communities to rebuild, move forward, and thrive once again.

HIGH ENERGY PRICES

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

Mr. STUPAK. Mr. Speaker, the price of crude oil has doubled over the past year. Oil is now at $136 a barrel, gasoline is at $4.11 a gallon, diesel prices are at $4.73 a gallon. As a result, citizens and industries across Northern Michigan and our great country are hurting. Airlines are eliminating service to 100 cities, laying off thousands of workers, and projecting up to $13 billion in losses due to jet fuel price increases that cannot be passed on to consumers. Truck drivers are going out of business, and many more are just parking their trucks because they actually end up losing money after paying so much money for diesel. Loggers and farmers face increased costs at all stages of their operations, from planting and harvesting, to transporting their product to market. As a result, high energy prices have caused significant increases in the cost of food.

There is no way to justify the doubling of oil prices based simply on supply and demand. And despite the false promises by the minority party here in Congress, Democrats in Congress are addressing the energy issues. We are looking for more areas to begin immediately drilling for oil, conservation of energy, passing gas price gouging legislation, and ending excessive speculation in the energy futures trading market.

The Government Accountability Office found that the volume of trading in energy commodities has skyrocketed, specifically after the Enron loophole was enacted in 2000. The Government Accountability Office also found that, while trading has doubled since 2002, the number of Commodity Futures Trading Commission staff monitoring these markets has actually declined.

Between September 30, 2003 and May 6, 2008, traders holding crude oil contracts jumped from 714,000 contracts to more than 3 million contracts. This is a 425 percent increase in trading of oil futures in less than 5 years. Since 2003, commodity index speculation has increased 1,900 percent, from an estimated $13 billion to $260 billion. The 1,900 percent increase in commodity index speculation has inflated the price of crude oil by approximately $37 a barrel. Other experts estimate it could be even more.

On June 23, 2008, the Oversight and Investigations Subcommittee that I chair held a hearing on the effects speculators have on energy prices. This was the sixth hearing that the Energy and Commerce Committee has held on gas prices over the past 2 years. Fadel Gheit, managing director and senior oil analyst at Oppenheimer & Company, testified that, ''I firmly believe that the current record oil price in excess of $135 per barrel is inflated. I believe, based on supply and demand fundamentals, crude oil prices should not be above $60 a barrel.''

In 2000, physical hedgers, businesses like airlines that need to hedge to ensure a stable price for fuel in future months, accounted for 63 percent of the oil futures market. Speculators accounted for 37 percent. By April of 2008, physical hedgers only controlled 29 percent of the market. What we now know is that approximately 71 percent of this market has been taken over by swap dealers and speculators, a considerable majority of whom have no physical stake in the market. Over the past 8 years, there has been a dramatic shift as physical hedgers continually represent a smaller and smaller portion of the market.

The New York Mercantile Exchange, NYMEX, has granted 117 hedging exemptions since 2006 for West Texas Intermediate crude oil, many of which are for swap dealers without physical hedging positions. This excessive speculation is a significant factor in the price Americans are paying for gasoline, diesel, and home heating oil.

In May 2008, the International Monetary Fund compared crude oil over the past 30 years to the price of gold. Gold prices are not dependent on supply and demand, and have been viewed as a highly speculative commodity. The IMF analysis shows that crude oil prices track increases in gold prices.

What this means is that oil has been transformed from an energy source into a financial asset like gold, where much of the buying and selling is driven by speculators instead of producers and consumers. Oil has morphed from a

commodity into a financial asset, traded for its speculative value instead of its energy value. Even the Saudi oil minister has argued that high oil prices are due to excessive speculation in the markets.

As former Secretary of Labor Robert Reich noted on National Public Radio a few weeks ago, the problem is the government's failure to curb excessive speculation.

There are significant loopholes that exempt energy trading from these protections against excessive speculation: The Enron loophole, the Foreign Boards of Trade No Action letters, the Swaps loophole, and the Bona Fide Hedging Exemption. While the recently passed farm bill addressed the Enron loophole for electronic trading of natural gas, a significant portion of the energy trading continues to be exempt from any Commodity Futures Trading Commission action to curb excessive speculation.

For 3 years, I have looked into excessive speculation in the energy markets. My latest bill, the PUMP bill, H.R. 6330, would end all of these exemptions to ensure that excessive speculation is not driving up these markets beyond the fundamentals of supply and demand.

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

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

ABORTION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from New Jersey (Mr. SMITH) is recognized for 60 minutes as the designee of the minority leader.

Mr. SMITH of New Jersey. Mr. Speaker, I rise tonight to ask a very serious question: Why is Congress, why are we, subsidizing the abortion industry?

Most Americans, I suspect, probably have no idea whatsoever that our tax dollars have enabled abortionists to establish and to run hundreds and hundreds of abortion mills throughout America. Indeed, America's biggest abortion chain is Planned Parenthood. Each year, approximately 290,000 children are aborted in Planned Parenthood clinics. Each year, Planned Parenthood gets more than $335 million in taxpayer funds, including huge amounts from the Department of Health and Human Services' title X program. Tragically, as their business grows, and they now have some 850 clinics and they have embarked on a building binge, and this chart clearly shows that as the taxpayer funds go up, the number of abortions go up because more venues are then provided to destroy the unborn child.

It may come as a surprise to at least some of my colleagues and the American people that the babies lost and women wounded by abortion are disproportionately African American and Hispanic. A study in 2005 found that 62 percent of Planned Parenthood abortion mills are located in African American communities. And when Hispanics are included, that percentage rises to over 70 percent. Of course, every human life is sacred regardless of race, gender, disability or condition of dependency. Every human life is of infinite value. But the disproportionate number of minorities who are aborted in Planned Parenthood clinics begs the question.

Two weeks ago, Dr. Alveda King, niece of the late Dr. Martin Luther King, said here in Washington, ''Defending human life is part of the civil rights struggle.'' She said, ''We are uniting civil rights and moral rights to fulfill the dream of what my uncle called the beloved community.'' She goes on to say that ''America needs to know that black leaders do support life. We start where life begins, with the babies, and we will march until abortion, racism, and all of society's ills bow to the truth that we are all one race.''

Dr. King, who has had two abortions herself, now boldly speaks out for both victims of abortion, the unborn child and his or her mother. She has said, ''The government should not be subsidizing racism, but that is exactly what it's doing through Planned Parenthood.''

Mr. Speaker, it is time, it is long past time, for us to take a serious, and for some a second, look at Planned Parenthood, its origins, and the fact that since 1973, the year the U.S. Supreme Court issued its infamous Roe v. Wade decision and legalized abortion, that approximately 4.5 million babies, disproportionately African American and Hispanic, have died in Planned Parenthood clinics.

It is time to look past the slogans and the rhetoric and the cheap sophistry, the euphemisms that are used to mask and to cloak this deed that kills a child. Abortion is big business and it is destroying the next generation of Americans, and you and I, Mr. Speaker, are subsidizing it.

Tragically, the seemingly benign Planned Parenthood, which works overtime to market its image and its brand, is in the grisly business of dismembering the fragile bodies of unborn children with chemicals, sharp knives, and hideous suction machines that are 25 to 30 times more powerful than a vacuum cleaner used at home. Planned Parenthood ought to be known as Child Abuse, Incorporated for the large number of children, 4.5 million, that it has already killed and continues to kill all while being subsidized by American taxpayers. This is not a business of healing or nurturing or caring. This is a business of destroying the most vulnerable and weakest members of our society.

For Planned Parenthood, business is good. Violence against children pays handsomely. In 2006, it actually increased the number of abortions it performed by nearly 25,000, while abortions nationwide were in decline, for a total of 289,750, a new pathetic record of kids killed even for Planned Parenthood. For so-called medical abortions, Planned Parenthood quotes prices from $350 to $650. For surgical abortions, they earn $350 to $900 apiece. These fees for so-called ''services rendered'' boosts the bottom line of this big business.

To put the annual number of child deaths in perspective, I ask my colleagues and the American people to picture this: 71,000 fans filled the University of Phoenix stadium to watch the Super Bowl this past February. It was a great game, my team won, the Giants. But the number of unborn babies whose lives were taken from them before they could take their first breath by this one corporation in one year could have filled that enormous stadium more than four times over. Planned Parenthood is now responsible for committing more than one out of every five abortions performed in the United States of America.

If the number of abortions performed alone doesn't convince you of Planned Parenthood's agenda, just compare it with other services it provides to pregnant women. Planned Parenthood, they have got the word ''parenthood'' in their slogan, in their name, but they provided a mere 11,000 clients with prenatal care. You walk into what is called a Planned Parenthood clinic, and you would expect to walk out with a baby, but prenatal care is not something they put an emphasis on. That is a ratio of one parent to every 26 women who lose their children to abortion. After it was revealed that Planned Parenthood had referred a meager 1,414 clients to adoption services in 2004, Planned Parenthood stopped reporting this miniscule adoption referral number. So, again, those children who go to abortion clinics with their mothers, in utero that is, don't walk out as potential adoptees.

□ 2000

To me, Mr. Speaker, this record doesn't seem to be that of an organization dedicated to preserving women's choices. I might add that these tiny lives are being extinguished. There are thousands of American families waiting to adopt, and we all know that. There are upwards of 2 million families who would love to adopt, but unfortunately, the babies are aborted.

Finally, if that is not enough, this so-called ''pro-choice'' organization does everything within its power and massive budget to prevent women from knowing all of their options and from being certain that their choices are truly informed.

Let's not forget that Planned Parenthood lobbies this Chamber and the Senate and, certainly, in each legislature throughout the country, and they litigate and litigate and bring court cases

over and over again in all of the States, against virtually every child protection initiative at both the State and Federal levels, including that of parental notification, spousal notification, women's right-to-know laws, informed consent laws—which actually bring down the numbers when women get the booklet and are informed about the growth and about the development of their child as well as about deleterious effects to their health—waiting periods, partial-birth abortion, the Unborn Victims of Violence Act, statutory rape reporting laws, and of course, abortion funding bans.

Can we trust Planned Parenthood? They say their vision is to be the Nation's most trusted provider of sexual and reproductive health care. This is from an organization that targets minorities, that performs millions of abortions and barely even attempts to help women carry the babies to term. Reproductive health should include, not exclude, babies.

Mr. Speaker, the truth about Planned Parenthood's long, systematic destruction of vulnerable human life, at long last, must be brought to light. The cover-up must end.

I would like to yield to the distinguished gentleman from Pennsylvania (Mr. PITTS) for 5 minutes.

Mr. PITTS. Thank you.

Mr. Speaker, I rise today to highlight the practices of an industry that are characterized by death, deception and depression—the abortion industry—and that's just what it is, an industry.

Since 1973 and the infamous Roe v. Wade decision, 50 million unborn babies have been lost. Abortion has burgeoned into a thriving industry. At the average cost of hundreds of dollars per abortion, the abortion business is a billion-dollar-a-year industry in the United States. It's even bigger than that internationally, and the American taxpayer subsidizes it. Abortion providers continue to receive hundreds of millions of dollars of taxpayer funds every year. The U.S. Government subsidizes this industry every year in every budget.

Planned Parenthood has emerged at the front of this big business as one of the top abortion providers in the country. Two years ago, this not-for-profit organization posted record-breaking profits. Last year, it reported even higher profits, but at whose expense does this profit come? It's at the expense of helpless unborn children, young girls and women.

While the government continues to provide a slush fund for abortion providers, a mother mourns the loss of her child; siblings grieve their unborn brother or sister, and grandparents lament the grandchild who was taken from them. My own words could never fully capture the pain that has been meted out by the hand of the abortion industry. So, instead of sharing my own thoughts, I'll give voice to the stories of so many who have been silenced by the powerful abortion lobby.

One woman tells the story of how she was routinely raped by her father. When she was 16, he forced her to have an abortion at a Planned Parenthood clinic in Cincinnati where she reported the abuse to the staff. However, the staff chose not to report her case to law enforcement. It was not until the girl told a school counselor that the authorities were notified so that they could intervene and rescue her.

The bottom line is that abortion clinics are habitually covering up abuse by failing to report statutory rape, and we are funding those clinics with title X money. We must stop funding clinics that facilitate abuse and that cover up crimes against children.

Another woman from Nebraska recently filed a lawsuit against Planned Parenthood after undergoing an abortion that resulted in the perforation of her uterus and in a severe loss of blood. According to reports, the abortion practitioner began the procedure with a shot in the woman's uterus, and she immediately complained of severe pain. She told the practitioner to stop, but he allegedly replied ''We can't stop.'' The woman was then restrained by three Planned Parenthood employees while the practitioner completed the abortion. She experienced severe pain, bleeding and three seizures by the time she arrived at the hospital. A hospital report stated that her uterus was perforated during the abortion and that doctors had to perform an emergency hysterectomy because of the severe damage to her body. The doctors later said that the botched abortion could have killed her.

The abortion industry makes false claims that abortion is harmless and that it is a simple procedure. They often use safety as a talking point for legalization. However, the truth is that abortion, legal or not, is a risky procedure that carries potentially serious side effects for the health of the woman. Unfortunately, the deceit does not end there. The abortion lobby denies the reality that abortion has a very powerful and lasting emotional impact on most women, but real human stories decry this lie. Again, I'll share not my words but the stories of those who've experienced the pain themselves.

A 14-year-old girl writes ''This was something I really never thought I'd go through, something I don't want anyone else to have to go through. I did not feel a thing physically, but emotionally, I'm scarred for life. The day it came, I was so upset: the last time I could sing or talk to my baby again. Not even a day after, I'm already regretting it, just sitting here, wondering what he or she would have become.''

While we continue down the path of deception, women continue to suffer. I hope, during this hour, we might remember the lives of those who could have been. We might remember the lives of unborn children who are lost. We might remember the lives of women and families who carry hurt and pain from an experience that they were told would be harmless.

Organizations like Planned Parenthood claim to work to reduce abortions, but ironically, they remain the top abortion provider in the country. Every Federal dollar to support abortion providers is a dollar to help the abortion industry flourish at the expense of women, of young girls and of unborn children.

As the chairperson of the Feminists for Life, Frederica Mathewes-Green once said, ''An abortion wounds a mother's heart. They will never recover from the grief of an abortion. There are always two victims within an abortion—the baby and the mother—one wounded, one dead.''

Mr. Speaker, the taxpayers deserve to know that their hard-earned dollars supposedly destined for family planning services are being used to subsidize the abortion industry. I urge my colleagues to oppose Federal funding for abortion providers and to support the Title X Abortion Provider Prohibition Act.

I thank the great leader in the pro-life movement here in the House, CHRIS SMITH, for leading this hour. Like my hero, William Wilberforce, the British parliamentarian who led the abolition movement in Britain because he was against slavery, CHRIS SMITH and other pro-life leaders here tonight are leading the pro-life movement because we're against abortion.

I yield back the balance of my time.

Mr. SMITH of New Jersey. I thank my good friend for his very eloquent statement, and I thank him for his leadership. This is the human rights issue of our time, and it's about time people recognized it as a human rights issue.

I yield 5 minutes to the distinguished gentleman from Indiana (Mr. PENCE).

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

Mr. PENCE. I thank the gentleman for yielding.

I'm pro-life. I don't apologize for it. I believe that the sanctity of life is a central axiom of Western civilization.

Let me say, as we gather this evening under the leadership of the chairman of the Pro-Life Caucus here in the House of Representatives, Mr. Speaker, we are not really gathered this evening to debate the sanctity of life. We're really gathered tonight to shed light on a fact about Federal funding that, I think, escapes most Americans, and that is this simple fact:

That the largest abortion provider in America is the largest recipient of Federal funding under title X.

You know, when I'm walking down the street in Anderson, Indiana or in Muncie, Indiana, people know about my work on this particular issue. With the legislation I authored last summer during the appropriations process that received 189 votes to defund Planned Parenthood, one person after another will grab me by the elbow and will say,

''Mike, I did not know. I did not know that we gave a penny to the largest abortion provider in America, let alone the fact that the largest abortion provider in America, namely Planned Parenthood, is the largest recipient of Federal funding under title X.''

I mean the truth is that there has been much debate since 1973 and the decision of Roe v. Wade about the sanctity of life and the fault lines of the law and life, but where there has been national consensus since the very early days of this debate when a Congressman from Illinois named Henry Hyde conceived of the Hyde Amendment, there has been a national consensus behind the notion that, whatever your view of abortion, it is simply morally wrong to take the taxpayer dollars of millions of Americans who believe abortion is morally wrong and use it to pay for or to subsidize the performance of or the promotion of abortion.

The Hyde Amendment gave birth to what has been the dominant philosophy in our foreign aid funding. It's called the Mexico City Policy. It essentially says that no U.S. foreign aid can go to any organization that performs or that promotes abortion as a means of birth control.

You know, Madam Speaker, I really think many Americans think that that's the law here at home, too, that because the overwhelming majority of Americans think that pro-life Americans should not be forced to pay for abortions or to subsidize organizations that promote abortion, they think it doesn't happen here, when, in fact, let me say again that the largest abortion provider in America is the largest recipient of Federal funding under title X.

Now, abortion-rights advocates and, most especially, Planned Parenthood would be the first to step forward to say that they don't use title X family planning money to perform abortions. In fact, there are very strict Federal regulations that are in place that require a separation between Planned Parenthood abortion service clinics and Planned Parenthood title X clinics for the poor. I suppose, while there have been instances of alleged misfeasance and of the commingling of funds, I'll leave that completely out of this conversation and will allow for the fact that there is this separation, but I've got to tell you, Madam Speaker, that anybody knows that the money that Planned Parenthood receives for its non abortion activities frees up resources to go into its abortion activities.

The American people also deserve to know that this nonprofit organization received over $336 million in government grants and contracts, I think, in 2006. It had an excess of revenue over expenses of $56 million in 2005, and it had $112 million in 2006, which has given rise to the building spree that was reported on page 1 of the Wall Street Journal. Well, now Planned Parenthood is planning to go suburban with all new up-scale abortion mills around the country. So I commend the gentleman from New Jersey for bringing this conversation to the floor.

I authored a bill last year in the Labor-HHS legislation that would have denied any Federal funding in title X from flowing to Planned Parenthood of America, and it received 189 votes, including 20 Members of the majority voting for it. If Congress ever got around to considering the Labor-HHS appropriations bill this year, I sincerely believe that that number would grow as public awareness has grown about the simple fact that the largest abortion provider in America, Planned Parenthood, is the largest recipient of Federal funding, and that ought not to be.

Whatever a person's view of abortion is, it is my hope—and frankly, it is my prayer—that this Congress will come together in a bipartisan way and will implement a domestic Mexico City Policy and will say to the millions of Americans, to the hundreds of millions of Americans, perhaps, who have moral objections to abortion, we will not take your tax dollars and use it to subsidize the largest abortion provider in the United States of America. That's all we're here to talk about today.

I urge my colleagues to reflect deeply on the fundamental fairness of this issue and to support the Title X Abortion Provider Prohibition Act that would bring a change to the law. In the appropriations cycle, if we ever get around to it in this Congress, let's take decisive action to defund Planned Parenthood, not cut a dime out of title X and its family planning programs, but let's say no more Federal tax dollars to the largest abortion provider in America.

I yield back the balance of my time.

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Mr. SMITH of New Jersey. I want to thank my friend for his eloquent statement.

I yield to MICHELLE BACHMANN such time as she may consume, and I understand some of the other Members may want to ask you to yield for a colloquy or for some comments.

Mrs. BACHMANN. Absolutely. Thank you, Mr. Congressman.

I'll be referring to an article that came out. It's a shocking article that many of us in this Congress read just a few weeks ago, and I commend the American people to pick this up on the Internet or go find it at your local library. June 23, 2008, the Wall Street Journal newspaper, it's on page 1. It's an article by Stephanie Simon called ''Abortion Provider Goes Upscale. Aid For Poor Questioned.'' And here is the bottom line of this article.

It exposes the fact that Planned Parenthood, a 501(c)3 organization, which is a nonprofit organization—in other words, Planned Parenthood pays no taxes. They don't have to pay taxes because they're considered a nonprofit. This nonprofit is big business. It was started back in 1916 by Margaret Sangar, a woman who promoted eugenics, and this organization has now become a big box retailer, big abortion, in other words. It is a big retailer. And it brought in, get this, $1 billion in revenues—$1 billion in revenues.

Not only does this organization not pay taxes like other businesses do, but they receive in that $1 billion, almost one-third of what they receive comes in the form of your tax money, Federal tax money, State tax money. But get this: they receive almost $1 billion, according to this article, in annual revenue, one-third of that coming from Federal and State grants to care for women. The nonprofit ended the year with a surplus of a $115 million.

So they had your money, your money that you're paying in taxes. They had an extra $115 million cash on hand at the year end. A $1 billion budget, and they had that much cash on hand, about 11 percent of its revenue, net assets of $952 million, almost a billion dollars in net assets.

So the article asks, Why are we giving them so much money? That's exactly right. Why are they receiving, as Congressman MIKE PENCE asked, why are we giving them so much tax money? They have 882 clinics Statewide, and they quietly dropped their statement that said no matter what a person's income, we're going to be helping those people.

Well, let me tell you, they've made a decision, Planned Parenthood, that they are going to go after the affluent. How do I know that? It's happening in my district, and it was detailed in this article. It said three express centers in wealthy Minnesota suburbs and shopping centers and malls, places where women are already doing their grocery shopping, picking up their Starbucks, living their daily lives.

Do we understand what this is? This is to promote women, to promote that woman intentionally take the lives of their unborn children. We are asking God-fearing Americans to subsidize this brutal and bloody procedure on a regular business in upscale shopping malls all across the United States.

Not only are they not paying taxes, but we are giving them over $330 million a year to do this dastardly deed. And when they do this, do you realize they could take this money and they can use it for political functions? I don't know how this works. What a game. Who wouldn't want to get in on this?

And all across the country, we have very poor, struggling life care centers, organizations that are trying to give positive alternatives to women. They don't get these grants. They don't get them. They get local donations to try to help women make a decision about saving lives and choosing life.

I just want to end with the fact that if we can agree on nothing else, it should be that the United States taxpayer shouldn't have to pay taxes to an organization that uses your money to

politicize, yes, in upcoming elections candidates who give them more of your tax money. This is unconscionable.

And I look so forward to hearing what our colleagues are going to have to say to the American people about this gross injustice. You bet we should defund Planned Parenthood. We should take away their tax fund and we should defund.

Mr. HENSARLING. Would the gentlelady yield?

Mrs. BACHMANN. Absolutely.

Mr. HENSARLING. I want to thank her for bringing this article in the Wall Street Journal, one of America's largest newspapers, to the attention of this body; and obviously it is fascinating for us to discover that the single largest provider of abortion in the Nation, Planned Parenthood, I believe performing one out of five abortions in America, has now planned, according to the press, a rebranding campaign to appeal to women of means.

I quote from the article, A move that opens new avenues for boosting revenue and they hope political clout.

And as I understand from the gentlelady from Minnesota, as I read through this article, that their political action arm plans to raise $10 million to influence the fall campaign; and as they take the lives of almost 300,000 innocent children, not only is the American taxpayer being asked to subsidize this horrid, this gruesome procedure that so many in America consider to be absolutely immoral, then to top even more indignity on the act they're going to turn around and use money and come back to Congress and ask for even more.

Do I understand that correctly?

Mrs. BACHMANN. You absolutely do. That's exactly what the article says. In fact, it goes on to say that it's the Federal tax law that has caused this tragedy.

I'm a former Federal tax litigation attorney, and this is absolutely true. This is what our tax code allows. In fact, Planned Parenthood, who plans to raise the $10 million, as the gentleman from Texas said correctly, they can take that money that we taxpayers are giving them to mobilize voters and advocate on issues such as abortion rights and sex education in schools.

Life care centers don't get that advantage, but people who advocate for the destruction of innocent human life get this money.

Mr. HENSARLING. And if the gentlelady will yield again, I see in the same article that as the taxpayers have to subsidize all of these abortions, that Planned Parenthood are updating their clinics to, Have a contemporary, fun, and lively look with a new color pallet that includes pink, orange, and teal.

Can the gentlelady enlighten me what is contemporary, fun, and lively about the abortion industry?

Mrs. BACHMANN. As the gentleman knows, there is nothing fun about an abortion. In fact, for many women, they are forced into abortion by a boyfriend who says they'll leave them, by parents who say, What an embarrassment. And women, often against their own desires, are forced into getting an abortion when they don't want to.

Mrs. SCHMIDT. Could you both yield on that? Because I do want to talk about that.

This is something that's happened in my district at least on two occasions. You know, in 1997 it came to light the title X grantees were not reporting rape, incest, sexual abuse, child abuse, and molestations. In response, Congress rightfully included language in the 1999 Labor HHS bill to appropriately clarify that title X grantees are not exempt from State reporting laws. I only wish that Cincinnati Planned Parenthood was doing this because let me tell you what is going on there.

Cincinnati Inquire on May 10 of last year reported an incident of two young ladies who were victims of sexual abuse, and I would like to talk about the kind of sexual abuse these ladies incurred.

The first one was a young lady who was continually molested by her father. The abuse began when she was just 13 years of age. In November of 2004, she was forced by her father to have an abortion. She told the employees at Planned Parenthood that she was being forced to have sex and do things she didn't want to do. But despite this fact, no report was made. She was sent home to endure another year-and-a-half of sexual abuse. The abuse only ended when she told a school official what was going on at home.

Thankfully, because of our wonderful prosecutor in Warren County, her father is now serving hard time in prison. Not long enough, but what the law allows him to

She has filed a civil case against Planned Parenthood. Unfortunately, even if her allegations are proved true, no financial reward can bring back the extra year-and-a-half of absolute abuse she had because Planned Parenthood looked the other way and failed to follow Ohio's law.

But that's not the end of the story.

In another case, a 14-year-old girl was taken by her 21-year-old soccer coach to have an abortion. She allegedly used her junior high school ID, and her abuser paid for the procedure with a credit card and driver's license and said he was her guardian. The abuse was never reported.

According to the same Inquire story regarding the second case I mentioned, a form filled out by Planned Parenthood said, The patient reports pregnancy is a result of sexual assault by a stranger. After consultation with an attorney, report of a crime to the police was not made due to physician-patient privilege. We are prohibited from reporting as no severe bodily injury was reported. What about the mental injury, the mental abuse that this girl suffered?

You know what happened? A year later, I think it was a year later, some time later, she was back at the doctor with her parents, and the doctor said, Do you know your daughter had an abortion? That's how the parents found out she had an abortion, and she fessed up it was the soccer coach.

The young lady's attorney said that the prosecutors in four local counties know of no such exemption to the reporting issue, and it isn't in Ohio.

You know, we're giving this organization money, and this organization is forcing these young women to have abuse.

I would like somebody else to continue with this colloquy because I think this is a very serious issue.

Mr. HENSARLING. Well, I thank the gentlelady from Ohio for yielding back, and I know there are other speakers who wish to speak, so I will try to be brief.

The gentlelady from Minnesota spoke about life-saving centers. On Monday of this week, I went to one. I didn't go as a Member of Congress. I went as a father. And my wife and I have two small children, 6 and 4, and it was time to donate their old baby beds and donate a bunch of maternity clothes. And I had heard about the Dallas Pregnancy Resource Center. A bunch of great ladies in Dallas, Texas, trying to save human life. I had heard of them. I didn't think they knew me, and I showed up on a Monday morning unshowered, unshaven, in a T-shirt to donate two baby beds and a box full of maternity clothes that belonged to my wife. They were very thankful for the gift.

And when I was filling out the paperwork, they realized who I was and insisted that I tour the facility. And although I was unshaven and unshowered, I complied with their request, and I'm glad I did.

And it is amazing to me, as I think upon my visit with these ladies on Monday, to think that on the one hand, you have Planned Parenthood getting hundreds of millions of dollars of taxpayers' money to take the lives of the most innocent among us, the unborn—as pictured next to the gentlelady from Minnesota—hundreds of millions of dollars spent on this abortion factor.

And here is this one little place in Dallas, Texas, called the Dallas Pregnancy Resource Center, and they sit there and they counsel with these low-income, these mostly young teen mothers. And every time that they are able to convince a mother to choose life over death, they put a tiny, tiny set of paper footprints on a bulletin board.

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As you might imagine, sometimes they're blue and sometimes they're pink, and they have the date that one human life was saved.

To the best of my knowledge, the Dallas Pregnancy Resource Center receives no Federal money whatsoever to save human lives, and Planned Parenthood takes hundreds of millions of dollars of Federal taxpayer money to take

human life. Something is wrong in America when that takes place.

We need to stop, we need to take note of what is taking place. In my head and in my heart, I can come to no other conclusion but that life begins at conception. I take it as a matter of faith, but if I didn't take it as a matter of faith, how can any human being, how can any American, look at that picture next to the gentlelady from Minnesota and conclude otherwise?

In our Founding documents, the right to life is unalienable. How can this body ever act otherwise?

Mr. SMITH of New Jersey. At this time, I yield to our friend and colleague, Mr. SALI.

Mr. SALI. Madam Speaker, Mother Teresa once said: ''Any country that accepts abortion is the poorest of the poor.'' On that basis, I fear that our own great country is in serious trouble.

While current law forbids family planning agencies from using Federal funds for abortion, those same organizations are able to receive those title X funds for their other family planning services, even if the organizations also provide and even promote abortion.

Today, as long as the bookkeeping of the two divisions is kept separate, these organizations can reallocate their resources and free up money for providing abortions. In other words, it appears that an accounting gimmick masks the way Planned Parenthood uses Federal dollars to fund its abortion services.

As many know, Planned Parenthood is the largest provider of abortion in the country, performing more than 264,000 abortions in 2005 alone. However, Planned Parenthood receives more than $336 million from the Federal Government each year. Planned Parenthood affiliates enjoy special access to discount drugs, grants through the title X program, and a 90 percent Federal Medicaid match for family planning activities. In effect, Congress is playing favorites by subsidizing the largest business in the abortion industry.

Now, lest there be any confusion, abortion is an ''industry'' in every sense of the word. Abortion providers rake in over $400 million a year from women and girls who believe that they are receiving a simple health service. However, to the tune of $372 per abortion on average, abortion-providing businesses are turning a major profit. For instance, while Planned Parenthood reports that it is a ''not-for-profit'' organization, it had an ''excess of revenue over expenses'' of almost $56 million in 2005 and $112 million in 2006. Remember, this is the same organization that receives over $336 million in government grants and contracts each year.

I find it outrageous that taxpayer dollars are subsidizing abortion in the United States. The absurdity of this abuse is illustrated by the long-standing Mexico City policy. Instituted by Ronald Reagan in 1984, this policy prohibits foreign aid from going to nongovernmental organizations which provide or promote services related to abortion. If we recognize the importance of prohibiting foreign abortion providers from receiving our taxpayer dollars, how can our domestic policy be any different?

I also adamantly oppose funding for an organization like Planned Parenthood that is alleged to have committed substantial fraud. The former vice president of finance and administration of the Los Angeles Planned Parenthood affiliate estimates that affiliates in California overcharged State and Federal Governments by $180 million, despite internal and external warnings that its billing practices were improper. If Planned Parenthood is able to abuse its government support by as much as $180 million in California alone, imagine the possible magnitude of its fraud nationwide.

The Federal Government clearly has a significant interest in identifying and recovering those excess payments. However, I believe that any funds that support abortion are ''excess payments.''

We in the Federal Government have no business providing money to help end a human life. As the Declaration of Independence makes clear, our Nation was founded on the idea that our Creator has endowed every person with ''certain unalienable Rights,'' the first of which is life. Now, 232 years after our predecessors signed that document in that First Continental Congress, now we have to ask, how is it possible that we in Congress are allowing the money of unsuspecting ordinary Americans to support businesses that specialize in terminating human life, when our Declaration of Independence recognizes that those are unalienable rights, the right to life?

We in Congress are charged by our Nation with the responsibility to ensure oversight of Federal funds, and it is abundantly clear that providing ''excess'' funds to abortion providers is not the proper use of taxpayer dollars. I call on my colleagues here in the House to end taxpayer subsidies of abortion by ending Federal support for Planned Parenthood. Let us thereby begin to restore the richness of spirit that Mother Teresa spoke about so eloquently.

Mr. SMITH of New Jersey. I thank my good friend for his very, very powerful statement.

I yield to the distinguished gentleman from Ohio (Mr. JORDAN).

Mr. JORDAN of Ohio. I thank the gentleman.

Madam Speaker, I rise to join my colleagues today in opposition to taxpayer funding of Planned Parenthood, and I particularly want to thank Congressman SMITH for his long-time leadership on this most important issue, as well as Mr. PENCE for his introduction of the legislation that will do just what we've been talking about this evening.

Let me just reiterate a few of the numbers that the gentlelady from Minnesota pointed out. Planned Parenthood had over $1 billion in revenue last year, $115 million in profit, $952 million in net assets. That's bad enough, I mean, that they're using our tax dollars to fund a practice that is wrong, that is immoral.

But add to it this fact—and I want to cite and the gentlelady did this as well—cite The Wall Street Journal article where Planned Parenthood talks about the fact that they're going to raise $10 million to fund their political action committee.

So to just put it into plain language, think about what's going on here in this practice. Planned Parenthood is using your tax dollars to raise more money to run against your candidate to elect someone who will give them more tax dollars. Stated even more simply, using your tax money to run against you and run against the candidates you want to support, those pro-life candidates. That's what they're doing. They want to keep electing people that will keep this process going forward.

This is just wrong, and it should stop. And the gentleman from Texas was so right when he talks about those pregnancy resource centers, those crisis pregnancy centers out there who are doing the bake sales. Our church, we help support one where they give each family a bottle and you fill it up with coins and you stuff a few dollars, raising money just any way they can to protect human life because they understand it's sacred. They understand it's precious. Contrast that with this practice that we see here that Planned Parenthood engages in, and frankly, contrast it with what the previous speaker just said.

The wisdom and the vision the Founders had when they started this place, when they started the greatest country in history, the Founding statement: ''We hold these Truths to be self-evident, that all Men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the Pursuit of Happiness.''

I think it's interesting to note the order the Founders placed the rights they chose to mention. Can you pursue happiness? Can you pursue your goals, your dreams, those things that have meaning and significance to you and your family if you first don't have liberty, if you first don't have freedom? And can you ever experience true liberty, true freedom, if government doesn't protect your most fundamental right, your right to life?

That's what this legislation is about. It's about protecting that most sacred, that most precious, that most fundamental right that the Founders understood was central to what we call this thing America. And that's why I'm pleased to support my colleagues in this legislation this evening. I appreciate the work of the gentlelady from Minnesota and, of course, Congressman SMITH and the entire Pro-Life Caucus.

Mr. SMITH of New Jersey. I thank my friend for his statement and for his leadership on this important human rights issue.

I yield to my good friend from Colorado (Mr. LAMBORN).

Mr. LAMBORN. Madam Speaker, I rise with my colleague, Representative CHRIS SMITH, and others to strongly oppose funding Planned Parenthood and other abortion providers with Federal taxpayer dollars.

Today, in America, in order for a minor girl to receive an aspirin at school, or to pierce her ears, or to get a tattoo, she must not only inform her parents, but they must give written permission or be there in person. Shouldn't mothers and fathers be involved in their daughter's decision about something as major as getting an abortion?

Abortion is a major surgical procedure. It is dangerous and wrong to cut parents out of this significant medical decision. Over half the States have realized the necessity of parental involvement in this life-changing decision and have passed laws requiring parental involvement.

In polls, 80 percent or more of Americans want parental involvement in a decision by their minor girl in getting an abortion.

Planned Parenthood and the abortion industry, however, seek to remove minors from the guidance of their parents. For example, Planned Parenthood illegally performed an abortion on a 14-year-old girl in Ohio without the knowledge or consent of her parents. As a result, this 14-year-old girl, a victim of statutory rape, had no guidance or support besides that of the abortionist and the 21-year-old boyfriend who had impregnated her.

Planned Parenthood is actively working against parental involvement laws. They recently worked with others to defeat a parental notification initiative in California which barely lost. They want to keep mothers and fathers in the dark, while their daughters undergo a life-changing event alone.

For these reasons, the Federal Government has absolutely no business funding Planned Parenthood and other abortion providers, especially not with our taxpayer dollars. Congress must pass H.R. 4133 which would prohibit Federal funding for these abortion providers.

I urge Members of Congress to think about their own daughters and ask, Wouldn't you want to be there with your daughter when she's faced with this life-changing decision?

Mr. SMITH of New Jersey. I thank my friend for his statement and for his leadership.

I yield to Mr. FRANKS, the gentleman from Arizona.

Mr. FRANKS of Arizona. Well, I thank the gentleman for his courageous and noble leadership on the part of the unborn for so long.

Madam Speaker, Planned Parenthood is the world's largest promoter and provider of abortion on demand for any reason or for no reason. With almost 900 clinics in this Nation alone, it is by far the largest abortion provider in America and accounts for one in five of all abortions performed in this country. But because this giant, billion dollar, death-dealing organization operates under the disguise of a ''family planning'' charity, it receives over $330 million of American taxpayers' money every single year.

Margaret Sanger, the founder of Planned Parenthood, has long since passed away, but the legacy of her work lives on, Madam Speaker. She once said, ''We don't want the word to go out that we want to exterminate the Negro population.''

Her insidious vision of a world where her ideal of the ''survival of the fittest'' is advanced through race-targeted abortions continues to thrive through the deliberate expansion of Planned Parenthood clinics in the high minority populations of this country.

Both the Alan Guttmacher Institute and the Centers for Disease Control have reported that a huge majority of abortion clinics are located in minority neighborhoods, and some experts estimate that number to be higher than 75 percent.

While African Americans represent approximately 13 percent of our population, more than 35 percent of abortions are performed on African Americans. In fact, more than one in three abortions performed by Planned Parenthood are performed on little African American babies.

Recent Internet postings reveal Planned Parenthood's willingness to accept donations specifically earmarked for the abortion of an African American baby. In other words, Madam Speaker, a willingness to accept money specifically designated to kill a baby for no other reason than that he or she was black.

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One hundred and fifty years ago, the infamous Dred Scott decision in the United States Supreme Court declared that the black man was not a person under the Constitution. That decision put the Supreme Court's legal imprimatur on a practice that had brutally enslaved more than 4 million innocent human beings from Africa. It took a horrible civil war to reverse that despicable decision. It also took the courage, and ultimately the life, of President Abraham Lincoln, who had guided America through those dark moments because he believed in a day that would one day come when the black man and the white man could walk together in the sunlight of human freedom.

And more than a century later, Dr. Martin Luther King stood on the steps of the memorial dedicated to President Lincoln and gave a speech that would forever change the course of history because it reminded America of her creed that all men are still created equal, and it helped Americans to finally begin, once and for all, to put away the evil of bigotry and prejudice against their fellow human beings of a different skin color. It was a great day, Madam Speaker. But only 10 years later our memories would wane again and another Supreme Court decision called Roe v. Wade, along with the help of Planned Parenthood, precipitated the murder of more than 12 million African American babies.

Madam Speaker, every victory gained in the battle to defeat slavery, every accomplishment that came through the civil rights movement is being completely overshadowed by this unspeakable tragedy.

It is time that Americans stood up together again and remembered that we are the same America that rejected human slavery and worked to overturn decisions by our own courts, whether in the Dred Scott decision of 1857 or the Jim Crow laws that continued through the 1960s. And we are still courageous and compassionate enough to stop the funding of a bigoted organization like Planned Parenthood.

Madam Speaker, it has been said that a government is what it spends. For this government to continue to appropriate one more penny of the American taxpayers' money to an organization that kills unborn children on the basis of race or for any other reprehensible reason is a disgrace that undermines the core essence of America and betrays everything that our soldiers lying out in Arlington National Cemetery died to preserve.

Mr. SMITH of New Jersey. I thank my friend for his eloquent statement and for his very strong and passionate defense of the unborn and their mothers.

I yield to Dr. BROUN, the gentleman from Georgia.

Mr. BROUN of Georgia. I thank my friend for yielding. And I appreciate the comments that my colleague, Congressman FRANKS, made.

I served on a board of directors for a crisis pregnancy center in the inner city of Atlanta. We were geared towards trying to save babies of African American moms in the inner city of Atlanta.

I'm a medical doctor. And the whole crux of this discussion comes to the decision of when life begins. I introduced the Sanctity of Human Life Act of 2007 that defines scientifically that life begins at fertilization. And it's described when the cell of the spermatozoa enters the cell wall of the ova site and forms a one-celled human being called a zygote. And my bill gives the right of personhood to that one-celled human being, whether they're black or white or any people group.

And I know, as a medical doctor, that that's when life begins. And we have to save life. If a Nation will not protect the most innocent of human beings, what will it protect? And we are killing 4,000 babies every day, black and white. There are more black babies being killed than there are white babies proportionally, and that's the reason why

I was on that board of directors for many years. And thankfully, we have it open and we're serving the inner city of Atlanta right now with that crisis pregnancy center.

But we've got to stop the killing of these children, black and white, of all colors, because God cannot continue to bless America while we're killing 4,000 babies every day and while we're funding an organization like Planned Parenthood. We have to stop the funding of that organization. And I just encourage all my colleagues of this House to understand that life begins at fertilization, and we've got to stop the killing as a Nation.

Mr. SMITH of New Jersey. Dr. BROUN, thank you so much for those very strong comments and for the insights that you bring as a medical doctor.

I yield 30 seconds to my friend and colleague, MICHELE BACHMANN.

Mrs. BACHMANN. I just wanted to end, Madam Speaker, by saying Steve Trombly is a top executive director of Planned Parenthood in Illinois, and he said, ''I would like to think of Planned Parenthood as the Lens Crafters of family planning.'' If you've got 882 clinics, you have $1 billion a year in annual revenue and $330 million of that comes from taxpayer funding, I think that shows pretty clearly they are big business. They are the Wal-Mart of big abortion. They're the big box retailer.

It is time to end their tax exempt status. It's a fraud. And it's time to stop the public financing of Planned Parenthood. It's the right thing to do.

I yield back to my friend, the gentleman from New Jersey, the stalwart of prolife, Representative CHRIS SMITH.

Mr. SMITH of New Jersey. Madam Speaker, let me conclude with just a couple of comments.

First of all, I think most people need to realize who Margaret Sanger really was. And I've read her books; I've read her writings. She wrote in a book called ''The Pivot of Civilization'' that ''we are paying for,'' and I quote her, ''and even submitting to the dictates of an ever-increasing, unceasingly spawning class of human beings who should never have been born at all.'' In chapter five, she has a chapter called the ''Cruelty of Charity'' and takes to task those who would provide maternal health care and outreach to those women, poor women especially, in her writings. And I will put them in the RECORD. She says that ''such benevolence is not merely superficial and near-sighted, it conceals a stupid charity.'' To her, these babies and these mothers should have never been born.

Let me conclude, Madam Speaker, abortion mills don't nurture, they don't heal, they don't cure disease. Abortion is violence against children. Some abortion methods dismember and rip apart, the fragile bodies of children. Other methods chemically poison children. Abortion has turned children's bodies into burned corpses, a direct result of the caustic effect of poisoning. Consider a dismemberment abortion, this is called the D&E abortion. It is used later term, at least from the 20th week or so onward. These children, Madam Speaker, feel pain.

My colleagues will remember that last Congress we brought forward a bill called the Unborn Child Pain Awareness Act which would at least inform the woman that a child at this age feels excruciating pain. Sadly, the abortion lobby, including Planned Parenthood, lobbied vigorously against informing women that these children feel such excruciating pain, sometimes as much as four times that which would be felt by a newborn or a child later in his or her life.

We need to, again, Madam Speaker, respect all human life. In the life of an unborn child, birth is just part of a process. It's an event in a child's life; it is not the beginning of life. These children deserve their fundamental human rights.

THE 30-SOMETHING WORKING GROUP

The SPEAKER pro tempore (Ms. RICHARDSON). Under the Speaker's announced policy of January 18, 2007, the gentleman from Florida (Mr. MEEK) is recognized for 60 minutes as the designee of the majority leader.

Mr. MEEK of Florida. Madam Speaker, it is always an honor to come before the House and address the Members.

I can tell you that today, in this great country of ours, we have a lot going on. There is a lot of news on the Presidential race. There are a lot of issues that are facing our Nation with Iran testing missiles. And there are a number of issues that American families are also facing.

We're going to talk a little bit tonight about energy. We're going to talk about the Iraq factor. We're going to talk about the things that American families are going through right now. And I think it's very, very important because many people feel that there are issues that are not being addressed here in Washington, DC as it relates to the executive branch. And I think that it's important that we share with the Members that we have a number of issues that this Democratic-led House has put forth on behalf of the American people in a leadership role.

As you know, in the 30-Something Working Group, we always start our hour off—and I'm joined tonight by my very good friend, Mr. JASON ALTMIRE, and also Mr. RYAN, TIM RYAN, on this 30-Something Working Group. And you know we come to the floor, Madam Speaker, to actually speak in what you may say the arena of fact versus fiction. We know that sometimes we get a little excited and we may not have the necessary footnotes we need to back up the information that we are providing, but tonight we did come to the floor to share with the American people fact, not fiction.

I think that, when we start to reflect, Madam Speaker, on a number of issues that are facing Americans, we have to look at the everlasting issue of fuel costs, for someone to fill up their car, for someone to do something that we may call very common, being able to put gas in their car to be able to take their children to school, to be able to make it to their jobs. And I think that as we look at this issue we need to know who is on the side of the American people. When I say ''we,'' I'm saying Members of Congress.

I'm hoping that my colleagues on the other side of the aisle, my Republican colleagues who have joined us on a number of major pieces of legislation that we passed out of this Congress that has gone to the President, I want to applaud those Members for being a part of this great democracy and this great leadership that we have here in the House, to be able to bring about the paradigm shift of bipartisanship. We have not seen bipartisanship in the 109th Congress, 108th Congress. I can attest to that because I was here for those two Congresses. The 110th Congress has brought about bipartisanship on major pieces of legislation that I will talk about a little further later on, but I just want to mention a few things.

Madam Speaker, I always start off by giving what is going on in Iraq. The $8.5 billion war that's taking place right now in Iraq, some over $230-something million a day war. And I had the opportunity, Madam Speaker—and I don't want to digress—to speak to some first responders from New Jersey. They are from New Jersey, and Representative RUSH Holt asked me to speak to his first responders. As you know, Madam Speaker, I was, once upon a time, a first responder as a Florida Highway Patrol trooper. And we talked about funding, and they were talking about the grants. And there was a grant here for, you know, $50 million or a grant there for equipment for fire fighters and State troopers and sheriffs, $70 million.

But when I started talking to them about the $230 plus million a day that's being spent in Iraq, you should have seen their eyes opening wide. We all believe in making sure that we give our men and women what they need in Iraq; and we do that, this Congress has done it. But I think that when you start looking at the policy, when you start looking at how this administration has not put the Iraqi Government's feet to the fire to let them know that we have homefront security and hometown security needs to be addressed, they will never see the kinds of dollars that we're spending there.

I also want to share the numbers with you. The total deaths in Iraq is 4,117 as of July 9; total number of wounded and returned to duty is 16,866; and the total number of wounded not returning to duty is 13,483. I think we have to look at that in perspective.

I want to yield to my good friend, Mr. ALTMIRE, at this time as we talk a little bit about a number of issues that

are facing the American people. Like I said, we're going to talk about fuel, we're going to talk about dining room table issues. So we're going to bounce around a little bit tonight, Madam Speaker and Members. And hopefully we will be able to share with the Members exactly what they need to know versus what some on the other side may not want to hear, because we're going to need this bipartisanship to push it through, to send the President a message that the American people have to be heard.

With that, I yield to my friend, Mr. ALTMIRE.

Mr. ALTMIRE. I thank the gentleman from Florida.

And on the subject of Iraq, before we move on to some other things, I did want to discuss a little bit the fact that the Iraqi Government this week announced that they support the creation of a formal timeline, a date certain at which the American involvement in Iraq would wind to a close.

And I think that that's a monumental moment in what we're facing in Iraq because we have, for years now, going on 6 years, been engaged in this conflict in Iraq. And the military men and women, the brave service men and women who serve us over there throughout this conflict have done their job, they have done everything that has been asked of them. We could not ask any more from the men and women, they have done what they were called to do. And that's something that every American can see in the results on the ground. And now, thankfully, the Iraqi Government themselves have recognized that that is the case by announcing their intention to ask the United States for a formal date certain at which point we would wrap up our involvement.

□ 2100

So I find that to be good news. Moving forward, we need to go to the Iraqi Government and say, look, this is your country and we cannot continue to hold your hand and run your affairs for you. It's time for you to step up and administer your own government, administer the affairs of state, and take the reins of power. And I think that by the statements that we heard today, the Iraqi people and the politicians in Baghdad have seen the light on that issue, and I feel like we are moving towards resolution and agreement that it is time to wrap up our involvement in Iraq.

And I would yield to my friend from Ohio if he wants to continue on that, Mr. RYAN.

Mr. RYAN of Ohio. I appreciate that. And it is time to wrap it up. And I think as we were home over the July 4th break and as we were meeting with our constituents and going to parades and getting out and about and reconnecting with our district, one of the issues we heard, obviously, is gas but also just the squeeze that families are feeling now. And one of the reasons we need to get Iraq wrapped up and get our troops back home is because it is costing us $12 billion a month in Iraq. And if we continue to go down this road with supplementals of $180 billion and continuing to go down that road, those are investments that we can't make here in the United States.

And I think a lot of people would say, Mr. MEEK, that we have got to make investments back here in the United States of America so that we can build roads and bridges here in the United States as opposed to roads and bridges in Iraq. And that's one of the key issues here.

I know the gentleman from Connecticut wants to say a few words. But I think it's important for us to realize there is a direct connection between what we are doing in Iraq and what we are unable to do because of the budget.

One of the issues that we're talking about too is what has happened to our budget here in the United States. And just a few short years ago in 2000, January of 2001, we had a $5.6 trillion surplus, and after President Bush got sworn in up until today, we have a $3.2 trillion deficit. That's an $8.8 trillion swing, and that is part of the reason we have a weak dollar, and that is part of the reason that oil is so expensive. So we've got to get our house in order here.

So we talk about the war in Iraq and about how we need to finish it and honor our troops and support our veterans and make sure we have health care and whatnot, but we have got to balance the budget here in the United States and make those investments here, put people to work here in the United States building roads, bridges, infrastructure, water lines, sewer lines, septic tanks, broadband.

I yield to my friend from Connecticut.

Mr. MURPHY of Connecticut. I thank my friend from Ohio. And I think it's important to point out that a lot has changed here in the last 1½ years. I mean the numbers that you show are pretty startling, moving from about $5.6 trillion on the plus side to now $3.2 trillion in deficit. And the fact is that we got a mandate when the Democrats were elected to control this House and to control it by a slimmer margin in the Senate. We had a mandate to get our fiscal ship in order. The days of not paying for anything had to end for a number of reasons, not the least of which is the reason that you're talking about, the fact that the amount of money that we are borrowing from foreign banks has contributed to the devaluing of the dollar. And that means everything that we import into this country becomes more expensive, not the least of which are the millions of barrels of oil that come into this country.

So what do we do about it? Well, we did something. We passed a rule in this House that is a rule that most families and every business out there lives by every day. We said, listen, when legislation comes before this House that spends money, we're not going to pass it unless in that legislation we account for how we're going to pay for it. When a piece of legislation that comes before this House wants to cut somebody's taxes, we're not going to pass it unless within that piece of legislation we account for how we're going to pay for that tax cut. And we call it the ''pay-as-you-go'' rule, which is how my family grew up, how most American families live their lives. They don't spend money that they don't have. And it's so ridiculously simple that it's mind blowing to a certain extent that it took a change in leadership in the this House to actually put that into practice, but it has changed things. We're starting to get that deficit that you talk about, Mr. RYAN, under control.

Now, it means that this Congress can't spend money as wildly as it did under the Republicans. It means that we have got to be a little bit more careful about whom we give tax cuts to and make sure that when we do it, we give it to the right people. But in the end it makes for a better policy and it starts to get that fiscal mess that you talk about under control.

And there are so many ripple effects of that good policy, Mr. RYAN and Mr. MEEK, that's not just about making sure that we don't pass along the costs of this deficit to our kids and our grandkids and their kids. This is also about restoring some balance of trade so that we are not basically asking the rest of the world to pay for our debts, and in the end, do something about the dollar that as much as anything else is responsible for the high prices we're paying at the pump, Mr. RYAN.

Mr. RYAN of Ohio. If the gentleman would yield, if you think about the amount of money that we have spent in Iraq, that we are going to go and fix the Middle East and make it different and the money that it costs, almost $1 trillion that we have spent there already and the projection of $3 trillion when you start talking about taking care of all the vets that are going to come back with traumatic brain injury, amputees. When you factor that cost in, Joe Stiglitz, the Nobel winning economist, says $3 trillion it's going to cost.

And I think it's important for the American people to realize that if we had made different decisions early on in this decade that those billions and billions and billions of dollars could have been invested into alternative energy sources, could have been invested into loan guarantees for nuclear plants, could have been invested in coal to liquid or whatever. Pick your issue.

I yield to my friend.

Mr. ALTMIRE. I thank the gentleman. This is exactly what we need to talk about tonight. You have the chart there. The gentleman has the chart talking about turning a projected 10-year surplus—when President Bush put his hand on the Bible and took the oath of office, the projected surplus over the next 10 years was $5.5 trillion.

Now we're in a presidential election year. Mr. MEEK referenced it earlier. Let's think back 8 years. Vice President Gore was running against then Governor Bush. What was the debate about? The debate was about what are we going to do with this enormous surplus? That was the whole thing. Remember Vice President Gore had his lockbox idea. Are we going to shore up Social Security? Are we going to pay down the debt? And with that $5.6 trillion surplus, we could have nearly paid off the entire Federal debt by now, 8 years later. We would have it almost completely paid off. Instead, because of the decisions that have been made by this administration and previous Congresses, we have a $10 trillion debt. So instead of having it paid off, it's at its highest level in history, nearly $10 trillion.

We could have, as the gentleman suggests, invested in alternative energies and research and development on alternative sources of energy. We didn't do that. We could have done any number of things with a projected $5.5 trillion surplus.

Well, instead, because of the economic policies of this administration, we have not had that $5.5 trillion to the good; we've had $3.5 trillion in debt. And I would suggest, and we have talked about this before, if you had said to any economist in America, no matter what their political persuasion, in the beginning of this administration, what would it take over the next 8 years for us to have a $9 trillion swing in the projected surplus to the deficit that we would then encounter? What would it take? What type of economic policies would we have to put forward? Any economist you asked would have said, well, that's impossible. You can't possibly mismanage the economy to such an extent that that would be the result, a $9 trillion swing. Well, unfortunately, this administration and the previous Congresses did the impossible, and we are faced with the situation that we are.

Now, pay-as-you-go budget scoring, as Mr. MURPHY talked about, is not the only answer, but it's definitely a step in the right direction. And it was President Bush's father, President George H. W. Bush, in 1990 that came to the agreement with Congress to put in place the pay-as-you-go budget scoring that led to the record surpluses of the 1990s following the all-time record deficits to that point of the 1980s.

So this Congress has taken a step to put our fiscal house in order. We can't dig ourselves out overnight. But all of this has led to the decrease in the value of the dollar. And the decrease in the value of the dollar, anyone would agree, is one of the major factors involved in the price of gas today, the price of petroleum in the worldwide market. And we're going to talk about that tonight.

I yield to my friend from Florida (Mr. MEEK).

Mr. MEEK of Florida. Thank you so very much.

Florida is front and center in the solution on the Republican side of the whole oil crisis issue. And we started talking about deficit spending. We started talking about what is happening to the American family, and I think that it's very important.

I heard you, Mr. RYAN and Mr. ALTMIRE, say something earlier about the folks in Iraq taking the responsibility. They are now calling for a timeline. It's interesting that the administration is not calling for a timeline.

And I think it's important, Madam Speaker, when we look at $8.5 billion a month, that's not anything to look away from. That's a lot of money. And I can tell you that there's a number of folks that would like to see that kind of money invested here in the United States.

Let me just mention one thing. The Speaker a few days ago wrote a letter to the President. Two months ago she asked for oil to be taken out of the Strategic Petroleum Reserve that we have here. This letter is, I believe, on speaker.gov, which is on Speaker NANCY PELOSI's Web site. It asks the President to dip into the oil reserves, that we have over 90 days of reserve that's in these oil reserves.

This has been done before. This is not what you may call a new idea. This is not a radical idea. It's been done by not only the first President Bush, his father, but also by President Clinton and by this President during Katrina.

I just want to take a couple of excerpts from this letter. It says: ''Two months ago, after initially opposing our proposal to suspend the government's purchase of high-priced oil from the Strategic Oil Reserve, you signed the bipartisan legislation into law.''

A couple of paragraphs down, it talks about the fact that oil was $30 per barrel when his administration took office and now has hit $150 per barrel. And I think it's important for us to look at the $1.47 average when he came into office and the $4.11 per gallon.

In 1990, 1991 Desert Shield, Desert Storm, when George H. W. Bush the first drew down from the Strategic Petroleum Reserve on January 17, 1991, it actually bought oil prices down per barrel $8. In 2000, in the face of high energy prices, the oil prices, President Clinton signed an executive order authorizing a withdrawal of 30 million barrels that were released from the Strategic Petroleum Reserve that actually brought the price per barrel down from $30.94 to $20.38, which is a 37 percent decrease. And this is backed up by the Select Committee on Energy Independence and Global Warming of April 24, 2008.

Then we look at Hurricane Katrina. President Bush has done this before. Hurricane Katrina in 2005, because the Gulf States were hit, the administration offered 30 million gallons from the Strategic Oil Reserve that actually brought down the price per barrel by $5.

Why do I mention what has happened in the past, which should happen here in the present? The real issue is it's 97 percent full at this particular time, well beyond the International Energy Program as it relates to the 90-day reserve stock that should be there. When the President makes a decision, in 13 days, you will see oil prices go down. Why is this important, Madam Speaker and Members? This is very important because the American people are having to make a choice. If they're going to drive to work or they're going to drive their children to school, especially in rural America and even in urban America, they are having to make those decisions.

□ 2115

There were families that had to make the decision if they were going to see their family members or go to the family reunion this last July 4th, which is one of the most celebrated holidays in our country, which is our independence. They could not make that decision to drive because of the price of oil. We have companies that are laying off workers as we stand here today because of the issue of oil per barrel.

I talked to Chairman OBERSTAR. We took the opportunity to do it. Mr. RYAN and I were in a meeting today. Chairman OBERSTAR stated the following, the chairman of the Transportation Committee: A $10 drop in the price per barrel of oil will result in a savings of $420 million per year to Northwest Airlines. It also would mean a savings of $840 million for United Airlines. It would also mean a savings of $900 million per year for American Airlines.

What does that mean? That means that the American people will not be nickel-and-dimed as we are now as they travel throughout this country.

Mr. RYAN of Ohio. Will the gentleman yield?

Mr. MEEK of Florida. I yield to Mr. RYAN.

Mr. RYAN of Ohio. I just want to make the point that I was there with you, talking to the chairman of the Transportation Committee, and the point is it's not just airline fares, it's not just reducing from $4 a gallon down because of the millions of gallons that we could just take out of the oil reserve that is just sitting here in our country, and there are several of them. Just take the oil out.

Everyone's talking about drilling. Take the oil out of where it is right now. Just turn the spigot on. Just turn that spigot on and let that oil flow.

My point is that when you do this, it's going to have an effect because the airline companies are laying people off, just today in Toledo, and all over the country.

So this is about making sure that we have jobs in the country. Airline pilots, machinists. The whole nine yards. So I wanted to put a little texture into that argument, a little context in that argument, support it even more to talk about jobs here in American.

Mr. MEEK of Florida. Mr. RYAN, there's nothing wrong with texture or context.

Mr. RYAN of Ohio. I yield back.

Mr. MEEK of Florida. Thank you, sir. I think it's important as we look at this, Madam Speaker, and we say small businesses are the backbone of our economy. I mean, we are just hearing about the big players here; the airlines, those that are publicly trade. What about the small business of 25 to 100 people? Do you think they are laying off people? They are laying off people because they can't afford it.

I am not a Member of Congress with a conspiracy theory, but I can't help but pay attention to this board here. So many Americans appreciate the fact when Saddam Hussein's statue was taken down and we are going to liberate the Iraqi people and all, but there are some other people who had some other interests and some other things in mind. A few companies are making record profit, just breaking records as it relates to profits.

Meanwhile, back at the ranch or back at the dining room table, folks are having to park their vehicles because they can no longer afford to be able to pay for the necessity of being able to use their own vehicle. I mean the cost of living in the United States has gone up in some households some $200 to $300.

What we do here, Mr. MURPHY, we are here to represent the American people. So we have to make sure that we do exactly just that.

Here's another chart. I had some of my friends come to the floor on the other side of the aisle saying, You know what we need to do? Great idea. Let's drill more. Let's make sure that we have more opportunities for oil companies to find the kind of energy that we need. That is that old school kind of Beta thinking, VHS thinking. Just the other day I was with my wife, looking around. We had to find something to turn it to DVD or whatever the case may be.

If you want to think in the old sense of things, you can. But here are the facts. Acres leased, and this is in the millions, 9.5 million acres that have been leased. When you look at the acres that are producing, 23.7. So what we have here is a full plate that the oil industry has to look for oil or whatever the case may be. They are not even taking advantage of the leases that have already been given. But, better yet, they want more.

Now, what the Speaker is talking about and the Democrats are talking about, let's go in, let's bring this price down. Let's let the oil cartels know that we mean business. And we also responded as it relates to legislation looking at alternative fuel.

The last point that I want to make and then I'm going to turn it over to my good friend here. Let's talk about what is happening out there.

If you're lucky enough to have a 2008 Pontiac Grand Prix, the cost to fill that up is $62.73. That is every time it ends up on E. The annual cost is $2,927. If you're lucky enough to have a Honda Accord, the cost to fill that up is $58.26. Annual cost, $2,565. Not even talking about what you have to do as relates to preventive maintenance.

If you have an opportunity to have a 2008—all these numbers I am talking about here, like I said, Madam Speaker, we don't talk fiction, we don't embellish numbers, we don't leave any like gray area out there for folks to say, Well, maybe he might have meant that, or maybe the 30-Something, maybe they were making another point. We want to make sure that you're able to go on fueleconomy.gov and you can get these numbers that I am stating right here on the floor right now, right here.

If you're lucky enough to have a 2008 Chevy Impala, $62.73; $2,798. Chevy Suburban. Many small businesses use these vehicles. A 2008, $124, and $4,391 to fill it up per year. We are not even talking about preventive maintenance.

Ford Escape, $60.88; $2,927. You also have your Ford Escape Hybrid, which is $55.35; $2,096 that is being spent, plus you get your $3,000 tax credit when you get this hybrid.

Let's just talk about what is happening in rural America, in many places in rural America, and small businesses. Ford F–10 pickup truck, $113.83. That is to fill it up; $4,391. It goes on and on with this Web site. This is based on the national average, which is $4.10.

This is what is happening right now. They don't want to hear what the Republican side is talking about, Madam Speaker, as it relates to if we were to give more leases and we were to start drilling off the coast of Florida that we have never considered—well, we never really considered before. We wanted to do it, but we couldn't do it. But now folks are in a crisis now. Here's our solution.

Well, that is not a good solution because you have all of these leases that are out there. It's almost like the oil companies, back in 2001 when they had this great meeting in DICK CHENEY's office and started talking about how we are going to deal with energy policy, came up with this situation.

We have seen oil and the price of gas go from $1-something to now $4.10. It seems to work. The Bush administration is there. I think it's kind of like the last call for you know what to say that, Hey, let's get these leases while we can because we have Democrats here in the Congress that is talking about alternative fuel, that is talking about bringing the gas prices down now, not later, and have a real strategy as it relates to dealing with these oil cartels with penalties and allowing our regulation agencies here to regulate these folks from price gouging the American people.

Who's standing in the middle of the door? When they say stand in the schoolhouse door, who's standing there? The administration is standing there, saying that it's not just and it's not fair.

I have got a problem with that. I don't think my constituents sent me here to Congress to sit idly by and watch this happen. I am so glad, my colleagues here, that we have acted on this. I am not so happy that the President has not acted on it. I am not so happy that there's not outrage as it relates to his inaction for not dealing with these issues.

So Members can come to the floor and start talking about fiction and carrying on and embellishing. I'm not saying that. I am just saying some folks can come and start painting big pictures with broad brush or whatever the case may be. But I think it's important that we bring these issues to the forefront.

I don't have a problem with the oil companies that are on this chart here. I am not upset with them. They are just taking advantage of the situation that they have. Use it or lose it. They are taking advantage of it. We are going to ride this thing as long as we can ride it. I tell you, the American people have a say, and come this November, there's going to be a different day.

Last point. I am just going to make a last point and have a seat. I am going to let my colleagues share a little bit with us.

I remember in the day when Mr. RYAN and I, some two Congresses ago, used to say, If we have the opportunity to lead, that we will lead in a way that the American people would like for us to lead, not as Democrats would like for us to lead, not as independents, or not as Republicans, but as the American people would like for us to lead; how future generations would like for us to lead as relates to dealing with global warming, as it relates to investing in the Midwest versus the Middle East so that we can create green jobs. To put the American people to work, not other folks to work. And we have responded to that call.

In politics, you don't see that. You don't see people. The Speaker said what we are going to do. We are doing it. The President is not doing it. The Vice President is not doing it. I can tell you right now, we need this paradigm shift to happen now.

We said that there will be Members of this House that will be watching us here on this floor at home, not because they are retired, not because they thought someone else needed a chance to lead, but because the American people no longer tolerate it. That actually happened.

So I think come this November, the American people are going to rise up and they are going to say, Listen, I did not send you to Washington, D.C. to represent the special interests and to represent big oil to make record profits. I sent to you Washington, D.C. to make life better for me and my children.

So I want to thank my colleagues here for allowing me to make that point. I know that we have some other things to share as relates to this subject, so I will yield to my good friend from Connecticut.

Mr. MURPHY of Connecticut. I thank you, Mr. MEEK. I appreciate the point.

You talked about record profits. Let's talk about some meat on the bones here. A 311 percent increase in profits for the oil industry from 2002 to 2007. It may just be a coincidence that that time about correlates with the moment that they started sitting in those secret meetings, Mr. MEEK, in Vice President CHENEY's office to negotiate this new energy policy into the Bush administration. But I don't think it's a coincidence.

I think you can directly correlate the moment at which the oil companies started seeing this 311 percent increase in profits begin with the moment at which they were let in the door to start writing America's energy policy. Because that is what happened.

We put two oil men in the White House, in President and the Vice President seat, and we got, as a result of it, the highest gas prices in the history of this Nation, a 300 percent increase in the profits to their friends in the oil industry, and families having to make decisions about whether they feed their kids or whether they fill up their gas tank to get to work the next day.

That is not coincidence. That is not chance. That is the result of putting two people in charge of this administration that made their fortune in the oil industry and who have friends that they have allowed into the room to write the very legislation that has led to the situation that we are in today. It's not just conjecture.

Let's take a look just in the last year and a half at what we have been doing here and who's been standing in the way. This is probably not readable to the Speaker and to our colleagues here, but can you get the picture here.

The Renewable Energy and Jobs Act that we passed just a few months ago, investing millions of dollars into renewal energy that would actually compete with the oil industry, would make us energy independent, as we talk about all the time. Veto threat in the President of the United States. The Gas Price Relief for Consumers Act that held OPEC and the oil companies accountable for price fixing; for getting together and trying to decide what the price of oil should be. The President once again threatens to veto it.

Commonsense legislation. Repealing the subsidies, the tax subsidies that that energy bill that the oil industry wrote, repealing those tax subsidies and instead, this just seems like common sense, turning those subsidies that the Republicans and the President were giving to the oil industry, instead give them to consumers and small businesses and people who want to invest in things and energy technology in their homes to get them off of oil. Another veto threat from the President.

Cracking down on price gouging. Fifty-six Republicans joining us on that bill. Veto threat from the President. Again, a second bill, this time with 125 Republicans supporting the measure.

□ 2130

This measure was to go after the OPEC countries and oil cartels for price fixing. Another veto threat by the President. Over and over again.

This Congress in the last year-and-a-half has been doing what we were sent here to do, represent and stick up for all of those middle-class families out there that are getting it stuck to them at the pumps. The way we say that we can do that best is to go right at the people who are getting rich off of these exorbitant oil prices, those oil companies. And every time that we have done it, virtually every time we have done it, we have had a President standing in the way. It continues.

We just find out the other day, Mr. MEEK, that this administration has been helping the oil companies negotiate no-bid contracts to get their newly found oil out of the fields in Iraq.

Mr. MEEK of Florida. Say it ain't so.

Mr. MURPHY of Connecticut. It is so, Mr. MEEK. It is so. Because this is just going to go on and on and on. So long as we continue to have the same people in charge of the White House and the administration's energy policy, we are going to continue to see these record profits for the oil industry and see a neglect on behalf of the administration to come to this Congress and work with the Democrats who are trying to turn this whole thing around.

Mr. MEEK of Florida. You know, Mr. RYAN, the real issue here is executive power, okay? We live in this democracy, but we have executive power as it relates to being able to deal with these issues. And I am so glad you are reading off the list of not only the CONGRESSIONAL RECORD, but congressional action on doing what we said we would do.

We had a plan, Six in 06. We have done all of that. We talked about the issue that is facing America, the American people, as it relates to energy costs. When I read off those airline issues, I am not talking about profits for those airlines. I am talking about the fact when you go to book a flight now, to even check a bag, you have to not only spend the money that you spent on booking the flight, but then now you have to pay sometimes $15, $30, $100 per bag. The next thing you know, they are going to have a little card swipe on the restroom in the bathroom. I am not trying to sensationalize anything. That is just where we are now. A little bag of peanuts you used to get on the plane, folks are saying that is now $5.50. You want something to drink?

So when you look at these issues, these are real issues. It is something, Madam Speaker, we have to deal with. It is not only dealing with the American families, but it is also dealing with American business, the backbone, small business, the backbone of our economy. When we start dealing with our economy, we have to really look at these issues for what they are worth. I am hoping we can get more of our colleagues from the Republican side to join us.

Mr. RYAN, I know you have something to add to this.

Mr. RYAN of Ohio. I think it is important. Here is the history. Not just the short-term history, kind of what the gentleman from Connecticut Mr. MURPHY just went over, but that long history. We have been since we got in trying to push legislation on every single issue that is going to help middle-class families in the United States of America.

We raised the minimum wage for the first time since 1997. The new increase will go here in just a few more weeks. On July 24th there will be another minimum wage increase for those people earning the minimum wage. Some people have two minimum wage jobs, who will get another $28 a week, which isn't a lot, but with high gas prices it is a lot more than what would have happened if the Democrats were not here.

If you look at the investments we made in biofuels already through the farm bill and the alternative energy that Mr. MURPHY already mentioned, some economists are saying this is keeping gas down 50 cents a gallon more now because of the biofuel blends that are coming in.

If you look at what just happened last week when you would take your kid or a student was going to try to take out a loan to go to school, and the interest rate was 6 percent instead of 6.8 percent, that is because the Democrats are in Congress and pushed that bill. That did not happen when the Republicans were in charge here.

Madam Speaker, we did that. Democrats did that. So when you are talking about who is on the side of the person going to the pump at $4 gas, it is the Democrats. We are against the oil companies. We are against President Bush. And if you look at the last 8 years, who would you rather have fixing the problem? President Bush and Dick Cheney and the oil companies, or the Democrats, who increased the minimum wage, invested in alternative energy, and made the kind of commitments on student loans and education that we have made. There is a clear difference here.

And here is all the land that the oil companies have to drill on: 102 percent of Colorado, 130 percent of Kansas, twice the size of Illinois, 2½ times the State of Ohio. Go drill. Go drill now. You have the leases. You have picked out the land yourself. Go and drill it. But, no, you want to go up to ANWR and drill, a small little piece. All we are saying is you have the leases. We are talking about 20 years down the

line. Even if you started drilling here in ANWR or anywhere else, 20 years. Speaker PELOSI is saying, take it out of the oil reserve that we have right now, and the President is saying no.

So do you want to get oil into the market now, Madam Speaker, or not? It is pretty clear. There are people in our communities that are hurting, and we have a short-term plan and a medium plan and a long-range plan that is being fought tooth and nail by the oil companies.

Mr. MURPHY of Connecticut. It is completely consistent though, because when the Bush administration came into office and they wanted an energy policy, they knew who to turn to, right? They went for answers to their friends in the oil industry. So, today, when people are hurting at the pumps and they are looking for answers, who does the Bush administration and who do the Republicans look to for answers? They ask their friends in the oil industry. And guess what their answer is? The way out of this is to give us access to the tiny little chunk of territory that we haven't gotten yet. It is going to take 20 years to get anything out of it, but our answer to your immediate problem is to give us access to territory that will get a tiny additional bit of oil in 20 years from now. And people bought it.

Mr. RYAN of Ohio. And save 5 cents a gallon. This is about people that sent us down here to make mature, responsible decisions, not the issue de jour, what is going to rattle will public. We have got a responsibility.

We only have a couple of percent of the whole reserves in the world, and we consume 25 percent of the daily energy in the world. And for us to come here and say if we just drill, which we are saying, go ahead and drill. That is fine. Drill now. Here is all the places, 6 million acres you have. Go ahead and do what you have to do and make your money. But we are going in another direction, because we are not going to rely on imported oil from the Middle East to solve this problem. We are going to rely on the Midwest and the ingenuity in the country.

Mr. MEEK of Florida. Mr. RYAN, as we close we are going to do this little lightning round here. We are going to yield back and move from there. So we will just kind of roll around in rotation.

Mr. ALTMIRE has been standing by here very patiently. It is very interesting. I guess it is just the Pittsburgh spirit.

Mr. ALTMIRE. I thank the gentleman. I was going to comment on the fact that there is a slogan that you see rolling around these halls, and it is ''drill here, drill now.'' You hear it everywhere we go, drill hear, drill now.

Well, how could we accomplish that goal? Because the Democrats want to drill here and they want to drill now. The way we drill here and the way we drill now is by using the 6 million acres that are already leased and permitted and available for drilling. We need to be doing that now. They are ready to go.

Now, there is exploration that needs to take place, I understand that. But the territory that has not been leased and permitted is 10 years away before the first drop of oil comes out, and it is 20 years, 20 years, before it is fully on line at peak capacity. That is not drilling now. So I would suggest to those who want to pursue that policy, maybe they ought to change their slogan. Just to be more accurate, it should be ''drill here, drill in 10 years or 20 years,'' because that is what they are talking about.

What we are talking about is using the land, the territory, the parts of the Outer Continental Shelf, 75 percent of which is leased and permitted, allowed to drill, and they are not drilling. The oil companies who have the land leased and ready to go on the Outer Continental Shelf are using a quarter of it, 25 percent.

So you will hear people say, well, there is no oil there. Well, that is factually incorrect. Eighty percent of the known oil in the Outer Continental Shelf is located in areas where the oil companies are already allowed to drill. It is already leased. It is already permitted. It is already ready to go. Go to it. Drill here, drill now. That is what we are talking about. Have at it. We want you to do that, big oil. Do it.

Now, if you want to talk about drilling here in 10 years and drilling here in 20 years, that is a different ball game, and we can have that discussion after they have used the land and territory already available.

Mr. RYAN of Ohio. One of the provisions for taking this right out of the Strategic Petroleum Reserve and pumping it into the market is it stays in the United States market. What they are drilling now, wherever they are drilling, doesn't necessarily mean the oil they are taking out is staying here in the United States, all of it. So there are a lot of issues here that we need to deal with.

But, Mr. MEEK, I just want to get nostalgic for 30 seconds with you, if I could, before we close up. I remember four or five years ago when the whole 30–Something Group started and we started on the issue of Social Security privatization accounts. Congressman MEEK and I started coming down here on that issue. Then-Minority Leader PELOSI asked us to come down here, and we got into the nuts and bolts of the privatization accounts. And it was 60–40 people in our generation were for it, until we got into the nuts and bolts.

We began to explain night in and night out on this floor, and throughout the country Members would go home and started to talk about Social Security privatization, putting this social insurance program in jeopardy, and we ended up killing the President's privatization account scheme that he was going to set up.

What I am saying to Members here is if we just continue to get the facts out on this, that there is oil, 80 percent of the known reserves, the oil companies have the permits to drill it, we passed legislation that says use the permit or lose it so we can get people in there who want to drill, and we just keep talking about that, and what we are going to do with taking the oil that is already there in the reserve and put it into the market, there is no doubt that our plan in the short-term is better and we have already made the investments in the long term that I know will be better.

Mr. MURPHY of Connecticut. I thank you, Mr. RYAN. You referenced that short-term plan, and I think we would be remiss if we didn't talk a little bit about what is maybe our best tool between now and when this session wraps up to actually get some short-term relief to people. Because as much as we know the oil companies are a lot of the reason, the majority of the reason behind the problems that we face today, we have got to acknowledge where the price of a barrel of oil is set.

The price of a barrel of oil is not set in the boardroom of Exxon or Chevron or BP. It is not set at the gas station that you and I go to fill up at. It is set on this place called the commodities market, the other place that has done very, very well over the past several years, the traders on Wall Street who have been coming away with millions, if not billions, off of these increased prices that we see.

So if you really want some short-term relief, if you don't want to wait 10 years until you could get a drop of oil out of newly-leased territory, then let's actually go and pass some legislation to affect the very place that the price of oil is being set, and that is on the commodities market.

We have seen an explosion of almost 20-fold in the amount of money that is being invested in the oil commodities market. And, guess what? Most of that money is being invested betting in only one direction, that the price goes up. And guess what else? When you bet that the price goes up, that is what it does. It goes up.

□ 2145

Money chases money. Long bets increase the price of a barrel of oil. So we have got some pretty simple solutions in front of us that we are going to be putting forward in front of this House in the next few weeks.

Let's limit the amount of people who can go onto Wall Street with the millions that they have made and force the price of gasoline, the price of a barrel of oil artificially beyond what it really costs. Because I do not believe that the price of a gallon of gas is really $4.20. That is not what supply and demand would have it at. That is what the commodity traders on Wall Street would have us believe.

So if you really want to get short-term relief, then just as on the issues that we were talking about before, you have got to take on the oil industry,

you have got to take on Wall Street, you have got to take on the commodity traders.

And this place just I have seen it in the last few weeks, Mr. MEEK, has all of a sudden started to crawl with those lobbyists that represent the folks that are making all this money off of oil trading. They are going to try to shut this down. They are going to do their best to go to their friends here in Congress and in the administration and try to shut down our efforts to reform the commodity market.

And this isn't a simple thing to explain to our constituents, it is not a simple thing for people to explain to us. But if you really want to talk about what is responsible, what venue can be affected immediately in terms of bringing down this price, you have got to go after Wall Street, you have got to go after the place where we can get the most obvious and quickest price relief. And it is not going to be easy, because those folks there have just as many interests and lobbyists as do the oil companies here. But, Mr. MEEK, we didn't get sent here to represent the lobbyists, we didn't get sent here to represent the special interests. We took over this House, we took control of this House because we are supposed to stick up for the people who are paying those prices.

And we are all singing the same tune. In the long run, we have got to get off of oil. We have got to find something else to run this country on, Mr. MEEK, Mr. ALTMIRE, and Mr. RYAN. But in the short run, let's go to the place where it counts and where it can be changed and affected the most, and that is the commodities market. And I hope that we are going to do something here. I hope that we are going to get some bipartisan consensus to be able to work on that solution in the next few weeks.

Mr. MEEK of Florida. Mr. MURPHY, I want to thank you for sharing with the Members how we can improve and how the administration can improve as it relates to policing what is going on right now.

We passed legislation putting teeth in the Federal Trade Commission to be able to go after these price gougers, to be able to find out where there is fat and waste. This Bush administration will not get the award for being able to stomp out waste and fat within the Federal Government. The executive branch means a lot to accountability as it relates to what we are trying to seek out here in Congress.

I want to thank you, Mr. MURPHY, and I want to thank Mr. ALTMIRE and Mr. RYAN for coming down here, this 30-Something Working Group hour tonight.

Madam Speaker, we come to the floor to not only bring about bipartisanship, but also challenge our colleagues in being a part of the solution versus standing idly by and holding on to party loyalty or whatever the case may be. Because we did not talk about the kind of changes that you can believe in or the kind of change if you give us the opportunity, or the Six in '06 plan on behalf of just Democrats, on behalf of Independents and Republicans, but on behalf of the American and those yet unborn. So we are batting pretty good as it relates to the accountability of what the people want and what is good for this country. And I can tell you, there is no greater honor, there is no greater honor than serving here in this Congress and being about the solution.

We can talk about solution and we can take action on solution here. But if we have an administration that is treating it as though it is the last day of school or the last days of school, and I don't necessarily have to respond; we have oil companies that have a plate of leases that are out like this high and putting pressure on the Congress and on other entities to say, hey, let's start drilling off the coast of Florida. Well, why? Well, we want to bring gas prices down. When? Oh, maybe 10 or 15 years. But we just want it. We know we have thousands and thousands upon thousands of leases that are yet undrilled upon, unresearched or what have you, but we want more. It sounds like the oil companies are saying: We want to keep this good thing going for us.

Well, the American people are now asking for a bailout as it relates to the price of gas at the pump. I am asking the Bush administration and some of my colleagues on the other side of the aisle to be just as excited about helping bail out the American people as though they were and have been excited about bailing out industry, special interests when they get into trouble. Why doesn't somebody save Ms. Johnson or Ms. Cravis, or Mr. Jackson who has an F–10 pickup truck and running a small business. Let's help them.

So that is what we are trying to do here and that is what we are advocating here on the floor. It is going to take more than a willing House and a willing Senate to bring about the kind of change that will affect the bottom line of the American people that are facing these prices right now. We need the administration to be able to stand up on behalf of the American people. And, guess what, we can't wait until January for that to happen.

So we thank you, Madam Speaker. I would like to thank the members that came down to the floor tonight of the 30-Something Working Group. It is always an honor to address the House of Representatives.

We yield back the balance of our time.

HOLDING THE LINE ON DEBT AND THE ENERGY CRISIS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Iowa (Mr. KING) is recognized for 60 minutes.

Mr. KING of Iowa. Madam Speaker, I appreciate the privilege to be recognized here on the floor of the House of the United States Congress.

I have sat here through the last hour and patiently listened to my colleagues on the other side of the aisle, and one of the things that comes out clearly is the tone of the message that they deliver.

I have heard this 30-Something Group now, I think I must be into about the sixth year of listening to this, and it seemed to me that at some point they would maybe get over their bitterness about President Bush winning an election in Florida twice, and all the recounts they could come up with still came up with the same result and they still carry the same resentment that the will of the people was reflected. And the bitterness that emerges in this discussion and the implications that come that challenge the motives of the President are disturbing to me, and particularly their remarks that have to do with allegations about: You put two Big Oil people in the White House, and this is what you get, is high oil prices. A lot of us that watch the policy will say we know better than that, Madam Speaker, and I know better than that for a lot of reasons.

As I look down through this, I am going to pick up the oil in just a moment, but I think where I would like to step in here first is to deal with the issue of the national debt. Now, some of the gentlemen on the other side of the aisle were clearly stating that they believe that they could have managed their way into not eliminating the national debt alone but providing for a surplus. They say: We could have paid off all the national debt if you would have just allowed us to be in charge. We would have made the right decisions.

So I listened to all that, and I tried to put myself, Madam Speaker, in a position of what it would be like for a person in a living room in someplace across the United States, or maybe someone who just pulled into the motel or the hotel and turned on their C–SPAN, turned on their television, they are surfing through there and came across C–SPAN or heard something like that, that the folks on that side of the aisle, if you would have been in charge, you would have paid off the national debt, which means if it is paid off, there must be a surplus. That is by simple, easy deduction and because the allegation is the folks that were in charge were irresponsible, supposedly.

So I thought, all right, what do I remember? What is real? What are some of the facts? And I can think in this 110th Congress, this Pelosi Congress, this Congress that is characterized by San Francisco values, Massachusetts values, and budget mismanagement, these are the things that come to mind on me. And some of them, it has been the Republican minority who has fought aggressively to protect the interests of the taxpayers. These are the things that I just wrote down off the top of my head, and it is by no means a complete list. It isn't even close:

Republicans held the line and saved the taxpayers $40 billion on the State

Children's Health Insurance Program, which I support as a State senator, which I support at 200 percent of poverty, which today is 200 percent of poverty still providing health insurance premiums for those children in families of four making in my State over $52,000 a year.

Now, we are helping those folks out some. They—most might make it on their own; in fact, I know some families that do make it on their own without tapping into the SCHIP program. But this agenda was driven off of this floor, Madam Speaker, and pushed by NANCY PELOSI, the San Francisco values, at 400 percent of poverty. That bill, that SCHIP bill would have expanded this funding of health insurance premium for kids and families in my State, of families of four making over $103,000 a year.

Now, who is left to subsidize? If we are going to subsidize families that are making six figures, $103,000 a year, who is going to pay that tax? Well, presumably not anybody that is making less. We know that there were 70,000 families in America that were paying the alternative minimum tax which this Congress, this Pelosi-led Congress can't seem to get around to repealing the alternative minimum tax. But 70,000 families in America would have been paying the alternative minimum tax and been receiving a Federal subsidy for their health insurance premiums.

The whole thing of socialized medicine and the Nanny Pelosi State has come full circle, and the overlap of what subsidized for health insurance premiums for families of 200 percent of poverty would have gone to 400 percent; and families that were paying the rich man's tax, the alternative minimum tax, expands because it is not indexed for inflation. Over into that loop were 70,000 families paying the alternative minimum tax and getting help with health insurance premiums. That is bizarre.

That is what we stopped. We blocked the 400 percent of poverty that would have funded families of four making $103,000 a year with somebody else's tax dollars and created more dependency. We blocked their effort to lay the cornerstone of socialized medicine, Hillary Care, the care that I called SCHIP, the Socialized Clinton Style Hillary Care for children and their parents was blocked by a Republican majority of fiscally responsible people, and we still maintained a program at 200 percent of poverty to help out those families so their children would have health insurance. That is one thing we did, $40 billion.

The second thing we did, we fought the battle and I think in the end we have got a reasonable chance of winning the war, BARNEY FRANK's $300 billion bailout of a $150 billion subprime problem, the idea that folks could come in and borrow up to 100 percent to buy a home that they can't make the payments on, just betting on the idea that the value of that home would appreciate and go up, maybe they could roll it into a fancier home in a few years and then refinance without any of their own equity in the home. That was going on in this country, especially in places on the Left Coast and on the East Coast. It wasn't going on nearly as much in the Midwest.

But there are people all across this country that were saving their money, that were saving up to the 20 percent down or maybe 29 percent down. They looked around, and said, well, all right, now for 10 or 15 years they put their money together and came up with $20,000 and decided, ''I want to buy a home.'' And they went out and shopped the marketplace and did the responsible thing and laid their $20,000 down and moved into a $100,000 home. In a lot of parts of the country that is a modest home; in my part of the country, that is a pretty decent home. They laid their $20,000 down and they could make their payments on the $80,000 left.

But now, the Barney Frank subprime bailout bill at $300 billion says: Now we are going to tax you, the families, the middle-income families, especially in the modest homes that put their 20 percent down on their modest home, tax those people to bail out the folks that had nothing down and moved into a $400,000 home, all to the tune of creating an increase in the deficit in this country by $300 billion. That is the bill that came off this floor. That is the bill that is over in the Senate. That is the one that I hope they can knock in the head. We don't need to do that.

And there was another one, a grab bag of ''I Want List'' off-budget for $168 billion. Those things popped in my head quickly, and I am seeing numbers of $1 trillion here and $1 trillion there roll off of the 30-Something Group. In my short little piece here, I wrote down $508 billion of irresponsible spending. Much of it Republicans have been successful in killing because it was irresponsible. That is more than one-half trillion dollars just in my memory in this short Congress, not in the full duration of 12 years in the majority, in which their grievance list goes back well beyond that.

And then, this group of people has the audacity to put out a whole series of proposals on energy because they know the American people are tired of paying high gas prices.

Now, I have sat in this Congress for these years. I started out in the 108th Congress, but I will take us back. I have some numbers here that come from the 106th, 108th, 109th Congress, and these are Congresses that were led by Republican majority and these were efforts that were brought forward that would have lowered the cost of energy in its entirety, especially the cost of gas.

□ 2200

These are bills that went over to the Senate from the House. Mr. Speaker, I hope you write this down and do a little research on this.

H.R. 1655, from the 106th Congress, the Department of Energy Research, Development, and Demonstration Authorization Act, that passed the House and went to the Senate. That was on September 15th of 1999. Also, H.R. 3822, another energy bill, the Oil Price Reduction Act, that passed the House on March 22nd of 2000. It went to the Senate, and it died in committee.

Also, in the 108th Congress, I'll name three other bills: H.R. 3062, H.R. 4503, H.R. 4517. They all passed the House in the 108th Congress. All would have lowered energy prices. All would have provided more energy in the marketplace. All died in the Senate.

In the 109th Congress—that's the Congress ahead of this one—H.R. 6, the Energy Policy Act, passed the House on April 21, 2005. That happens to be my mother's birthday. Senate action: They removed the ANWR provision that passed out of this House. It died over there. Others that passed in that Congress are H.R. 2863 and H.R. 5429 and H.R. 4761, all energy bills, all bills that passed the House, all bills, by the memo I'm looking at, at least, that didn't make it out of the Senate, that didn't come back to the House, that didn't go to conference. They just died over there. They died over there not because of Republicans in the Senate. They died over there because of the 40 Democrats who blocked the bill, the filibuster rule that they have. As long as they're able to do that, they can be in the minority, and they can block good legislation in the Senate.

That, Mr. Speaker, is what happened in the last three Congresses ahead of this one, this 110th Congress that we are in.

I didn't mention the 107th Congress. As for the 106th, 108th and 109th Congresses, all of those Congresses passed energy legislation bills. All of them would have contributed to the supply. They would have reduced the regulation. Some of them would have provided for the siting of refineries on decommissioned military bases, and part of that legislation out of here would have allowed drilling in ANWR. Part of it would have opened up the Outer Continental Shelf to at least some degree.

We sit here in this Congress, and a question that came up more than a year ago was: What is the solution for $3 gas? I happen to have a little chart that might help illustrate this.

Now, George Bush was really put up to be the demon here, in listening to the folks who spoke ahead of me, so I thought I'd put a little piece of fact up for people to take a look at, Mr. Speaker. Here are the facts. This is just slightly dated, but I can bring it up to date. This is pretty close.

This is the time that George Bush was sworn in as President of the United States. Gas was $1.49. Oh, boy. Don't we wish we had those days today.

As I move forward, we come to the point where NANCY PELOSI was sworn in as Speaker. Gas had gone up to $2.33 a gallon. I'd be happy to go back to

those days, and so would every American if we could make the deal today to hold gas at $2.33, but look at how long it took to get to the $2.33 from the $1.49.

When Bush was sworn in as President and, yes, when the speculators in the world and when the investors in the world and when the oil companies in the world and when the sovereign wealth funds in the nations that control much of the world's energy supply saw what was happening here in this country—that the United States had lost its ability to pass legislation out of this House and send it to the Senate, let alone to a Senate that would pass it and send it to the President, who would have signed, I think, every one of these bills that I've read off here—then your energy prices shot up. $4.08 is slightly dated. It's probably $4.10 or $4.11 today. So that tells you what's actually going on here.

If you take energy off the market, if you increase regulation, if you come out and you make noise about windfall profits taxes, I can tell you what I'd do if I were sitting on the board of directors of an energy company, and Congress had said, ''I want to come in and tax you after the fact.'' I would start to look for other places to put my capital, where I could get a return that wasn't going to be punished after the fact by Congress.

So I don't think that people on the other side of the aisle here, for the most part, understand this free market system that's here. I don't think they understand supply and demand. They convinced me of that today in a hearing on the Ag Committee. It was all about trying to regulate the futures market on energy. There were six different witnesses, and I lost track, actually, of how many bills were there, but some of those bills were drafted years ago, 1 or 2 or 3 years ago, when I would have thought that, maybe, their focus on this regulation of the futures market would have come within the last 2 or 3 months rather than in the last 2 or 3 years.

They convinced me, because those Members of Congress had been working that long on the futures market, that it actually indicates supply and demand on energy in the world, and it lets the people who are watching those markets understand at least what the people who are speculating on that market think is going to be there for supply and demand. They don't have the confidence in that. They think that they need to get in there and regulate the market, regulate the market, take the futures out of the energy equation because, as the gentleman from Maryland said, there must be some margin in there somewhere, and we've got to squeeze every drop out of it. Well, they're providing a service with the futures market, and that allows people to hedge, and you've got to let them hedge because there are people who are vulnerable to the fluctuation in energy prices.

Then, on top of that, supply and demand is not part of the equation on the left side of the aisle, Mr. Speaker. It's not. They convinced me of that in the hearing today. It's not or it wouldn't be proposed by the Speaker of the House, NANCY PELOSI, that we should go ahead and up the Strategic Petroleum Reserve. In a little bit, the gentleman from Pennsylvania will address that subject matter with a little more expertise than I bring to this floor, but it's a limited supply, and it's, therefore, a national emergency.

I can tell you that 42.6 percent of the world's export oil supply goes through the Strait of Hormuz. We have Iran threatening to shut down the Strait of Hormuz, and they know that that strait there is not just the valve that controls 42.6 percent of the world's export oil supply. That's the valve that shuts down the world economy. If they can control the strait, they can control the world economy. They know it. They've known it for a long time. Even Jimmy Carter knew it.

What would be the dumbest time to open up the Strategic Petroleum Reserve? Well, that would be the time when we're most vulnerable and are most threatened that someone like Iran might decide they're going to try to close down the Strait of Hormuz.

That limited amount of oil is there. It can't change the market very much. The markets aren't going to change unless you have a significant change in the volume. That doesn't change the volume of oil in the market. That just dumps the reserve out and leaves us vulnerable to dumping that volume.

Now, in looking down through a list of some of these other things, they put up a chart that showed that there are 91.5 million acres leased, and there are only 23.7 million acres producing. So they're saying go ahead and drill those acres; we're fine with that. Well, all right. I'm fine with that, too, but it doesn't matter whether you're fine with it or not. Those acres are leased. The problem is those aren't producing acres. It costs millions to sink a well in most of these places. So, if you sink a well down someplace where there's not oil, you've wasted the money.

I'd say, if you're serious about this, step up and join me. Let's let the leaseholders then trade off those acres for other acres. Let them use those acres to bid with in conjunction with the dollar investment. We'll let them trade out of that 23.7 million acres or, let me say, the 91.5 million leased acres that aren't being drilled on—and I'm taking your numbers at face value. I've not checked these numbers, and I'd want to do that before I'd sign onto a bill. Take a look at this. Let them trade the acres out, and you'll find out. There's no reason why an energy company doesn't want to drill unless they don't believe there's oil there, not in this market, not in this day.

Then you know the argument ''use it or lose it.''

Well, let them use it by letting them trade those acres in for acres that are producing acres, and you'll see immediate action. They'd be happy to lose some of those acres. Open them up, and let somebody else bid on the acres that aren't being drilled. This is a prudent business decision.

Your theory, gentlemen, presupposes that there's oil in equal quantity under every acre that's leased whether it's drilled or whether it's not. Now, what kind of a myopic view of the underground do you have? Do you have any geologists over there in your caucus? I'm not really a geologist, but I have personally and physically drilled for oil, and I've dug more holes into Mother Earth than has anybody in this Congress. I've taken a little look at the stratification of that, and I at least have some understanding of what produces oil and what doesn't. It can't be everywhere by definition.

Then the position that came out over and over again is that Democrats are going to go after Big Oil. Well, Big Oil is what provides a lot of energy in this marketplace. If you cut down on the supply, you're going to raise the price some more, and you'll see this price of $4.08 go up to $5.08. Go ahead. Go after Big Oil, and see what the result is. You are not going to get oil 1 cent cheaper. That price is going to go up because you'll scare the capital out of the marketplace; you'll shut down the exploration, and you'll empower the Middle Eastern oil more because they are the sovereign wealth funds that control a significant amount of the energy. That's the mindset over here.

I suppose, if you say it over and over again, you'll begin to believe it, and maybe you actually do believe it, but you're not going to be able to get commonsense Americans to believe in an idea of going after Big Oil.

Oh, by the way, windfall profits taxes. Let's just say Exxon. I saw a piece the other day of 8.6 percent return on their capital. You want to tax windfall profits, calling an 8.6 percent return on capital a windfall profit tax? Well, if that's the case, I'll sign on with that if you'll also want to apply a windfall profits tax to every corporation in America that got a greater return than 8.6 percent. If we'd do that, we would kill the goose that laid the golden egg. We would also fix the national debt because there are a lot of companies that are going to end up getting a better return than 8.6 percent on their capital.

I spent 28 years in the construction business. Many times, I got a better return than 8.6 percent on the capital. I never felt guilty about a single bit of it because I earned it all competing in the marketplace, and that's what these companies are doing, too.

This is the one that grips STEVE KING, Mr. Speaker, this statement from the gentleman from Ohio (Mr. RYAN). Look at the investments in biofuels, the Democrats' support for biofuels. He says that some say it's keeping gas prices down by 50 cents. Well, I wish

that were the case. I happen to represent the number 1 biofuels congressional district in America. It's the 5th District of Iowa.

Six years ago when I came to Congress, we hardly had an industry, but Republicans passed Blender's tax credits at 51 cents a gallon. I'm the guy who introduced the legislation in my first bill in Congress that extended the Blender's credit for ethanol and that raised the small ethanol producers and the small biofuels producers' credit from 30 million gallons a year to 60 million so that we could take advantage of the economy of scale and the kind of plants that needed to be competitive.

I added biodiesel to this. It came out of the bill I introduced. It was written into another bill. I've gotten a lot of help here, and I thank everybody on both sides of the aisle for that. I sent it over to the Senate. The Senate picked it up, and it arrived at the President's desk. The first bill I introduced became law, and I thought I'm a freshman, but this is easy. Well, Mr. PETERSON knows it's not that easy, and I was a little bit lucky, but it was an idea whose time was right. I just happened to know, though, about what happens with biofuels.

The 5th District of Iowa produces more, when you add it up, ethanol, biodiesel and wind energy than any other congressional district in America. We are the renewable fuels capital. We've built an industry around this. For at least the last 2 years, maybe 3, there has been over $1 billion a year in private investment capital invested in renewable energy infrastructure just in my congressional district. So I thought I'll do the math on this now.

If you can lower gas prices by 50 cents because Democrats invested in biofuels—well, they didn't do that. That was Republican leadership, but Democrats did do this: They brought the farm bill out of this floor, and it went to the President's desk. It cut the Blender's credit by 6 cents. That's what Democrats have done. So they've sent a message to the renewable fuels industry: Don't invest capital in this industry because we're going to be changing the rules on you after you get your dollars invested. That's what they think of a deal. Cut the Blender's credit by 12 percent.

Now, I'm not here to argue whether that's the right number or whether that's the wrong number. That's what happened. That was Democrat leadership that did that, but if they think that having renewable energy—and that means biofuels—on the market will cut gas prices by 50 cents, Mr. Speaker, then I went through this math, and I figured this out.

All right. Let's see. In ethanol, we produced 9 billion gallons of ethanol last year. That got blended into 150 billion gallons of overall consumption. That works out to be 6 percent of the gallons, 4.2 percent of the energy. So, with biofuels, ethanol replaced 4.2 percent of the energy consumed in gas last year. If 4.2 percent of the gas can lower the price by 50 percent as stated by Mr. RYAN from Ohio, if that can happen, then I'm here to tell you, if we open up ANWR, that will do a better job because 1 million barrels a day going into the marketplace in ANWR will replace 5.6 percent of our annual gas consumption. So, if 4.2 percent in ethanol lowers the price by 50 cents a gallon, 5.6 percent coming out of ANWR ought to take it down 60 cents or more a gallon.

□ 2215

And they say don't drill in ANWR.

I can take that up a little bit later, Mr. Speaker, and I have some things that I would like to say about the commodities and futures and trading markets as well, but I also recognize that the gentleman who is and remains the leader on energy in the United States, in the United States Congress, the gentleman who is down on this floor over and over and over again who is working in front of the scenes and behind the scenes, who's working strategy, who is engaging in amendments in committee, who walks this floor constantly seeking to lower energy prices for the American people, a man who leaves a legacy and hopefully gets his way at the end of the 110th Congress so there's a real marker for that legacy is the gentleman from Pennsylvania (Mr. PETERSON), whom I'd be proud to yield so much time as he may consume.

Mr. PETERSON of Pennsylvania. I thank the gentleman from Iowa and for the opportunity to share time with him.

I don't know about you, Mr. Speaker. After the 4th of July recess where we had $4 gasoline, $5 diesel, almost $4 heating oil, and Americans are shuddering because what they don't know, and they will be even more concerned, is that in a few months, they will be getting 50- to 60-percent increases in home heating costs with natural gas. Those passed-through costs will be approved by our State PUCs. My home company in western Pennsylvania raised the rates at 6 percent in May and are going to be raising it 50 percent August 1, and they have another opportunity to raise it again in November. And they're just passing through the costs of gas.

Just like New England just had a 42 percent increase in electric costs because of the percentage of their electricity that is now made with natural gas. So as natural gas prices escalate, theirs escalate.

When we have these prices, I have neighbors who don't know how they're going to heat their home this year. I have churches in my district who probably won't use their sanctuaries, seniors who are living on limited budgets. I know a gentleman, a neighbor, this week—he's 75 years old. Four years ago, he sold his pellet stove because he was 71 and decided he was getting too old to carry 40-pound pellet bags into the basement. He had it in his basement and ran heat up through his registers. And he took it out. And with the current energy prices, he bought another pellet stove. He has to cut another hole through the cement wall that he had cemented and put another pellet stove in because he can't afford fuel.

I have neighbors and friends who kept their house at 55 last year. And this year energy prices are double if they're heating with home heating oil. They're about 75 percent higher with propane, and they're going to be somewhere between 50 and 75 to 100 percent higher in natural gas when those prices hit the market.

I know Americans who are driving 30 and 40 and 50 miles to work. I have a neighbor lady who makes $11 an hour. She has two children. She travels 36 miles to work. Her balanced billing bill is $175 a month, and she has no money in her budget for a 60 percent increase in natural gas prices that are going to hit her for this winter.

People all over America are scared. Should we open the reserve? Well, I guess if we do, we sort of say we didn't need a reserve because the reserve is only several months' supply in case there's a tragedy in the world market, there is a major problem in one of the big sending countries. Let's just say, God forbid, that terrorists would blow up the sending platforms where we load our tankers in Saudi Arabia, we would have $250 oil quickly.

The petroleum reserve is in case of war, is in case of tragedy somewhere in the country, some tragic incident that cuts off our supply. Because today, we get one-third of our oil from home, we buy one-third of it from our friends like Canada and Mexico and other friendly countries, and we buy one-third of it from the Middle East. The one-third in the Middle East, as we've heard earlier, is fragile. We don't know that will always be available. Should we use the reserve? I don't personally think we should. I think we should have kept filling it because 70,000 barrels a day is a drop in a bucket. It did nothing for prices, will do nothing for prices.

So use the reserve and say July, August, and September it will be all gone. And what do we do in October, November, December if we have tragedy or what are we going to do then? That's not a solution.

It amazes me, because I'm not giving high grades on energy to many people around here. It's my view that 3 Presidents and 14 Congresses in succession have not gotten good marks on energy, have not had a bona fide energy plan. And you say, Why is it? Well, it's kind of understandable. Up until 7 or 8 years ago, except for a spike in the 1970s and 1980s and 1990s for a year or two at a time, we had $2 gas and $10 oil. And the argument was—and I remember debating it at the State—should we use theirs or should we use ours. I always thought we should produce ours. It creates jobs here. It's part of our economy. There's no better jobs than oil-

patch jobs and all the related jobs, the refineries and the pipelines and all of that whole system.

You can go down in downtown Washington and buy gasoline made in Russia, and the only person making money off of it is the guy selling it. It was refined in Russia. We can buy that in Washington, D.C. They only chain the stations here in the east coast.

So I just find it, I guess, unconceivable that we don't—we can't figure this thing out that when we're one-third dependent—we're two-thirds dependent—but one-third dependent on enemies or people who aren't our friends, and people who—or they're not stable governments. And when they say not to drill here, every day we don't drill here we become more dependent.

Since I've been in Congress, we've averaged 2 percent a year. This year we will increase another 2 percent. We're at two-thirds now dependent on foreign countries.

And what happened was—I don't give the Bush administration high marks. In fact, looking at, you know, they actually get higher marks than many. They had the hydrogen car initiative 2 or 3 years ago. They pumped a lot of money into hydrogen cars. But do we have a hydrogen car? No. Do we hope to some day? Yes. But that's futuristic. That's a good thing.

Last year they had the mandate, they urged us to increase the mandate on biofuels to 36.5 billion by 2030, switching from corn after 15 billion gallons to cellulosic ethanol. Now, I get a little nervous when you mandate cellulosic ethanol when we still don't have the design of a plant to make it. Now, we're hoping and praying, and the thought is making it out of wood waste and making it out of garbage and out of sweet grasses like switchgrass. That looks hopeful as a better way to make ethanol. Because we do know that corn prices have edged up a little from $2 a bushel to I think it hit a high of $7.70 last week. It's down to maybe $7.40 this week.

But the first Bush administration locked up the Outer Continental Shelf. We're the only country in the world to do that. Canada drills right up here. And they drill right up here within sight of our coastline. Norway, Sweden, Denmark, Ireland, Australia, New Zealand, every country, all of South America, everybody produces offshore. In fact, Brazil, the country everybody gives high marks for, and they gave the credit for ethanol. Ethanol is 15 percent of it. But they went out and opened up their continental shelf and just recently in deep water found a huge reserve of oil, and now we're going to be an exporter of oil.

Now, what we don't know about America is when we did seismographic on our shores 30-some years ago, since then for the last 28 years law has prohibited us from even measuring out there to see what's out there. That's how stupid I say we are. We don't even want to go out and look. We could have somewhere out here, or somewhere out here, the largest oil and gas reserve because all over the world, offshore is tremendous energy production.

In fact, everybody tells me, everybody that knows the business and who have regulated the business, not necessarily producers, that it is the least environmental hazard. When you're out in the ocean and you drill a hole in the ground, I mean, one little storm stirs up more than a drilling bit going down into the ocean floor. And we've not had a major spill since Santa Barbara in 1969. We have the technology today. And the cost offshore is big.

But here offshore when we did the seismic measurements 30-some years ago. We only did it in water less than 4,000 feet. Now, today we can drill in 2-mile deep water so we've never even used—and the seismic of today would be like comparing an old seismic 30 years ago. It would be like a black and white TV to the current thin-screen TVs like we have today. That would be the difference. I mean, the new seismic tells you what's there. Tells you a lot.

But we're not there. We just drill in a small part of the gulf. That's the other thing. And it amazes me when we listen to these talks about we got 64 or 84 million acres. Until they drill that we're not going to let them. Well, you know, four out of five deep water wells are dry. It costs $900 million. I'm going to say that again: $900 million to build a deep water platform. It costs $1 million a day to operate it, and it's four out of five wells you will drill.

Now, I'm not able to personally assess. I'm meeting with some people tomorrow in two different groups to learn more about the potential of those 64 or 84—I keep hearing different figures—million acres that they're talking about. But I do know that these are great and the rest of the gulf here are great areas, and we are saying can't drill there.

Now, it seems to me drilling for oil's not a sure thing. Four out of five deep? No. You don't get anything. Three out of four shallow? No. You don't get anything. So you explore, and when you find three or four good wells, now you know you've hit a pool and you will go in and try to figure where it's at and maximize it.

We know in much of the gulf we've been drilling for so long that the gulf is actually depleting. Although we're drilling twice as many wells there as we used to, we're getting less energy because we're in old, tired fields. We're drilling between wells. We're drilling deeper where it's more costly, and it's still exploring, trying to find more gas and oil.

Now, I guess the part that really confounds me is the hope we have for renewables. And you know, I hope for the day in my lifetime that we can run our country on renewables. But here is the chart. From the middle of this chart towards me is history. This is the Energy Department's figures. From the middle of my chart to my left is their projection of the future. Of course, oil's the Big Kahuna. Natural gas and coal are the other big ones.

Now, they show coal increasing. I disagree with that because of the carbon issue and because 70 coal plants in the last 8 or 9 months have been turned down by State agencies, and they will all become gas plants. And the reason we have such high gas prices in our country today is that 12 years ago we took away the moratorium for using natural gas to make electricity. Historically, Mr. Speaker, we only made electricity out of natural gas in a peak power plant that ran in the morning and the evening when we consumed huge amounts of electricity when we're heating water at home and cooking and doing the washing and so forth in the morning and evening, and all of the plants that were running to. So that was a maximum load of electricity.

So 12 years ago we took that moratorium off, and now 24 percent of our electricity is made with natural gas. From 7. That's a huge increase, and we didn't open up supply.

Now, just several years ago natural gas was $2 a thousand. The last few months it's been running at $1,300 to $1,350 a thousand. Those are figures that will drive most industries left out of this country because natural gas is not a world price. It's a country-by-country price. When we pay $130, $140, or $150 for oil, it's very painful; but it's painful for our competitors. It's painful to our neighbors.

But on natural gas, we've been paying the highest prices in the world, and we have competing countries who are right in South America. Trinidad has $1.60 gas. Now, if you're going to make glass or you're going to make bricks, you're going to make petrochemicals, you're going to make fertilizers which consume enormous amounts of gas.

Just to show you. Dow Chemical in 2002 paid $8 billion a year for natural gas. Today, Dow Chemical pays $8 billion a quarter for natural gas. And to show you the migration of jobs out of this country, Dow Chemical in the year 2000 had 64 percent of their production on shore in America. Today they have 34 percent. Why? They can't afford to be here. Just like my neighbors can't afford to heat their homes and drive their cars in rural areas. Companies and small businesses who heat treat things who bend metal and twist metal and have to heat it with natural gas, they can't afford to function competitively in this country if they're competing with products made in another country that can buy gas for a fraction of the cost.

□ 2230

Now, let's look at where we're putting all our faith. I want wind and solar to be huge but it's not.

Nuclear, we did in the 2005 Act streamline the nuclear process. We have thirty-some permits applied for. I think we have 33 about ready to be

given. We need 35 to 40 new plants built for nuclear to keep nuclear at 20 percent of the grid, just maintain, 20 percent, not gain.

Hydro continues to lose ground—that's the brown line here—because we're not building dams. We aren't allowed to build dams. That's the cleanest energy we could have.

The top line is the renewables. Now, over on my left, I'm going to have a big chart tomorrow, but the red is biomass, woody biomass. Now, woody biomass has grown almost a percent in the last 4 years. That's pellet stoves. Over 1 million Americans this year will heat their home with a pellet stove. That's wood waste factories burning boilers with wood waste, heating their factories with wood waste. And it's power plants topping their coal loads with some wood waste to meet air standards there near the edge. So woody biomass, and I don't think there's been any initiatives, any tax credits. That's just happened.

Then we have hydro, and it's not gone. It's going to stay there. The yellow line is geothermal, and there's all kind of incentives. They get the tax credits, but as we grow our economy, it just remains a small portion.

Then we have the blue line, which is wind, which has bubbled somewhat. But if we double wind and solar in the next 5 years we will be less than 1 percent of our energy portfolio. Now, I hope we can, and I hope we can double it again the next 5 years, but we'd still be less than 2 percent of our energy portfolio, maybe even less than that because our energy needs will grow.

Now, the problem that's changed in the world, and a lot of people don't realize it, is the growth of use of energy in the world. It's not us. We're flat on energy use. In fact, we're decreasing because of price.

China is increasing 15 to 20 percent a year. India's increasing at a huge rate. You have South America developing. You have Malaysia developing. You have millions and millions of people in this world who are buying their first car and owning their first home, and when they buy their first car and own their first home, they're in the energy use business.

So, no matter what we do, we can't control prices by conserving. I'm for conservation. In fact, we need to figure out how to help Americans to use energy more wisely and let them write it off on their income taxes in a 3- or 4-year period. We need to do that, whether it's more efficient heating, whether it's better windows, better doors, whether it's more efficient appliances, yes, we need to help them out, because, really, I hate to say it, but the only thing Americans have today that they can do is use less energy. There is nothing now because we are not going to drill. We're not going to drill.

I have a bill to open up the Outer Continental Shelf. I had it poised. I offered it in the committee, in Interior, in the subcommittee, and it's the first time that it's been treated partisanly. We had six Republican votes were ''yes'' and nine Democrats votes ''no.'' Now, I'm not going to blame those Members. They had tremendous Speaker power applied to them. There were Members who voted against energy who have never voted against energy in this Congress in that sitting.

A week or two later, we were going to offer our amendment again in the full committee, where you have about 75 or 80 Members. And I think somebody in the Speaker's office took a count, and when they didn't have the votes to beat my amendment, we didn't do the Interior bill. And here we are today, weeks later, we are still not doing the Interior bill. Why? Because Congressman PETERSON has an amendment that would open up the Outer Continental Shelf that would open up drilling 50 miles out, from 50 to 200.

Like I say, I don't pass out any gold awards around this place in the last three decades on energy leadership, and I mean that sincerely. We haven't had a President. President Clinton didn't lead on energy. He vetoed the ANWR bill. And I personally think President Bush tried hard to do ANWR. I voted for ANWR, but if he would have put the same effort on offshore, we would have probably accomplished it, but he didn't. In fact, he has never supported offshore until a news conference two weeks ago. But he also—and I'm going to say this critically—there's a Presidential moratoria and there's a legislative moratoria, and he said, if Congress will lift their moratorium, I will lift mine.

Mr. President, I was disappointed that you didn't lead. I was disappointed that you didn't lift your moratorium. Now, your father put it on. It was not supposed to be long-term. It was supposed to be 5 years until they could assess what parts of our coastline might need to be protected. President Clinton came in, had no energy initiative. He extended it to 2002, and then come Bush II, and because he had a brother in Florida and offshore drilling was an issue, he didn't touch it.

In fact, last year we passed a major bill here in the House to open up offshore. The Senate wouldn't deal with it. They passed a small bill down here in the gulf that was tracked 181 that had been on the 5-year plan in the Clinton administration that had not been leased, was taken out of the 5-year plan because of its proximity to Florida by the Bush administration, and was legislated back into the 5-year plan by the Senate, and I had to lead the fight here to get that accomplished in the House. They wouldn't conference with us on our bill so we could merge the two bills, but I led the fight here to make sure that we got that passed. That lease sold for I think $3.6 billion and is on its way, and it was done rather quickly.

Now, there are those who say we can't do anything in 10 to 20 years just don't know what they're talking about. If we work close to the areas in the gulf first—and we will—that have been leased, there's infrastructure. And if we would expedite the permit process legislatively like we did with track 21, and force the hand of the bureaucracy not to sit on this and to get it done, we could have oil and gas production in several years.

We still have 27 platforms active in the western coast that were exempted by the moratorium. They're still functioning. In fact, the governor of California uses some of them to drill in his 3-mile zone, when he's telling us not to drill nationally. Yes, Arnold Schwarzenegger, the governor of California, issues permits, and California approves them or his administration does, to drill off the shore of California every year, drilling in the 3-mile zone. Now, they drill part of them from onshore with a slant drill. They go on our Federal platforms in Federal Waters and slant drill into the 3-mile area to produce oil.

I'm sorry, but California and Florida are huge users of energy and both of them have thwarted us. I've got to give credit to the Florida delegation. They have come around. Many of the Florida delegation realize—and the Florida citizens picked it up first—they're now supporting offshore production of energy. Offshore production of energy is not a threat to our coastlines. It's the best reserves we have. It's close to where the people are. We have pipelines and refineries there. It's what really works.

When you produce oil in some parts of the Midwest it's hard to get it to market. I'm not saying we shouldn't produce it, but when you produce it on your shorelines where your population centers are, it's the best place.

I find this Congress almost unbelievable that we use excuses like there's 68 million acres that are leased and are not producing. Well, if you punch 10 holes in the ground and they're all dry holes, you stop spending your money.

I know also there's probably hundreds of cases in the gulf where there's lawsuits preventing them from drilling a hole in the ground. Citizen lawsuits, the Sierra Club, Greenpeace, all these organizations continually sue to stop the production of energy.

Yes, the problem we've had, we've had three Presidents in a row and 14 Congresses in a row, and all these 10, 11 environmental groups that said we must stop using fossil fuels. We must stop using these, and we're going to replace them with these. They're going to replace these with this.

I wish we could, but until we can, we better produce and we need to be doing coal-to-liquids and coal-to-gas. We need to be continuing to push hydrogen. We need to do all of the above.

And I want to tell you something, it's my opinion, my humble opinion, that if we drill offshore and we drill more in the Midwest and we do coal-to-liquids and coal-to-gas—they all take time—this country is going to be in an energy

crunch for a number of years, and there's going to be pain felt in this country. We're going to lose middle-class jobs. We're going to lose industries out of this country because they can't afford to be here, no matter what we do, because we've waited too long.

Mr. KING of Iowa. I want to thank the gentleman from Pennsylvania. I'm standing here transfixed. Much of this argument I have heard, but I seldom hear it put together in such a way, such a deliberative way that flows. And when you start talking about the future and what it looks like and the pain that we're going to feel because we waited too long, that's a good message for this Congress to hear.

And from my own perspective, I'd like to say this. Some of us are going to be able to coast along through and shift into retirement and be able to be just fine for the rest of our expected lifespan. That's not the case for millions and millions of Americans who are at the earlier stages of their life that have yet to step forward and get an education, that have yet to join up and raise a family.

And I'm thinking about my children, my grandchildren. I'm thinking about a little fellow named Joseph Dean Anderson that was born the day after the 4th of July that I'll be watching very closely as he grows up and how we shape the future for him, and the decisions that we make in this Congress and the debates that we're going to have a lot harder time winning because there's an agenda out here that we can't quite get our hands on.

And I'm always trying to figure out how can I bring some more logic to win this debate. I came into this political arena about, oh, I don't know, 12, 13 years ago, believing that if I'm right on principle, all I have to do is articulate that principle and that will bring those folks over to my side and we'll get the votes together. That was a naive thing to believe that somehow logic and principle was going to carry the day. It doesn't carry the day because people migrate towards political power.

So if you have a green coalition that's putting money into campaigns and if you have an agenda that's being driven across the Web pages, they say we'll support you and we'll come in and we'll march the streets and hang door hangers on the doorknobs and we'll make sure that you get reelected, all you have to do is if we label it green, just sit up and vote our way. That suspends logic. It suspends the logic. The logic that JOHN PETERSON has delivered out here tonight, the logic I think I've added to, is suspended is because this agenda is an agenda that goes beyond our rational understanding.

Now, I have been telling my constituents that NANCY PELOSI and the people that follow her, the people who would have voted for energy and now vote for green in the committee, in the end they really don't want cheaper gas. They want more expensive energy in America. That's what they want. That's what the agenda is, and now here is how I explain it.

First, for me, for those of us who approach this thing with the best interest of Americans in mind say this. If we can do this, this is the energy pie chart. It's taken me a little time to put this together, but what it represents is the inside circle the total BTUs produced in the United States of America. That's 72 quad-trillion BTUs. And then the outside circle is all the energy that's consumed in America. That's 101.4 quad-trillion BTUs of energy. Now, quad-trillion doesn't mean a lot to me or anybody else for that matter, but it's this.

Seventy-two percent of the energy we consume in America is produced in America. The difference, that 28, 29 percent, is what we have to import from outside the United States, and in these pie charts that are here are a number of these components that Mr. PETERSON talked about so much.

Here's coal in the orange. That's the coal that we consume on the outside; the coal we produced is on the inside.

□ 2245

They don't quite match up because the size of our circles are different.

Then you can go down here, but look at the outside circle, the natural gas. Our overall consumption is 23.3 percent of our energy consumption is natural gas. Nuclear is up here; 8.29 percent of our energy consumption is nuclear. That needs to get bigger.

You get around to these parts that we've heard about, the biodiesel, wind, geothermal, how hydroelectric is shrinking. Here's your ethanol. And I've pushed hard for ethanol. And we've got solar power is a small little piece of this thing; bigger than what you might think in comparison to ethanol.

As you get around here, here's motor gasoline. That piece is the piece of this overall consumption pie that's getting smaller in proportion, but it is not shrinking in its overall consumption.

The solution for the United States of America is to add one piece to this pie; that's called energy conservation. JOHN PETERSON spoke to that as well. Then we need to take every single piece of this pie and we need to expand it. We need to produce more gas, more diesel fuel, more coal, more hydroelectric. And that's the hardest thing to do. And it is the cleanest and it is renewable. Wind is renewable, and we'll produce more of it, but it's not a big enough piece.

More natural gas. That is troublesome to me in particular, representing farm country where 90 percent of the feedstock that goes into producing nitrogen fertilizer is natural gas. And American companies that were producing fertilizer in the United States have moved to places like Trinidad because of the lower gas prices and had to set up their operations there. They've been driven offshore. We've essentially lost the fertilizer industry in America.

Mr. PETERSON of Pennsylvania. Would the gentleman yield?

Mr. KING of Iowa. I would yield

Mr. PETERSON of Pennsylvania. That's one of the things I didn't mention is I think nitrogen fertilizer is 70 percent natural gas. Petrochemical, 55 percent natural gas, as an ingredient. Polymers and plastics, 45 to 50 percent natural gas. We have steel. We all know the manufacturing of steel and aluminum use huge amounts of natural gas.

My prediction is if we don't open up natural gas and get the price down, we'll make our bricks—bulk commodities like bricks that are easily made in our own neighborhoods from clay somewhere in a mountain nearby, those will be made in Trinidad, where gas is $1.60. Glass for our home windows will be made in Trinidad. In fact, car windows are coming in from overseas right now because of natural gas prices.

Natural gas is the mother's milk of the manufacturing process in this country. And if we don't fix the natural gas problem, we're not going to have a manufacturing base of anything. We will import everything that's manufactured. And at the same time, Americans, this winter and the winters ahead, are just plain going to struggle to drive their cars and heat their homes.

Mr. KING of Iowa. Reclaiming my time, and thanking the gentleman for coming to the floor and delivering this good, composite message on energy, the natural gas that we know of in this country is at least 406 trillion cubic feet of natural gas. That's our reserves. We saw the map on how to go drill them.

I would point out that there was a referendum that went up on the ballot the third day of June in Union County, South Dakota, and the question was, are you for or against building a new refinery, a $10 billion investment in southeastern South Dakota? That referendum passed by 59–41 percent. We think we're going to get a refinery built that will receive that heavy crude oil coming out of the tar sands in Alberta. It's not certain that we can get through the regulations. We think we'll get one built anyway.

And I want to add that the ANWR piece—we didn't talk about ANWR very much, I've gone up there and looked at that—the ANWR component of this is about a million barrels a day. It's identical in the topography to the North Slope. We drilled the North Slope starting in 1972 and we had oil pumping out of there in 1975. It doesn't take 10 or 20 years, as the gentleman said, to get this fuel down there. We can do it in months on the North Slope of Alaska, and we can change the market prices if we open up the situation to do that.

Now, in just concluding this, grow the size of the energy pie, add a piece for conservation, produce more Btus in all ways that we can, dramatically expand nuclear. If the French can produce 78 percent of their electricity

with nuclear, we can dramatically increase that. And nuclear should be coming online rather than natural gas to generate electricity because the mother's milk of manufacturing, the mother's milk of our economy is natural gas.

We're having difficulty breaking down the barriers of the people that believe we ought to have more expensive energy in this country instead of less. And I'm here to make the point that the reason that they support more costly energy and give lip service to windfall profits taxes and higher regulation and trying to squeeze down the futures and the commodities market, the reason they denied a global demand increase—which for the Chinese this year, their gas imports have increased 2,000 percent so far this year—they deny that because they want to see higher energy prices, not lower, because they know higher energy prices shuts down the mother's milk of our manufacturing industry in this country, it slows the economy down, it forces Americans to park their car and ride their bicycle. And now, that serves the myopic belief that the goddess of mother nature is more important than the God that created this Earth, and that somehow we can serve her by shutting off the consumption of energy, cutting down on greenhouse gases, and answering to this question of controlling our climate here in the United States of America. Meanwhile, while China and India and the rest of the developing nations are building coal fire plants faster than we can shut them down here in the United States, we can't solve this problem, if it exists, by shutting off the energy and shutting down the world's economy that's here in the United States, this 25 percent that we produce.

That's what's wrong. They want a higher energy price, they want a slower economy. They think somehow that can be paid for by the rich in America. JOHN PETERSON and STEVE KING know it can't be.

Mr. PETERSON of Pennsylvania. Could I ask you a question?

Mr. KING of Iowa. I yield to the gentleman.

Mr. PETERSON of Pennsylvania. To the gentleman from Iowa, do you know of any energy bills scheduled for this week?

Mr. KING of Iowa. I do not.

Mr. PETERSON of Pennsylvania. Do you know of any energy bills scheduled for next week and the week after, before we go on the August recess?

Mr. KING of Iowa. I believe we will be going home for the August recess having done nothing with energy.

Mr. PETERSON of Pennsylvania. I would have to think, if I was a citizen back home knowing just a fraction of what I know now, I would be one angry citizen. Because this Congress, like the 14 Congresses in succession, have done little to formulate an energy policy for America and produce available, affordable energy. And it's doable, it's something we can do.

Mr. KING of Iowa. I would ask the gentleman from Pennsylvania if he would support a policy like this energy pie chart that I've advocated.

Mr. PETERSON of Pennsylvania. Oh, absolutely.

Mr. KING of Iowa. More energy of all kinds. Supply and demand does affect the marketplace. If we put more Btus on the market, we will have lower price energy of all kinds. And we need to prioritize the utilization of that energy, bring the nuclear in to replace the gas, let the gas drive our economy, the natural gas drive our economy. And we can do this and it will be painful. JOHN PETERSON is exactly right.

I yield.

Mr. PETERSON of Pennsylvania. We heat 63 million homes, we heat five million small businesses, and a quarter of a million industrial companies use natural gas in great numbers, and they're all going to get hammered this year. Our hospitals and our schools are going to pay twice as much as last year.

Mr. KING of Iowa. Commonsense solutions delivered here on this floor, Mr. Speaker. And I appreciate your attention to all of this. And I imagine we have swayed you considerably as you paid attention to the arguments of the gentleman from Pennsylvania and myself.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. GINNY BROWN-WAITE of Florida (at the request of Mr. BOEHNER) for July 8 and the balance of the week on account of family reasons.

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. MCDERMOTT) to revise and extend their remarks and include extraneous material:)

Mr. SKELTON, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. SNYDER, for 5 minutes, today.

Mr. MCDERMOTT, for 5 minutes, today.

Mr. SHERMAN, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. HINCHEY, for 5 minutes, today.

Mr. LOEBSACK, for 5 minutes, today.

Mr. STUPAK, 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, July 16.

Mr. JONES of North Carolina, for 5 minutes, July 16.

Mr. SHUSTER, for 5 minutes, July 10.

Mrs. BACHMANN, for 5 minutes, today.

Mr. PETERSON of Pennsylvania, for 5 minutes, today.

Mr. BROUN of Georgia, for 5 minutes, July 10.

ENROLLED BILLS SIGNED

Ms. Lorraine C. Miller, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 802. An act to amend the Act to Prevent Pollution from Ships to implement MARPOL Annex VI.

H.R. 3721. An act to designate the facility of the United States Postal Service located at 1190 Lorena Road in Lorena, Texas, as the ''Marine Gunnery Sgt. John D. Fry Post Office Building''.

H.R. 3891. An act to amend the National Fish and Wildlife Foundation Establishment Act to increase the number of Directors on the Board of Directors of the National Fish and Wildlife Foundation.

H.R. 4185. An act to designate the facility of the United States Postal Service located at 11151 Valley Boulevard in El Monte, California, as the ''Marisol Heredia Post Office Building''.

H.R. 5168. An act to designate the facility of the United States Postal Service located at 19101 Cortez Boulevard in Brooksville, Florida, as the ''Cody Grater Post Office Building''.

H.R. 5395. An act to designate the facility of the United States Postal Service located at 11001 Dunklin Drive in St. Louis, Missouri, as the ''William 'Bill' Clay Post Office Building''.

H.R. 5479. An act to designate the facility of the United States Postal Service located at 117 North Kidd Street in Ionia, Michigan, as the ''Alonzo Woodruff Post Office Building''.

H.R. 5517. An act to designate the facility of the United States Postal Service located at 7231 FM 1960 in Humble, Texas, as the ''Texas Military Veterans Post Office''.

H.R. 5528. An act to designate the facility of the United States Postal Service located at 120 Commercial Street in Brockton, Massachusetts, as the ''Rocky Marciano Post Office Building''.

ADJOURNMENT

Mr. KING of Iowa. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 50 minutes p.m.), the House adjourned until tomorrow, Thursday, July 10, 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:

7377. A letter from the Under Secretary for Acquisition, Technology and Logistics, Department of Defense, transmitting an annual report entitled, ''Defense Acquisition Challenge Program: Fiscal Year 2007,'' pursuant to 10 U.S.C. 2359b(j); to the Committee on Armed Services.

7378. A letter from the Secretary, Department of Defense, transmitting letter on the approved retirement of General Teed M. Moseley, United States Air Force, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

7379. A letter from the Principal Deputy Under Secretary for Personnel and Readiness, Department of Defense, transmitting authorization of the enclosed list of officers to wear the insignia of the grade of major general in accordance with title 10, United

States Code, section 777; to the Committee on Armed Services.

7380. A letter from the Principal Deputy Under Secretary for Personnel and Readiness, Department of Defense, transmitting authorization of the enclosed list of officers to wear the insignia of the grade of brigadier general accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

7381. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations — received June 25, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7382. A letter from the Acting Secretary, Securities and Exchange Commission, transmitting the Commission's final rule — Internal Control Over Financial Reporting in Exchange Act Periodic Reports of Non-Accelerated Filers [Release Nos. 33-8934; 34-58028; File No. S7-06-03] (RIN: 3235-AJ64) received July 1, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7383. A letter from the Department of Labor, transmitting the Department's final rule — Default Investment Alternatives Under Participant Directed Individual Account Plans (RIN: 1210-AB10) received June 25, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

7384. A letter from the Attorney, Office of Assistant General Counsel for Legislation and Regulatory Law, Department of Energy, transmitting the Department's final rule — Energy Planning and Management Program; Integrated Resource Planning Rules (RIN: 1901-AB24) received June 24, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7385. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Hazard Education Before Renovation of Target Housing; State of Colorado Authorization Application [EPA-HQ-OPPT-2007-0698; FRL-8352-3] received June 20, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7386. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — List of Approved Spent Fuel Storage Casks: HI-STORM 100 Revision 5 [NRC-2008-0013] (RIN: 3150-AI24) received June 23, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7387. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting Copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b; to the Committee on Foreign Affairs.

7388. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, Transmittal No. 08-54 concerning the Department of the Air Force's proposed Letter(s)of Offer and Acceptance to Pakistan for defense articles and services; to the Committee on Foreign Affairs.

7389. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, Transmittal No. 08-45 concerning the Department of the Air Force's proposed Letter(s)of Offer and Acceptance to Korea for defense articles and services; to the Committee on Foreign Affairs.

7390. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(d) of the Arms Export Control Act, certification regarding the proposed license for the manufacture of military equipment to the Government of Turkey (Transmittal No. DDTC 065-08); to the Committee on Foreign Affairs.

7391. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(d) of the Arms Export Control Act, certification regarding the proposed license for the manufacture of military equipment to the Government of the United Kingdom (Transmittal No. DDTC 042-08); to the Committee on Foreign Affairs.

7392. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) of the Arms Export Control Act, certification of a proposed agreement for the export of defense articles and services to the Government of Mexico (Transmittal No. DDTC 072-08); to the Committee on Foreign Affairs.

7393. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's certification of rescission of North Korea's designation as a State Sponsor of Terrorism; to the Committee on Foreign Affairs.

7394. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting consistent with the Authorization for Use of Military Force Against Iraq Resolution of 2002 (Pub. L. 107-243), the Authorization for the Use of Force Against Iraq Resolution (Pub. L. 102-1), and in order to keep the Congress fully informed, a report prepared by the Department of State for the April 15, 2008 — June 15, 2008 reporting period including matters relating to post-liberation Iraq under Section 7 of the Iraq Liberation Act of 1998 (Pub. L. 105-338); to the Committee on Foreign Affairs.

7395. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(d) of the Arms Export Control Act, certification regarding the proposed license for the manufacture of military equipment to the Government of the United Kingdom (Transmittal No. DDTC 004-08); to the Committee on Foreign Affairs.

7396. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) and (d) of the Arms Export Control Act, certification regarding the manufacture of military equipment abroad and the export of defense articles or defense services to the Government of Canada (Transmittal No. DDTC 041-08); to the Committee on Foreign Affairs.

7397. A letter from the Director, Office of Personnel Management, transmitting a report on the Physicians' Comparability Allowance Program for fiscal year 2008, pursuant to 5 U.S.C. 5948(j); to the Committee on Oversight and Government Reform.

7398. A letter from the Secretary, Department of Transportation, transmitting the Semiannual Report of the Office of Inspector General for the period ending March 31, 2008, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Oversight and Government Reform.

7399. A letter from the Chair, CPB Board of Directors, Corporation for Public Broadcasting, transmitting the semiannual report of the Office of the Inspector General for the period ending March 31, 2008, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

7400. A letter from the Acting Chief Acquisition Officer & Senior Procurement Executive, GSA, Department of Defense, transmitting the Department's final rule — Federal Acquisition Regulation; Federal Acquisition Circular 2005-26; Introduction [Docket FAR-2008-003, Sequence 1] received July 1, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

7401. A letter from the Assistant Secretary for Administration, Department of Transportation, transmitting a copy of the inventories of commercial and inherently governmental positions in the Department of Transportation, as required by the Federal Activities Inventory Reform Act of 1998; to the Committee on Oversight and Government Reform.

7402. A letter from the Vice President and Controller, Federal Home Loan Bank of Des Moines, transmitting the 2007 management report and statements on system of internal controls of the Federal Home Loan Bank of Des Moines, pursuant to 31 U.S.C. 9106; to the Committee on Oversight and Government Reform.

7403. A letter from the Senior Vice President and Chief Financial Officer, Federal Home Loan Bank of San Francisco, transmitting the 2007 management report and statements on system of internal controls of the Federal Home Loan Bank of San Francisco, pursuant to 31 U.S.C. 9106; to the Committee on Oversight and Government Reform.

7404. A letter from the Inspector General, General Services Administrion, transmitting the Administration's Semiannual Report presenting significant activities of the Office of Inspector General during the 6-month period ending March 31, 2008, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Oversight and Government Reform.

7405. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Dover-Foxcroft, ME. [Docket No. FAA-2008-0066; Airspace Docket No. 08-ANE-97] received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7406. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment and Removal of Class E Airspace; Centre, AL [Docket No. FAA-2007-29157; Airspace Docket 07-ASO-23] received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7407. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Bridgton, ME. [Docket No. FAA-2008-0064; Airspace Docket No. 08-ANE-95] received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7408. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Rumford, ME. [Docket No. FAA-2008-0063; Airspace Docket No. 08-ANE-94] received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7409. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Carrabassett, ME [Docket No. FAA-2008-0065; Airspace Docket No. 08-ANE-96] received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7410. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Winona, MS [Docket No. FAA-2007-29260; Airspace Docket 07-ASO-24] received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7411. A letter from the Program Analyst, Department of Transportation, transmitting

the Department's final rule — Establishment of Class E Airspace; Stonington, ME [Docket No. FAA-2008-0062; Airspace Docket No. 08-ANE-93] received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7412. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class D Airspace; Sherman, Texas [Docket No. FAA-2007-29374; Airspace Docket No. 07-ASW-11] received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7413. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Sunbury, PA [Docket No. FAA-2008-0162; Airspace Docket No. 08-AEA-15] received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7414. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Susquehanna, PA [Docket No. FAA-2008-0161; Airspace Docket No. 08-AEA-14] received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7415. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Walden, CO [Docket No. FAA-2007-0205; Airspace Docket No. 07-ANM-17] received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7416. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Black River Falls, WI [Docket No. FAA-2008-0024; Airspace Docket No. 08-AGL-4] received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7417. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Indianapolis, IN [Docket No. FAA-2008-0163; Airspace Docket No. 08-AGL-2] received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7418. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; New Albany, MS [Docket No. FAA-2007-0161; Airspace Docket No. 07-ASO-25] received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7419. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Lewistown, PA [Docket No. FAA-2007-0274; Airspace Docket No. 07-AEA-14] received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7420. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Stonington, ME [Docket No. FAA-2008-0062; Airspace Docket No. 08-ANE-93] received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7421. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Dover-Foxcroft, ME. [Docket No. FAA-2008-0066; Airspace Docket No. 08-ANE-97] received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7422. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class Airspace; Carrabassett, ME [Docket No. FAA-2008-0065; Airspace Docket No. 08-ANE-96] received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7423. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Rockport, ME [Docket No. FAA-2008-0067; Airspace Docket No. 08-ANE-98] received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7424. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Low Altitude Area Navigation Routes (T-Routes); St. Louis, MO [Docket No. FAA-2007-0060; Airspace Docket No. 07-ACE-1] received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7425. A letter from the Director of Regulations Management, Department of Veterans Affairs, transmitting the Department's final rule — Beneficiary Travel Under 38 U.S.C. 111 Within the United States (RIN: 2900-AM02) received July 1, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

7426. A letter from the Branch Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Section 108.-Income from Discharge of Indebtedness (Rev. Rul. 2008-34) received June 24, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7427. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Section 1274.—-Determination of Issue Price in the Case of Certain Debt Instruments Issued for Property (Also Sections 42, 280G, 382, 412, 467, 468, 482, 483, 642, 807, 846, 1288, 7520, 7872.) (Rev. Rul. 2008-33) received June 24, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7428. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Capital Costs Incurred to Comply With EPA Sulfur Regulations [TD 9404] (RIN: 1545-BE97) received July 1, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7429. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Section 807.-Rules for certain reserves (Rev. Rul. 2008-37) received July 1, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7430. A letter from the Chief, Publications and Regulations Unit, Internal Revenue Service, transmitting the Service's final rule — Employment Tax Adjustments [TD 9405] (RIN: 1545-BG50) received July 1, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7431. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Guidance Under Section 956 for Determining the Basis of Property Acquired in Certain Nonrecognition Transactions [TD 9402] (RIN: 1545-BH58) received June 24, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7432. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule — 26 CFR 601.601: Rules and regulations (Also Part 1, 103, 148; 1.148-3, 1.148-13T) Claims for Recovery of Overpayments of Arbitrage Rebate and Similar Payments on Tax-exempt Bonds (Rev. Proc. 2008-37) received June 24, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7433. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Optional Standard Mileage Rates [Announcement 2008-63] received June 24, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7434. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — China Earthquake Occurring in May 2008 Designated as a Qualified Disaster under 139 of the Internal Revenue Code [Notice 2008-57] received June 24, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7435. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Guidance Under Section 664 Regarding the Effect of Unrelated Business Taxable Income on Charitable Remainder Trusts [TD 9403] (RIN: 1545-BH02) received June 24, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7436. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Appeals Settlement Guidelines Methane Gas Project (IRC 29 Credit) Credit for Fuel from a Nonconventional Source (FNS) [UIL No. 0029.06-00] received June 24, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); 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:

Mr. GORDON of Tennessee: Committee on Science and Technology. H.R. 4174. A bill to establish an interagency committee to develop an ocean acidification research and monitoring plan and to establish an ocean acidification program within the National Oceanic and Atmospheric Administration; with an amendment (Rept. 110–749). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Ms. WASSERMAN SCHULTZ (for herself, Mrs. EMERSON, Mr. BAIRD, Mr. BLUMENAUER, Mr. COOPER, Mr. DAVIS of Alabama, Mr. ENGLISH of Pennsylvania, Ms. ESHOO, Ms. HARMAN, Mr. HASTINGS of Florida, Mr. HINOJOSA, Ms. HOOLEY, Mr. LIPINSKI, Mr. MEEK of Florida, Mr. MORAN of Virginia, Mr. SNYDER, Ms. TSONGAS, Mr. WELCH of Vermont, Mr. WU, Mr. DICKS, and Ms. ROS-LEHTINEN):

H.R. 6444. A bill to provide affordable, guaranteed private health coverage that will make Americans healthier and can never be taken away; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Education and Labor, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CAZAYOUX (for himself, Ms. CORRINE BROWN of Florida, Mr. FILNER, Mr. HARE, and Mr. MICHAUD):

H.R. 6445. A bill to amend title 38, United States Code, to prohibit the Secretary of

Veterans Affairs from collecting certain copayments from veterans who are catastrophically disabled; to the Committee on Veterans' Affairs.

By Mr. TIM MURPHY of Pennsylvania (for himself and Mr. ALTMIRE):

H.R. 6446. A bill to amend title 49, United States Code, to require air carriers to establish reduced air fares and more flexible terms for members of the Armed Forces on active duty; to the Committee on Transportation and Infrastructure.

By Mrs. BOYDA of Kansas (for herself and Mr. MORAN of Kansas):

H.R. 6447. A bill to amend the Internal Revenue Code of 1986 to restore the Highway Trust Fund balance; to the Committee on Ways and Means.

By Mr. CARNEY (for himself and Mr. PLATTS):

H.R. 6448. A bill to amend the Internal Revenue Code of 1986 to provide a refundable credit for taxpayers with long-term care needs; to the Committee on Ways and Means.

By Mr. FLAKE:

H.R. 6449. A bill to provide opportunities for continued recreational shooting on certain Federal public land; to the Committee on Natural Resources.

By Mr. HODES (for himself and Mr. PERLMUTTER):

H.R. 6450. A bill to establish a revolving loan fund to provide loans to States and Indian tribes to provide incentives to undertake activities to provide renewable energy sources for housing and other structures; to the Committee on Financial Services, 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 Mrs. MILLER of Michigan:

H.R. 6451. A bill to direct the Administrator of the Environmental Protection Agency to convene a task force to develop recommendations on the proper disposal of unused pharmaceuticals, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. BRADY of Texas (for himself, Mr. WELLER, Mr. BLUNT, Ms. ROS-LEHTINEN, Mr. MCCRERY, Mr. HERGER, and Mr. DREIER):

H. Con. Res. 389. Concurrent resolution varo Uribe for the safe return of the Americans held hostage by the Revolutionary Armed Forces of Colombiaombian President; to the Committee on Foreign Affairs.

By Mr. MCHENRY (for himself, Mr. COBLE, Mr. PRICE of North Carolina, Mr. WATT, Mrs. MYRICK, Mr. JONES of North Carolina, Mr. MCINTYRE, Mr. ETHERIDGE, Mr. HAYES, Mr. MILLER of North Carolina, Mr. BUTTERFIELD, Ms. FOXX, Mr. SHULER, Mr. ISSA, Mr. FEENEY, Mr. CULBERSON, Mr. SAM JOHNSON of Texas, Mr. GOODLATTE, Mr. ADERHOLT, Mr. GINGREY, Mr. STEARNS, Mr. GOODE, and Mr. BURTON of Indiana):

H. Res. 1325. A resolution honoring the life of Jesse Alexander Helms, Jr., distinguished former Senator from North Carolina; to the Committee on House Administration.

By Ms. WATERS (for herself, Ms. WOOLSEY, and Ms. LEE):

H. Res. 1326. A resolution calling on the President to respect and honor Iraq's sovereignty; to the Committee on Armed Services.

By Mr. NUNES (for himself, Mr. COSTA, Mr. RADANOVICH, Mr. CARDOZA, Mr. WALDEN of Oregon, Mr. DREIER, Mrs. NAPOLITANO, Mr. ISSA, Mr. CALVERT, Mr. MCCARTHY of California, Mr. ROHRABACHER, Mr. MCNERNEY, Mr. TERRY, Mr. YOUNG of Alaska, Ms. ROYBAL-ALLARD, Mr. HONDA, Mr. THOMPSON of California, Mr. SHIMKUS, Mr. DOOLITTLE, Mr. BILBRAY, Mr. BERMAN, Mr. GEORGE MILLER of California, Mr. BOOZMAN, Mr. LEWIS of California, Mrs. BONO MACK, Mr. CAMPBELL of California, and Mr. HERGER):

H. Res. 1327. A resolution congratulating the 2008 National Collegiate Athletic Association (NCAA) Division I Baseball Champions, the Fresno State Bulldogs, on an outstanding and historic season; to the Committee on Education and Labor.

By Mr. PLATTS (for himself and Mr. CUMMINGS):

H. Res. 1328. A resolution supporting the goals and ideals of National Pancreatic Cancer Awareness Month; to the Committee on Energy and Commerce.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 154: Ms. ROYBAL-ALLARD.
H.R. 303: Mrs. MALONEY of New York.
H.R. 333: Mr. MORAN of Virginia.
H.R. 334: Mr. SHAYS.
H.R. 462: Ms. ESHOO.
H.R. 463: Mr. ROSS.
H.R. 552: Mr. MANZULLO.
H.R. 690: Mr. PEARCE and Mr. KANJORSKI.
H.R. 699: Mr. CRENSHAW, Mr. KING of New York, and Mr. LATTA.
H.R. 715: Ms. RICHARDSON.
H.R. 741: Mr. CASTLE.
H.R. 768: Mr. MARSHALL.
H.R. 808: Mr. GILCHREST.
H.R. 997: Mr. SCALISE.
H.R. 1023: Mr. COLE of Oklahoma, Mr. WITTMAN of Virginia, and Mrs. MILLER of Michigan.
H.R. 1153: Mrs. SCHMIDT.
H.R. 1188: Mr. CONYERS.
H.R. 1283: Ms. WATERS, Ms. LINDA T. SÁNCHEZ of California, and Mr. ENGEL.
H.R. 1320: Mr. CLAY.
H.R. 1390: Mr. POE.
H.R. 1399: Mr. HODES.
H.R. 1589: Mr. HAYES.
H.R. 1606: Mr. KAGEN and Ms. WOOLSEY.
H.R. 1671: Mr. MCHUGH and Mr. PETERSON of Minnesota.
H.R. 1673: Ms. MATSUI.
H.R. 1776: Mrs. CHRISTENSEN and Mr. KAGEN.
H.R. 1783: Ms. HOOLEY.
H.R. 1846: Mr. COHEN.
H.R. 1921: Mr. KANJORSKI.
H.R. 1927: Mr. HAYES.
H.R. 2032: Mr. HASTINGS of Florida.
H.R. 2043: Mr. KIND.
H.R. 2116: Mr. PETERSON of Pennsylvania, Mr. MORAN of Virginia, Mrs. TAUSCHER, and Mrs. JONES of Ohio.
H.R. 2167: Mr. FEENEY.
H.R. 2205: Mr. NUNES.
H.R. 2260: Mr. WALSH of New York.
H.R. 2275: Mr. COLE of Oklahoma.
H.R. 2549: Mr. CLAY.
H.R. 2668: Mr. FRANK of Massachusetts.
H.R. 2792: Mr. SHERMAN.
H.R. 2833: Ms. LEE.
H.R. 2880: Mrs. MYRICK.
H.R. 3014: Mr. SNYDER.
H.R. 3036: Mr. MEEKS of New York.
H.R. 3094: Mr. ROTHMAN and Ms. SUTTON.
H.R. 3175: Mrs. JONES of Ohio and Mrs. TAUSCHER.
H.R. 3257: Mr. POMEROY.
H.R. 3299: Mr. LAMBORN.
H.R. 3329: Mr. BISHOP of Georgia.
H.R. 3404: Mrs. MALONEY of New York.
H.R. 3750: Mr. CAPUANO.
H.R. 3753: Mr. HALL of Texas.
H.R. 3980: Mr. UDALL of Colorado.
H.R. 4048: Mr. TOWNS.
H.R. 4093: Mr. FARR, Mr. CLAY, Mr. WAXMAN, Mr. GONZALEZ, and Ms. HIRONO.
H.R. 4126: Mr. MICHAUD.
H.R. 4141: Mr. SHULER.
H.R. 4157: Mr. ROGERS of Alabama.
H.R. 4173: Ms. HIRONO.
H.R. 4236: Mr. MILLER of North Carolina, Ms. LORETTA SANCHEZ of California, and Mr. DAVIS of Alabama.
H.R. 4318: Mr. ABERCROMBIE.
H.R. 4355: Mr. MILLER of North Carolina.
H.R. 4453: Mr. MEEKS of New York.
H.R. 4460: Mr. BILBRAY.
H.R. 4461: Mr. JONES of North Carolina.
H.R. 4544: Mr. REICHERT and Mr. LAHOOD.
H.R. 4775: Mr. BERMAN and Ms. HIRONO.
H.R. 4900: Mr. WELCH of Vermont.
H.R. 4990: Mr. CONYERS and Ms. DEGETTE.
H.R. 5160: Mr. DAVIS of Alabama.
H.R. 5175: Mr. LATTA.
H.R. 5176: Mr. UPTON and Mrs. EMERSON.
H.R. 5235: Mr. SHAYS, Mr. SOUDER, Mr. BURTON of Indiana, Mr. WESTMORELAND, Mr. CANNON, Mr. ROHRABACHER, Mr. DANIEL E. LUNGREN of California, Mr. BILBRAY, Mr. NUNES, Mr. BOEHNER, Mr. CARTER, Mr. CANTOR, Mr. DREIER, Mr. PUTNAM, Ms. GRANGER, Mr. CAMP of Michigan, Mr. TERRY, Mr. CASTLE, Mr. KLINE of Minnesota, Mr. HOBSON, Mr. BARTLETT of Maryland, Mr. KUHL of New York, Mr. BURGESS, Mr. BROWN of South Carolina, Mr. TIBERI, Mrs. BLACKBURN, Mr. GOODE, Mr. GOODLATTE, Mr. LEWIS of California, Mr. ROYCE, Mr. WALSH of New York, Mr. TIAHRT, Mr. HUNTER, Mr. MCKEON, Mr. HERGER, Mr. GARY G. MILLER of California, Mr. BUYER, Mr. FRANKS of Arizona, Mr. SESSIONS, Mr. WALDEN of Oregon, Mr. HOEKSTRA, Mr. BRADY of Texas, Mr. KING of Iowa, Mr. MANZULLO, Mr. RADANOVICH, Mr. MICA, Mr. ISSA, Mr. SMITH of New Jersey, Mrs. WILSON of New Mexico, Mr. KINGSTON, Mr. UPTON, Mr. FEENEY, Mr. PENCE, Mr. TANCREDO, Mr. REGULA, Mr. ALEXANDER, Mr. LAHOOD, Mr. GOHMERT, Mr. KELLER, Mr. NEUGEBAUER, Mr. COBLE, Mr. COLE of Oklahoma, Mr. WILSON of South Carolina, Mr. HAYES, Mr. CONAWAY, Mr. SHIMKUS, Mr. ROGERS of Kentucky, Mr. DUNCAN, Mr. WAMP, Mr. KIRK, Ms. FOXX, Mr. CHABOT, Mr. SHADEGG, Mr. SMITH of Nebraska, Mr. LATOURETTE, Mr. SAM JOHNSON of Texas, Mr. EHLERS, Mr. LUCAS, Mrs. BONO MACK, Mr. MACK, Mr. LATHAM, Mr. FOSTER, Mr. WELLER, Mr. BILIRAKIS, Mr. LINDER, Mr. ROGERS of Michigan, Mr. COSTELLO, Mr. CAMPBELL of California, Mr. JACKSON of Illinois, Mr. MCCOTTER, Mr. RAMSTAD, Mr. DOOLITTLE, Mr. MCNULTY, Mr. WHITFIELD of Kentucky, Mr. MCHENRY, Mr. CRAMER, Mr. KIND, Mr. POE, Mr. SMITH of Texas, Mr. HALL of Texas, Mr. EVERETT, Mr. MCCRERY, Mr. BAIRD, Mr. RYAN of Wisconsin, Mr. SENSENBRENNER, Mr. PITTS, and Mr. SAXTON.
H.R. 5265: Mr. EHLERS, Mr. DAVIS of Illinois, Ms. WOOLSEY, Mr. TIM MURPHY of Pennsylvania, Mr. MCNERNEY, Ms. ESHOO, and Mr. HONDA.
H.R. 5445: Mr. SMITH of Nebraska.
H.R. 5446: Mr. MCCOTTER and Mr. SPRATT.
H.R. 5447: Ms. MATSUI and Mr. VAN HOLLEN.
H.R. 5564: Mrs. MILLER of Michigan.
H.R. 5580: Mr. FARR.
H.R. 5606: Mr. EHLERS and Mrs. DAVIS of California.
H.R. 5611: Mr. PUTNAM, Ms. BORDALLO, and Mr. HINOJOSA.
H.R. 5629: Mr. BRADY of Pennsylvania.
H.R. 5646: Mr. WOLF.
H.R. 5652: Mrs. DRAKE and Mr. BILBRAY.
H.R. 5672: Mr. FORTUÑO.
H.R. 5674: Mr. CHABOT.
H.R. 5714: Mr. JOHNSON of Georgia, Mr. FORTUÑO, Mr. MOORE of Kansas, Mr. PASTOR, Mr. HINOJOSA, Mr. FILNER, Mr. WHITFIELD of

Kentucky, Mr. SHULER, Mr. WALZ of Minnesota, and Mr. CHABOT.

H.R. 5734: Mr. MICHAUD.

H.R. 5748: Mr. PRICE of North Carolina.

H.R. 5756: Mr. SIRES.

H.R. 5759: Mr. LATTA.

H.R. 5769: Mr. GOODLATTE.

H.R. 5772: Mr. ROTHMAN, Ms. SCHAKOWSKY, and Mr. ALTMIRE.

H.R. 5780: Mr. MCINTYRE.

H.R. 5794: Mr. GOODLATTE.

H.R. 5823: Mr. ENGEL, Mr. SHAYS, and Mr. HIGGINS.

H.R. 5868: Mr. ROGERS of Kentucky and Mr. CHABOT.

H.R. 5892: Mr. COSTELLO, Mr. GOODLATTE, Ms. WOOLSEY, and Mr. WEINER.

H.R. 5895: Mrs. BOYDA of Kansas.

H.R. 5936: Mr. WOLF.

H.R. 5942: Mr. UDALL of Colorado.

H.R. 5946: Mr. FRANK of Massachusetts and Ms. SCHAKOWSKY.

H.R. 5979: Mr. CONYERS, Mr. ISRAEL, and Ms. DEGETTE.

H.R. 6034: Mr. BILBRAY.

H.R. 6044: Mr. TERRY.

H.R. 6045: Mr. SHERMAN, Mr. HELLER, Mr. JOHNSON of Illinois, and Mr. LINCOLN DIAZ-BALART of Florida.

H.R. 6083: Mr. TURNER.

H.R. 6107: Mr. LUCAS, Mr. WALDEN of Oregon, Mr. LATHAM, Mr. MARCHANT, Mr. KING of New York, Mr. WELDON of Florida, Mr. WOLF, Mr. MARIO DIAZ-BALART of Florida, Mr. LINCOLN DIAZ-BALART of Florida, Mr. DANIEL E. LUNGREN of California, Mr. GARY G. MILLER of California, and Mr. PORTER.

H.R. 6108: Mr. LATHAM and Mr. ADERHOLT.

H.R. 6127: Mr. JACKSON of Illinois and Mr. TOWNS.

H.R. 6140: Mr. MCNERNEY.

H.R. 6168: Mr. SKELTON.

H.R. 6169: Mr. SKELTON.

H.R. 6194: Mr. UPTON.

H.R. 6195: Mr. DENT, Mr. DOYLE, and Mr. PLATTS.

H.R. 6199: Mrs. MCCARTHY of New York and Ms. VELÁZQUEZ.

H.R. 6205: Mr. ELLISON and Mr. HONDA.

H.R. 6207: Mr. FRANKS of Arizona, Mr. KUHL of New York, Mr. BARRETT of South Carolina, Mr. SHIMKUS, Mr. WESTMORELAND, Ms. FOXX, Mrs. BLACKBURN, Mr. ISSA, Mr. BISHOP of Utah, Mrs. SCHMIDT, Mrs. MUSGRAVE, and Mr. PITTS.

H.R. 6208: Mr. SKELTON.

H.R. 6209: Ms. SCHAKOWSKY, Mr. FARR, and Ms. LORETTA SANCHEZ of California.

H.R. 6210: Mr. BRALEY of Iowa, Mr. JACKSON of Illinois, and Mr. ELLSWORTH.

H.R. 6214: Mr. NUNES and Mr. FOSSELLA.

H.R. 6215: Mr. YOUNG of Alaska.

H.R. 6220: Mr. HAYES.

H.R. 6274: Mr. WILSON of South Carolina.

H.R. 6286: Mr. NUNES.

H.R. 6288: Mr. NUNES.

H.R. 6292: Mr. LATHAM.

H.R. 6293: Mr. REYES, Mr. CARTER, Mr. COSTELLO, and Mr. LAMPSON.

H.R. 6294: Mr. BILIRAKIS.

H.R. 6309: Mr. FATTAH, Ms. MOORE of Wisconsin, and Ms. KILPATRICK.

H.R. 6310: Mr. ALTMIRE and Mr. PETERSON of Minnesota.

H.R. 6321: Mr. KING of New York.

H.R. 6330: Mr. MORAN of Virginia and Mr. BACA.

H.R. 6334: Mr. SIRES, Mr. HINCHEY, Mr. ALTMIRE, Mr. HODES, and Ms. HIRONO.

H.R. 6353: Mr. LEVIN.

H.R. 6371: Mr. DAVIS of Alabama and Mr. GENE GREEN of Texas.

H.R. 6375: Mr. MARSHALL.

H.R. 6407: Mr. UPTON.

H.R. 6429: Mr. DELAHUNT and Mr. HODES.

H.J. Res. 79: Mr. ALLEN, Mr. JACKSON of Illinois, Mr. HONDA, Ms. MOORE of Wisconsin, Ms. ESHOO, and Mr. LEVIN.

H.J. Res. 96: Mr. BOEHNER and Mr. BLUNT.

H. Con. Res. 24: Mr. CLAY, Ms. BORDALLO, Mrs. CHRISTENSEN, and Mr. BUTTERFIELD.

H. Con. Res. 137: Mrs. MUSGRAVE.

H. Con. Res. 296: Mr. POE, Mr. WAMP, Mr. UPTON, Mr. TERRY, Mr. MCHUGH, Mr. CANNON, Mr. DOYLE, Mr. KUHL of New York, Mr. STEARNS, Mr. WELLER, Mr. CAMP of Michigan, Mr. FOSSELLA, Mr. PICKERING, Mr. HALL of New York, Mrs. CAPITO, Mr. BURGESS, and Mr. TAYLOR.

H. Con. Res. 341: Mr. BRALEY of Iowa and Mr. GORDON.

H. Con. Res. 362: Mrs. EMERSON, Mr. MACK, Mrs. MYRICK, Mr. HASTINGS of Washington, Mrs. BACHMANN, Ms. BEAN, Ms. GIFFORDS, Ms. SLAUGHTER, Mr. BUCHANAN, Mr. WALDEN of Oregon, Mr. CHILDERS, and Mr. YOUNG of Alaska.

H. Con. Res. 369: Mr. BILBRAY.

H. Con. Res. 371: Mr. HODES.

H. Con. Res. 375: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. ISRAEL, and Mr. CULBERSON.

H. Con. Res. 380: Ms. WOOLSEY and Mr. HONDA.

H. Con. Res. 385: Mr. GALLEGLY and Mr. POE.

H. Con. Res. 386: Mr. SHAYS and Mr. BURTON of Indiana.

H. Con. Res. 388: Mr. PUTNAM, Mr. WILSON of South Carolina, and Mr. MCCAUL of Texas.

H. Res. 337: Mr. HINCHEY.

H. Res. 504: Mr. CULBERSON.

H. Res. 655: Mr. CLAY and Ms. BORDALLO.

H. Res. 858: Ms. MATSUI, Mr. ALTMIRE, Mr. BUTTERFIELD, Mr. RUSH, and Ms. CORRINE BROWN of Florida.

H. Res. 1006: Mr. SKELTON.

H. Res. 1045: Ms. WATSON.

H. Res. 1088: Mr. WALSH of New York.

H. Res. 1116: Mr. BRADY of Pennsylvania.

H. Res. 1128: Mr. KING of Iowa, Mr. MCKEON, Mr. PEARCE, Mr. FORBES, Mr. BROWN of South Carolina, Mr. DAVIS of Kentucky, and Ms. FALLIN.

H. Res. 1143: Mr. HALL of New York, Mr. DENT, Mr. INSLEE, Mr. DICKS, and Mr. MOORE of Kansas.

H. Res. 1200: Mr. MCDERMOTT.

H. Res. 1202: Mr. SULLIVAN, Ms. SHEA-PORTER, and Mr. ISSA.

H. Res. 1227: Mr. CROWLEY and Ms. BALDWIN.

H. Res. 1239: Mr. WAXMAN.

H. Res. 1245: Mr. ALLEN, Mr. DEFAZIO, Mr. HODES, Mr. LYNCH, Mr. MCCOTTER, Ms. SLAUGHTER, and Mr. STARK.

H. Res. 1273: Mr. MCCOTTER.

H. Res. 1279: Mr. SIMPSON.

H. Res. 1282: Ms. GRANGER, Mr. WAMP, Mr. MCHUGH, and Mr. BOUSTANY.

H. Res. 1286: Mr. MEEKS of New York.

H. Res. 1300: Ms. LEE and Ms. CASTOR.

H. Res. 1302: Mr. COSTA, Mr. SULLIVAN, Mr. KING of Iowa, Mrs. MYRICK, and Mr. SALI.

H. Res. 1303: Ms. ESHOO.

H. Res. 1306: Mr. AKIN, Mr. GINGREY, Mr. MITCHELL, Mr. GOODE, Mr. BRADY of Pennsylvania, Mr. WAMP, Ms. GIFFORDS, Mr. FALEOMAVAEGA, Mr. WILSON of South Carolina, Mr. JOHNSON of Illinois, Mr. PLATTS, Mr. BURTON of Indiana, Mr. MARSHALL, and Ms. GRANGER.

H. Res. 1311: Mr. AL GREEN of Texas, Mr. FILNER, Mr. NEAL of Massachusetts, Mr. UDALL of Colorado, Mr. YOUNG of Alaska, Mr. COLE of Oklahoma, Mr. BISHOP of Georgia, Ms. LORETTA SANCHEZ of California, Mr. WALSH of New York, Mr. MEEKS of New York, Mr. DOYLE, Mr. GOODE, Mr. GENE GREEN of Texas, Mr. THOMPSON of Mississippi, Mr. ORTIZ, Mr. LEWIS of California, Ms. SCHWARTZ, Mr. BRADY of Pennsylvania, Mr. FOSSELLA, Ms. WATSON, Mr. MORAN of Virginia, Mr. CUMMINGS, Mr. TOWNS, and Mr. WATT.

H. Res. 1313: Mr. EHLERS.

H. Res. 1314: Mr. WAXMAN, Ms. GIFFORDS, and Mr. CROWLEY.

H. Res. 1322: Mr. CARDOZA, Mr. WAXMAN, Mr. MCNERNEY, Mr. FILNER, Mrs. Davis of California, Mr. GEORGE MILLER of California, Ms. ROYBAL-ALLARD, Ms. SPEIER, Mr. STARK, Ms. WATERS, Ms. WATSON, Ms. WOOLSEY, Ms. Linda T. Sánchez of California, Ms. RICHARDSON, Mr. BECERRA, Mr. SHERMAN, and Mr. RADANOVICH.

H. Res. 1323: Mr. GRIJALVA, Mr. MATHESON, Mr. GEORGE MILLER of California, Mr. SHULER, Mr. TOWNS, Mr. CONYERS, Mr. HONDA, and Mr. PASTOR.

H. Res. 1324: Mr. KILDEE, Ms. BORDALLO, Mr. MORAN of Virginia, Mr. ETHERIDGE, Mr. HALL of Texas, Mr. FARR, Mr. DOGGETT, Mr. ELLISON, Mr. FATTAH, Mr. MCHUGH, and Mr. GERLACH.

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 PEARCE, or a designee, to H.R. 1286, the Washington-Rochambeau Revolutionary Route National Historic Trail Designation Act 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.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H. Con. Res. 362: Mr. CLAY.