United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 110th CONGRESS, SECOND SESSION

Vol. 154 WASHINGTON, THURSDAY, SEPTEMBER 25, 2008 No. 153

House of Representatives

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

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
September 25, 2008.

I hereby appoint the Honorable ELLEN O. TAUSCHER to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

PRAYER

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

Lord, Your Divine Providence has inspired people to seek elected office and serve the public. Still others come as volunteers or become staffers who find work in government. Most come because they wish to make a difference. The desire You place in their hearts moves them beyond self to help shape a better America and recreate the face of the Earth along the ideals and hopes of Your kingdom.

Not content to simply ''go through the motions'' or ''settle for the status quo,'' they are restless to seek for something better, something greater for the American people as a whole.

Such patriots make themselves greater by pursuing something greater than self, by listening to others. They step into the forces of contradictory causes, try to reconcile differences, find the common ground, and make unity amidst diversity a living reality day by day.

We praise You, Lord, for those who offer their minds and their hearts, as well as the work of their hands, to make government of the people work for the people. Their dedication and efforts move us as Americans to bless and thank You, now and forever.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. SAM JOHNSON of Texas led the Pledge of Allegiance as follows:

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

MESSAGE FROM THE 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. 6370. An act to transfer excess Federal property administered by the Coast Guard to the Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw Indians.

The message also announced that the Senate has passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 928. An act to amend the Inspector General Act of 1978 to enhance the independence of the Inspectors General, to create a Council of the Inspectors General on Integrity and Efficiency, and for other purposes.

The message also announced that the Senate has passed bills of the following titles in which the concurrence of the House is requested:

S. 2840. An act to establish a liaison with the Federal Bureau of Investigation in United States Citizenship and Immigration Services to expedite naturalization applications filed by members of the Armed Forces and to establish a deadline for processing such applications.

S. 3550. An act to designate a portion of the Rappahannock River in the Commonwealth of Virginia as the ''John W. Warner Rapids''.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 10 requests for 1-minute speeches on each side of the aisle.

HUMAN RIGHTS SITUATION DETERIORATING IN VIETNAM

(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. Madam Speaker, I rise today to bring urgent attention to the deteriorating human rights conditions in the country of Vietnam.

Most recently, Vietnamese students and bloggers have been harassed and detained for peacefully voicing their concerns about the Vietnamese government's policies. It is becoming increasingly evident that the Government of Vietnam is not living up to its commitment to honor and to protect human rights.

This month, over 3,000 Vietnamese Catholics were harassed by Hanoi's police with tear gas, electric batons and other repressive measures while attending a peaceful Thai Ha prayer vigil. We are continuing to see more and more activists being detained and imprisoned for exercising their freedom of speech, religion and expression, rights that are guaranteed under the International Covenants on Civil and Political Rights.

Printed on recycled paper.

This week, I, along with six other Members, sent a letter to President Nguyen Minh Triet to express outrage over Vietnam's ongoing human rights violations, and to urge the Government of Vietnam to stop using violence against its own people.

I encourage my colleagues to continue addressing this serious issue and speaking out for those in Vietnam who are putting their lives in danger in the name of freedom.

TAXPAYERS DESERVE ANSWERS AND ACCOUNTABILITY ON WALL STREET BAILOUT

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

Mr. SAM JOHNSON of Texas. Madam Speaker, the news on this Wall Street bailout has me fuming. Taxpayers want, need, and deserve answers and accountability. The Treasury Secretary should not have the authority to spend $700 billion with zero oversight.

Meanwhile, a provision in the bill says that banks that bought Fannie Mae and Freddie Mac preferred stock get better tax treatment than an individual who bought preferred stock. That is wrong. Why shouldn't banks be held responsible for their mistakes?

I am not sure this is the best way to fix the problem. We need to discuss serious alternatives before we ask Americans to shoulder billions in additional debt.

Hundreds of my constituents have called outraged at this Wall Street rescue. They want to know when we are going to bail them out.

I am outraged too. Taxpayers deserve better from America.

REJECT FUNDING FOR ABSTINENCE-ONLY EDUCATION PROGRAMS

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

Mrs. CAPPS. Madam Speaker, 750,000 American teenagers will become pregnant this year. This is clear evidence of a serious problem in our country. According to the National Campaign to Prevent Teen and Unplanned Pregnancy, teen parents are less likely to complete their education and more likely to depend on welfare.

Unfortunately, for the last several years the Bush administration has insisted we waste money on abstinence-only education programs that the GAO has deemed ineffective. In fact, a University of Washington study revealed that students who receive comprehensive sex education are less likely to become teen parents than those who receive abstinence-only information.

Not surprisingly, my home State of California, which rejects title V abstinence-only funding, has a teen birth rate that is lower than the national average.

Madam Speaker, we need to teach our children commonsense decision-making skills and not withhold vitally important health information from them. I urge my colleagues to join me in rejecting any future funding for abstinence-only education. Instead, let's spend it where we will see real results.

A SHOOT-FROM-THE-HIP DECISION?

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

Mr. POE. Madam Speaker, they tell us that we are facing financial Armageddon. They tell us we must buy our way out of this. They tell us we must act now or the country will fall into the abyss.

The plan? A $700 billion bailout will be given to the very people who are responsible for this financial mess: Wall Street money grabbers. And to top it off, the idea for this bailout is from the same financial schemers who themselves are responsible for this chaos.

We in Congress have to resolve three issues first: What is the problem? What caused the problem? And what is the solution?

We are still debating what the problem is and what caused it. Until we figure that out, we should not come up with a shoot-from-the-hip, quick-draw decision on what to do.

We have spent more time in congressional hearings on steroids in baseball than we have in discussing this $700 billion ripoff of the American people.

Before we strong-arm American citizens into paying for the sins of New York City financial markets, we need to do more investigation. Then we can come up with the right thing to do and make sound judgments—sound judgments that the so-called experts from Wall Street don't make.

And that's just the way it is.

SERGEANT RAFAEL PERALTA, AN IMMIGRANT AND A TRUE AMERICAN HERO

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

Mr. BACA. Madam Speaker, I stand here to honor a true American hero, Sergeant Rafael Peralta, an immigrant that made the ultimate sacrifice for this country, using his body as a shield to protect his fellow marines from a grenade blast.

Peralta's story is an example of the heroes that love this Nation. For his disregard of personal safety and heroism, his commander recommended him to be awarded the Medal of Honor. This was not the case. Sergeant Peralta was awarded the Navy Cross, which is also an extraordinary feat.

However, his sacrifice merits that of the Medal of Honor. That is why I have joined my colleagues in asking the President to review this case.

Sergeant Peralta is a true example of how much many immigrants in America love this country. No one can deny Peralta's love for this country, having joined the United States Marine Corps right after becoming a legal permanent resident.

Recognizing the sacrifice of Peralta, America cannot turn her back on immigrants.

I urge my colleagues to support comprehensive immigration reform.

WE NEED A CAUTIOUS AND COMPETENT APPROACH

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

Mr. WILSON of South Carolina. Madam Speaker, hardworking Americans understand that our Nation's financial markets are very fragile. The American people are rightfully concerned when they see a $700 billion price tag on a plan to address this crisis. They are hesitant to give the Federal Government an extraordinarily large amount of taxpayer dollars, especially before the right questions and the right concerns have been given their due process.

This Nation has a long history of balancing the needs of a market economy and the realities of government involvement in those markets. We have weathered our fair share of storms as well. Before Congress endorses a multibillion dollar effort to address our financial situation, it would serve this Nation and the wallets of those we represent not to forget that history.

We need a full review of different alternatives to a simple bailout. Otherwise, we risk placing a daunting financial burden on our children's futures.

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

TAXPAYERS BEING ASKED TO PAY FOR A GRAND OLD PARTY ON WALL STREET

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

Mr. DOGGETT. Madam Speaker, in somber terms last night, President Bush described a crisis as if it had emerged on Wall Street from outer space. Never accepting any personal responsibility, this is the man who chased the sheriff off Wall Street while it had a party, a grand old party.

That infamous Republican earmark, that Bridge to Nowhere up in Alaska, it carried a hefty price tag, $223 million. Well, what President Bush is now asking Americans to do is to pay for the equivalent of 4,500 Alaskan bridges, a $1 trillion gold-plated, diamond-encrusted bridge to Wall Street.

And our job here in Congress is to ask, is this just another Bridge to Nowhere, and ask why is it that the party-goers don't have to pay for the party? Why should American taxpayers and future generations of Americans

have their future mortgaged to pay for a party they never participated in?

MEDIA SHOULD PROVIDE BALANCED ELECTION COVERAGE

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

Mr. SMITH of Texas. Madam Speaker, it is not easy to find a news magazine without either Senator OBAMA on the cover or gratuitous attacks on Senator MCCAIN and Governor Palin in its articles. For example, Newsweek magazine this week published an article suggesting that Governor Palin's faith in God makes her less qualified to be Vice President. That is an amazing lack of grace.

This marks the latest shot fired in the media's all-out assault on Governor Palin's campaign to become America's first woman Vice President. No wonder Americans, by a 10-to-1 margin, believe the media are trying to hurt Governor Palin, according to a Rasmussen poll.

Newsweek is the same magazine that has featured Senator OBAMA on its cover six times this year, compared to only three times for Senator MCCAIN.

Americans need balanced coverage during this election, and should demand that the media provide it.

SECRETARY PAULSON'S SOLUTION TO THE URGENT FINANCIAL CRISIS IS WRONG

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

Mr. HOLT. Madam Speaker, Secretary Paulson's solution to the urgent financial crisis is wrong. The problem is that the financial institutions have been trading securities whose value they don't know and can't know because bad mortgages are mixed in with good mortgages in indeterminate amounts.

For any problem, you should go to the root in order to solve it. The root here is that the bad mortgages mixed with the good mortgages have poisoned the financial papers. In buying those papers, the taxpayers won't know whether they are getting any value for their dollar, and neither Paulson nor the market will be able to determine the value. So go to the root. Repair the bad mortgages. It will help Wall Street and Main Street. It will restore confidence, liquidity and solvency.

There is an antecedent. The Homeowners Loan Corporation in the 1930s dealt with a crisis of bad mortgages, put up $70 billion in today's dollars and rescued 1 million homeowners. It worked.

□ 1015

LOWERING GAS PRICES, CREATING JOBS

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

Mr. BOUSTANY. Madam Speaker, as I travel across my district, helping with hurricane recovery, I am proud of the can-do spirit of the people of southwest Louisiana. Hurricanes Gustav and Ike caused amazing damage throughout my area, but neighbors are helping neighbors.

These two storms also highlight the importance of American energy production in the Gulf of Mexico. High gas prices are affecting our food prices, the economy in general, and people's pocketbooks directly.

Throughout August, I joined my fellow House Republicans in urging Speaker PELOSI to bring Congress back in session to help American families struggling with the dramatically high gas prices, but she refused.

Now we can act. We can increase and diversify our energy supply, become less dependent on foreign sources of oil and create good high-paying American jobs. Many of these energy jobs are going overseas, but we can keep them right here in America.

By harnessing all of America's vast resources, we can help Americans in the short term and into the future. Let's do the responsible thing. Let's open parts of our deepwater coasts for energy exploration and pass a comprehensive energy bill. Let's begin to reduce the price at the pump.

WHILE REPUBLICANS WANT MORE OF THE SAME, DEMOCRATS ARE WORKING TOWARD CHANGE

(Ms. EDDIE BERNICE JOHNSON of Texas asked and was given permission to address the House for 1 minute.)

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, there is a reason that the American people are demanding real change this year. Nearly 8 years ago, this administration inherited a Nation that was well respected abroad, fiscally sound and economically stable.

Today, thanks to misguided policies and arrogance, President Bush has left our Nation's security in a more precarious and dangerous position. On the budget front, President Bush and congressional Republicans have turned a projected 10-year budget surplus of $5.6 trillion into a projected 10-year deficit of $3.4 trillion.

On the economic side, home foreclosures are at record highs, wages are stagnant. More than 600,000 jobs have been lost this year alone, and Wall Street is in crisis thanks to this administration looking the other way for 8 years.

The administration is now looking for a $700 billion recovery package with absolutely no strings attached. While they are trying to recast themselves as the agents of change, we know better. They have built a record of failure over the last 8 years, and America cannot afford more of the same.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

HELPING HOME MEAL DELIVERY VOLUNTEERS

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

Mr. LATTA. Madam Speaker, I had the pleasure of meeting with home delivery volunteers in the Fifth Congressional District on Monday to discuss H.R. 6675, a bill I introduced in July.

H.R. 6675 would increase the standard deduction for home meal delivery volunteers from the current rate of 14 cents per mile to 58.5 cents per mile. Home meal delivery programs across the country are losing volunteers as the cost of gasoline continues to rise.

This legislation will help retain and recruit additional volunteers to carry out this important work. For those who receive home delivered meals, these volunteers serve an important role in delivering meals that provide needed nourishment, in addition to boosting the morale and spirit of those individuals.

As we continue to debate the comprehensive energy reform policy in Congress, we must be aware of the important contributions volunteers have on our great country. Volunteer firefighters, civic group leaders, and others who give so much of their time and resources are what make our community and our country a great place to live, work, and raise a family.

MCCAIN DEREGULATION AGENDA WOULD BE DISASTROUS FOR MIDDLE CLASS AMERICANS

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

Mr. PAYNE. Madam Speaker, as Americans everywhere are feeling the effect of President Bush's failed economic policies, Senator JOHN MCCAIN has once again demonstrated that if he wins in November, he will not only continue those same failed policies, but he will expand them to the health care industry.

Just last month, Senator MCCAIN, in an opinion that he wrote, said that the health insurance market should be run more like the banking industry has been during the last decade. Can you imagine that?

As you can imagine, this would be a disaster for American families. By creating a deregulated national marketplace, health insurance companies could sell plans that lack even the most basic consumer protections, creating high out-of-pocket expenses and allowing insurance companies to break promises to pay medical bills.

The latest financial meltdown on Wall Street highlights the need for a government to regulate big business. We need a referee on the field. Not only does Senator MCCAIN disagree with that belief, but he wants to take the referee out of health care, leaving all Americans to fend for themselves.

That's not a change the American people can believe in.

THE BAILOUT

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

Mrs. BACHMANN. Madam Speaker, over the weekend Secretary Paulson asked taxpayers to pony up an astonishing $700 billion to buy financial services sector debt on top of the existing bailouts that are already implemented this year. All told, that amounts to an astonishing $1.5 trillion.

Spending at this proportion doesn't just impact a fiscal year, it will impact generations of prosperity. We are told that the consequences of inaction, even of deliberative action, will be severe, but I am concerned that the consequences of hasty action could be just as dire. I have had hundreds of constituents call my office, as have my colleagues, over the last 2 days, asking this question. They are all expressing skepticism for this plan.

They remain unconvinced, as I remain unconvinced, that they will get much result for their investment. We should not be in the habit of writing blank checks. We should not rush to take action in a week when the consequences could last several lifetimes, because the forgotten man in all of this is the everyday American taxpayer.

It's with them in mind that we should fully focus on our responsibilities and not rush to judgment because of an artificial deadline.

HUNDREDS OF BILLIONS OF DOLLARS OF DEFICIT SPENDING

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

Mr. INSLEE. Madam Speaker, listening to the President last night, I had a very disturbing sense of déjà vu, or actually, maybe, appropriately, déjà voodoo.

I remember the situation where the President said we had this threat to the country, we had to respond in Iraq. He then went on to foist hundreds of billions of dollars of deficit spending in the Iraq war, without paying one single dime in a fiscally responsible way to do it.

Last night he did exactly the same thing. He attempted to foist somewhere between 200, 500, 700 billion dollars of deficit spending on the American people. When you do deficit spending, you ultimately put the cost on middle-income taxpayers in America.

This President, if he believes this crisis is so bad, needs to come to the American people and put the cost on the folks who got us into this predicament, the industry that created this crisis, not on middle-income taxpayers.

This is fiscal irresponsibility. It will not stand.

WE ARE NOT LEARNING FROM HISTORY

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

Mr. GOHMERT. Madam Speaker, we are told that those who have refused to learn from history are destined to repeat it, and it is true. We are not learning from history.

I love the President, and I disagree about Iraq. But last night, the statements that came to a conclusion had an extremely faulty premise, and that premise was that the Federal Government is the only one that can properly manage these assets long enough, that has the patience.

That's ridiculous. We serve in this Congress. We can't even keep the same incentives in place for a year or two.

China, we just heard, is now telling its banks, don't loan to us. They are totalitarian, and we should be concerned about it, but they are moving toward capitalism. Let the private sector make its money and pay us tax. We are moving that way.

This will be the biggest socialist move in American history, and it breaks my heart that so many are thinking maybe this is all we can do. The Soviet Union lasted 70 years when they did this type of thing.

We won't make it that long. I beg colleagues on both sides, let's look at this and not move socialist.

DISASTROUS ECONOMIC POLICIES

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

Ms. SPEIER. Madam Speaker, our President had an opportunity last night, and he blew it. He could have reasserted his leadership by accepting responsibility for his disastrous policies, but he took a pass. Instead, he chose to blame the American people.

Well, Mr. President, the American people did not spend the last 7½ years deregulating Wall Street. You did. The American people didn't spend $12 billion a month on an unnecessary war. You did. The American people didn't come up with the idea to give tax breaks to oil companies. You did.

Whatever happens at the White House today, I can only hope that the man and the party responsible for this crisis finally decide to do the right thing. The American people are forgiving. It's time to man up and admit that your disastrous economic policies got us into this mess.

Then, as we always do, we can all work together to repair the damage.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

PRESERVE THE AMERICAN ECONOMY

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

Mr. COHEN. Madam Speaker, this first year of Congress for me is about to end, and the 110th Congress is about to end. It is important that we come together on this floor and in this Congress in a bipartisan manner to preserve the American economy.

Whose fault it is—I think the American people know whose fault it is. There were 6 years of a Republican President, a Republican Senate, a Republican House, and a lack of regulations and a lack of regard to the economic conditions that brought about this situation, but now is the time to fix the mess.

Whether you are a first-year Member, a senior Member, a Democrat or Republican, when you make a mess, you clean it up. It's our responsibility to do it in the proper way with oversight, with the American taxpayer at the base of our concerns to make sure we do it right.

We are in for historic times. The Democratic Party and the Republican Party need to come together, and we need to have a solution to keep America strong.

God bless the United States of America.

PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Mr. CARDOZA. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 1491 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1491

Resolved, That it shall be in order at any time on the legislative day of September 25, 2008, for the Speaker to entertain motions that the House suspend the rules relating to the following measures:

(1) The bill (H.R. 928) to amend the Inspector General Act of 1978 to enhance the independence of the Inspectors General, to create a Council of the Inspectors General on Integrity and Efficiency, and for other purposes.

(2) The bill (S. 2324) to amend the Inspector General Act of 1978 (5 U.S.C. App.) to enhance the Offices of the Inspectors General, to create a Council of the Inspectors General on Integrity and Efficiency, and for other purposes.

(3) The bill (S. 1046) to modify pay provisions relating to certain senior-level positions in the Federal Government, and for other purposes.

(4) The bill (H.R. 6045) to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to extend the authorization of the Bulletproof Vest Partnership Grant Program through fiscal year 2012.

(5) The concurrent resolution (H. Con. Res. 214) expressing the sense of Congress that the President should grant a posthumous pardon to John Arthur ''Jack'' Johnson for the 1913 racially motivated conviction of Johnson, which diminished his athletic, cultural, and historic significance, and tarnished his reputation.

(6) The bill (H.R. 4120) to amend title 18, United States Code, to provide for more effective prosecution of cases involving child pornography, and for other purposes.

(7) A bill relating to webcasting.

(8) The bill (H.R. 1777) to amend the Improving America's Schools Act of 1994 to make permanent the favorable treatment of need-based educational aid under the antitrust laws.

(9) A bill relating to India nuclear cooperation.

(10) The bill (H.R. 176) to authorize the establishment of educational exchange and development programs for member countries of the Caribbean Community (CARICOM).

(11) The bill (H.R. 2553) to amend the State Department Basic Authorities Act of 1956 to provide for the establishment and maintenance of existing libraries and resource centers at United States diplomatic and consular missions to provide information about American culture, society, and history, and for other purposes.

(12) The bill (H.R. 3202) to amend the Foreign Service Act of 1980 to extend comparability pay adjustments to members of the Foreign Service assigned to posts abroad, and to amend the provision relating to the death gratuity payable to surviving dependents of Foreign Service employees who die as a result of injuries sustained in the performance of duty abroad.

(13) The bill (S. 3426) to amend the Foreign Service Act of 1980 to extend comparability pay adjustments to members of the Foreign Service assigned to posts abroad, and to amend the provision relating to the death gratuity payable to surviving dependents of Foreign Service employees who die as a result of injuries sustained in the performance of duty abroad.

(14) The bill (S. 3052) to provide for the transfer of naval vessels to certain foreign recipients.

(15) The bill (H.R. 2798) to reauthorize the programs of the Overseas Private Investment Corporation, and for other purposes.

(16) The bill (H.R. 3887) to authorize appropriations for fiscal years 2008 through 2011 for the Trafficking Victims Protection Act of 2000, to enhance measures to combat trafficking in persons, and for other purposes.

(17) The bill (H.R. 1157) to amend the Public Health Service Act to authorize the Director of the National Institute of Environmental Health Sciences to make grants for the development and operation of research centers regarding environmental factors that may be related to the etiology of breast cancer.

(18) The bill (H.R. 6568) to direct the Secretary of Health and Human Services to encourage research and carry out an educational campaign with respect to pulmonary hypertension, and for other purposes.

(19) The bill (H.R. 3232) to establish a nonprofit corporation to communicate United States entry policies and otherwise promote tourist, business, and scholarly travel to the United States.

(20) The bill (H.R. 3402) to require accurate and reasonable disclosure of the terms and conditions of prepaid telephone calling cards and services.

(21) The bill (H.R. 1283) to amend the Public Health Service Act to provide for arthritis research and public health, and for other purposes.

(22) The bill (S. 1382) to amend the Public Health Service Act to provide for the establishment of an Amyotrophic Lateral Sclerosis Registry.

(23) The bill (S. 1810) to amend the Public Health Service Act to increase the provision of scientifically sound information and support services to patients receiving a positive test diagnosis for Down syndrome or other prenatally and postnatally diagnosed conditions.

(24) The bill (S. 2932) to amend the Public Health Service Act to reauthorize the poison center national toll-free number, national media campaign, and grant program to provide assistance for poison prevention, sustain the funding of poison centers, and enhance the public health of people of the United States.

(25) The bill (H.R. 1343) to amend the Public Health Service Act to provide additional authorizations of appropriations for the health centers program under section 330 of such Act, and for other purposes.

(26) The bill (S. 901) to amend the Public Health Service Act to reauthorize the Community Health Centers program, the National Health Service Corps, and rural health care programs.

(27) The bill (H.R. 477) to amend the Public Health Service Act to strengthen education, prevention, and treatment programs relating to stroke, and for other purposes.

(28) The bill (S. 999) to amend the Public Health Service Act to improve stroke prevention, diagnosis, treatment, and rehabilitation.

(29) The bill (H.R. 507) to establish a grant program to provide vision care to children, and for other purposes.

(30) The bill (S. 1117) to establish a grant program to provide vision care to children, and for other purposes.

(31) The bill (H.R. 545) to amend the Omnibus Crime Control and Safe Streets Act of 1968 to clarify that territories and Indian tribes are eligible to receive grants for confronting the use of methamphetamine.

(32) The bill (S. 85) to amend the Omnibus Crime Control and Safe Streets Act of 1968 to clarify that territories and Indian tribes are eligible to receive grants for confronting the use of methamphetamine.

(33) The bill (S. 267) to amend the Omnibus Crime Control and Safe Streets Act of 1968 to clarify that territories and Indian tribes are eligible to receive grants for confronting the use of methamphetamine.

(34) The bill (H.R. 970) to amend the Federal Food, Drug, and Cosmetic Act with respect to the distribution of the drug dextromethorphan, and for other purposes.

(35) The bill (S. 1378) to amend the Federal Food, Drug, and Cosmetic Act with respect to the distribution of the drug dextromethorphan, and for other purposes.

(36) The bill (S. 3549) to amend title XIX of the Social Security Act to provide additional funds for the qualifying individual (QI) program, and for other purposes.

(37) The bill (S. 906) to prohibit the sale, distribution, transfer, and export of elemental mercury, and for other purposes.

(38) The bill (H.R. 1534) to prohibit certain sales, distributions, and transfers of elemental mercury, to prohibit the export of elemental mercury, and for other purposes.

(39) The resolution (H. Res. 1333) supporting the goals and ideals of Tay-Sachs Awareness Month.

(40) The bill (H.R. 6460) to amend the Federal Water Pollution Control Act to provide for the remediation of sediment contamination in areas of concern, and for other purposes.

(41) The bill (S. 2080) to amend the Federal Water Pollution Control Act to ensure that sewage treatment plants monitor for and report discharges of raw sewage, and for other purposes.

(42) The bill (H.R. 2452) to amend the Federal Water Pollution Control Act to ensure that publicly owned treatment works monitor for and report sewer overflows, and for other purposes.

(43) The bill (S. 2844) to amend the Federal Water Pollution Control Act to modify provisions relating to beach monitoring, and for other purposes.

(44) The bill (H.R. 2537) to amend the Federal Water Pollution Control Act relating to beach monitoring, and for other purposes.

□ 1030

The SPEAKER pro tempore. The gentleman from California is recognized for 1 hour.

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

GENERAL LEAVE

Mr. CARDOZA. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on House Resolution 1491.

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

There was no objection.

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

Madam Speaker, H. Res. 1491 authorizes the Speaker to entertain motions that the House suspend the rules at any time on the legislative day of Thursday, September 25, 2008, on 44 separate measures. This rule is necessary because under clause 1(a) of rule XV, the Speaker may entertain motions to suspend the rules only on Monday, Tuesday or Wednesday of each week. In order for suspensions to be considered on other days, the Rules Committee must authorize consideration of these motions.

This is not unusual. In fact, in the 109th Congress, my friends on the other side of the aisle reported at least six rules that provided for additional suspension days. This bill limits the suspension of rules only to those measures listed in the rule itself so Members on both sides of the aisle are aware of exactly what bills may be considered under this suspension of the rules.

This is standard procedure at the end of the legislative session and includes both House bills that we will send to the Senate for consideration and Senate-passed bills that are ready to become law once they pass the House.

I would remind my colleagues on both sides of the aisle that bills considered under suspension of the rules must receive strong bipartisan support in order to pass the House.

I urge my colleagues to join me in supporting this rule which will simply help us move important, noncontroversial legislation before we adjourn that is important to our constituents and

that will receive overwhelmingly bipartisan support and that will hopefully become law.

I reserve the balance of my time.

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

Madam Speaker, on the opening day of this Congress, the distinguished chairwoman of the Rules Committee, Ms. SLAUGHTER, came to the floor and said that the new majority would, '' . . . begin to return this Chamber to its rightful place as the home of democracy and deliberation in our great Nation.'' That pledge echoed a document by Speaker PELOSI titled A New Direction For America. That document said, ''bills should generally come to the floor under a procedure that allows open, full, and fair debate.''

Now as we approach the closing hours of the 110th Congress, I think it is appropriate for us to take a look at whether the majority has actually lived up to those promises.

Let us begin with closed rules. There really can be few, if any, parliamentary procedures that are more offensive to the essential spirit of democracy, the spirit of democracy, than a closed rule. A closed rule shuts off, blocks Members from both sides of the aisle from offering any amendments to legislation that is considered on the floor. As I said, no matter what their party affiliation, if and when Congress operates under a closed rule, all Members are shut out from the legislative process on the floor.

Even though the majority promised a more open Congress, as I referred to in the beginning of my remarks, they silenced the vote of every Member and thus all of every Member's constituents a record 63 times this Congress. Sixty-three times. No other Congress in the history of the Republic has ever brought forth so many closed rules. No other Congress in the history of the Republic has brought so many pieces of legislation to the floor under that legislative framework that prohibits every Member of this House from offering amendments to the legislation.

The consistent use of closed rules by the majority constitutes an affront to the democratic spirit as well as to their own promises. But that is not the only way that they have failed to live up to their promises. They have also systematically bypassed what is known as the conference process, effectively shutting out the minority from having a say on legislation that makes its way to the President's desk.

Madam Speaker, as you know, the conference process is the process by which the House and Senate work out differences, resolve their differences and achieve a final legislative product that is exact to be passed by the House and the Senate and sent to the President.

Now the majority has also used a technique known as ''ping-pong'' to avoid that conference process. They have used that technique in order to subvert the rights of the minority to offer motions to recommit and amendments. For comparison, in the 108th Congress and 109th Congress—those Congresses combined—that technique known as ping-ponging was used three times during the 108th Congress and 109th Congress.

But that is not all. The majority has also considered 45 bills outside the regular order. They also blocked minority substitute amendments, allowing only 10 minority substitute amendments even though they promised a procedure that, and again I remind the majority of its own words, they promised that they would ''grant the minority the right to offer its alternatives, including a substitute.''

So here we are today with a rule that a distinguished senior member of the majority on the Rules Committee said, and I quote, is '' . . . outside the normal parameters of the way that the House should conduct its business . . . it effectively curtails our rights and responsibilities as serious legislators.''

□ 1045

Prior to becoming Speaker, Ms. PELOSI pledged, and I quote, ''to conduct our work with civility and bipartisanship and to act in partnership, not partisanship, with the President and the Republicans in Congress.''

Obviously, the record has been another story.

Now with regard to what the majority is doing today, the majority is bringing forth 44 bills for consideration under what is known as suspension of the rules. It's a process by which usually noncontroversial bills, as my friend described them, bills that generally have bipartisan support because they require two-thirds of the House in order to pass, under the rule being brought forth today, we will be authorizing under this rule 44 bills for consideration under suspension of the rules. At least they're telling us what the 44 bills are. That's why it took some time for the Clerk to read them, because there are 44 bills to read the titles. So at least I think the majority should be commended for telling us what the 44 bills are.

Now, unfortunately, we're informed that the Rules Committee is meeting at this time, as we speak, to pass a rule to authorize more suspensions, but not telling us what they are; in other words, a blanket authority. So, obviously everything has to be put in perspective.

Compared to what the Rules Committee is doing now for the rest of the session, this is a commendable rule because at least it is informing us and the American people what we will be considering. At least the titles have been brought forth. So that is something that, when we consider how the majority has acted procedurally in this Congress, we have to be grateful that we're being informed at least what bills are being authorized for consideration under the rule today.

Madam Speaker, as we look back at this 110th Congress that is nearing its end, I think it would be fair to say that when one considers the promises for openness and fairness and transparency made by the majority at the beginning of this Congress and in their campaign before this Congress began, when one compares that with their record of having broken all precedent in terms of the number, the number, having broken the record in terms of the number of pieces of legislation brought to this floor authorizing no amendments, in other words, closed rules, there is an extraordinary difference between the promise and the reality by our friends on the other side of the aisle.

I reserve the balance of my time.

Mr. CARDOZA. Madam Speaker, I would like to inquire of the gentleman from Florida if he has any additional speakers. I am the last speaker on my side.

Mr. LINCOLN DIAZ-BALART of Florida. No, I would inform my friend that we have no other speakers. So at this time I yield back the balance of my time.

Mr. CARDOZA. Madam Speaker, my friend from Florida has raised several issues with regard to the procedures of the House for the last 2 years. The gentleman is correct that there have been a number of closed rules this year. But I would like to just say, in response to that, that we have had to try and manage this House with a very obstinate Republican minority in the Senate.

There has been a record number of filibusters that have been put forward this year to try and stop everything that we have tried to accomplish in this body. In fact, there has been an absolute stonewalling on the number of conference committees, breaking down the bipartisan process, breaking down the comity that engages both Houses, so that we can get something done for the American people. By refusing to go to conference, this has gummed up the arteries of this body, and it, frankly, is the Republican minority in the other body that has really made this a very difficult House and institution to manage.

Madam Speaker, I would also say that the gentleman mentioned that this is—well, first of all, he acknowledged that we are telling everyone today the 44 bills that we are, in fact, bringing forward in this rule. Six times the gentleman's party, in the last Congress, did not tell us what they were bringing forward in a rule. And I can cite the dates. We have the information.

The reality is that this is not an uncommon practice at the end of the session. We would like to, as we are doing in this rule, do it every time, but sometimes it's possible at the end of the session we're simply running out of time.

So, Madam Speaker, as I said, this is a standard procedure at the end of the legislative session that will simply

help us move important, noncontroversial legislation before we adjourn that will receive overwhelming bipartisan support.

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

I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid upon the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on 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 today.

INSPECTOR GENERAL REFORM ACT OF 2008

Mr. TOWNS. Madam Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 928) to amend the Inspector General Act of 1978 to enhance the independence of the Inspectors General, to create a Council of the Inspectors General on Integrity and Efficiency, and for other purposes.

The Clerk read the title of the bill.

The text of the Senate amendment is as follows:

Senate amendment:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Inspector General Reform Act of 2008''.

SEC. 2. APPOINTMENT AND QUALIFICATIONS OF INSPECTORS GENERAL.

Section 8G(c) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by adding at the end ''Each Inspector General shall be appointed without regard to political affiliation and solely on the basis of integrity and demonstrated ability in accounting, auditing, financial analysis, law, management analysis, public administration, or investigations.''.

SEC. 3. REMOVAL OF INSPECTORS GENERAL.

(a) ESTABLISHMENTS.—Section 3(b) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by striking the second sentence and inserting ''If an Inspector General is removed from office or is transferred to another position or location within an establishment, the President shall communicate in writing the reasons for any such removal or transfer to both Houses of Congress, not later than 30 days before the removal or transfer. Nothing in this subsection shall prohibit a personnel action otherwise authorized by law, other than transfer or removal.''.

(b) DESIGNATED FEDERAL ENTITIES.—Section 8G(e) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by striking ''shall promptly communicate in writing the reasons for any such removal or transfer to both Houses of the Congress.'' and inserting ''shall communicate in writing the reasons for any such removal or transfer to both Houses of Congress, not later than 30 days before the removal or transfer. Nothing in this subsection shall prohibit a personnel action otherwise authorized by law, other than transfer or removal.''.

SEC. 4. PAY OF INSPECTORS GENERAL.

(a) INSPECTORS GENERAL AT LEVEL III OF EXECUTIVE SCHEDULE.—

(1) IN GENERAL.—Section 3 of the Inspector General Act of 1978 (5 U.S.C. App.), is amended by adding at the end the following:

''(e) The annual rate of basic pay for an Inspector General (as defined under section 12(3)) shall be the rate payable for level III of the Executive Schedule under section 5314 of title 5, United States Code, plus 3 percent.''.

(2) TECHNICAL AND CONFORMING AMENDMENTS.—Section 5315 of title 5, United States Code, is amended by striking the item relating to each of the following positions:

(A) Inspector General, Department of Education.

(B) Inspector General, Department of Energy.

(C) Inspector General, Department of Health and Human Services.

(D) Inspector General, Department of Agriculture.

(E) Inspector General, Department of Housing and Urban Development.

(F) Inspector General, Department of Labor.

(G) Inspector General, Department of Transportation.

(H) Inspector General, Department of Veterans Affairs.

(I) Inspector General, Department of Homeland Security.

(J) Inspector General, Department of Defense.

(K) Inspector General, Department of State.

(L) Inspector General, Department of Commerce.

(M) Inspector General, Department of the Interior.

(N) Inspector General, Department of Justice.

(O) Inspector General, Department of the Treasury.

(P) Inspector General, Agency for International Development.

(Q) Inspector General, Environmental Protection Agency.

(R) Inspector General, Export-Import Bank.

(S) Inspector General, Federal Emergency Management Agency.

(T) Inspector General, General Services Administration.

(U) Inspector General, National Aeronautics and Space Administration.

(V) Inspector General, Nuclear Regulatory Commission.

(W) Inspector General, Office of Personnel Management.

(X) Inspector General, Railroad Retirement Board.

(Y) Inspector General, Small Business Administration.

(Z) Inspector General, Tennessee Valley Authority.

(AA) Inspector General, Federal Deposit Insurance Corporation.

(BB) Inspector General, Resolution Trust Corporation.

(CC) Inspector General, Central Intelligence Agency.

(DD) Inspector General, Social Security Administration.

(EE) Inspector General, United States Postal Service.

(3) APPLICABILITY TO OTHER INSPECTORS GENERAL.—

(A) IN GENERAL.—Notwithstanding any other provision of law, the annual rate of basic pay of the Inspector General of the Central Intelligence Agency, the Special Inspector General for Iraq Reconstruction, and the Special Inspector General for Afghanistan Reconstruction shall be that of an Inspector General as defined under section 12(3) of the Inspector General Act of 1978 (5 U.S.C. App.) (as amended by section 7(a) of this Act).

(B) PROHIBITION OF CASH BONUS OR AWARDS.—Section 3(f) of the Inspector General Act of 1978 (5 U.S.C. App.) (as amended by section 5 of this Act) shall apply to the Inspectors General described under subparagraph (A).

(4) ADDITIONAL TECHNICAL AND CONFORMING AMENDMENT.—Section 194(b) of the National and Community Service Act of 1990 (42 U.S.C. 12651e(b)) is amended by striking paragraph (3).

(b) INSPECTORS GENERAL OF DESIGNATED FEDERAL ENTITIES.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the Inspector General of each designated Federal entity (as those terms are defined under section 8G of the Inspector General Act of 1978 (5 U.S.C. App.)) shall, for pay and all other purposes, be classified at a grade, level, or rank designation, as the case may be, at or above those of a majority of the senior level executives of that designated Federal entity (such as a General Counsel, Chief Information Officer, Chief Financial Officer, Chief Human Capital Officer, or Chief Acquisition Officer). The pay of an Inspector General of a designated Federal entity (as those terms are defined under section 8G of the Inspector General Act of 1978 (5 U.S.C. App.)) shall be not less than the average total compensation (including bonuses) of the senior level executives of that designated Federal entity calculated on an annual basis.

(2) LIMITATION ON ADJUSTMENT.—

(A) IN GENERAL.—In the case of an Inspector General of a designated Federal entity whose pay is adjusted under paragraph (1), the total increase in pay in any fiscal year resulting from that adjustment may not exceed 25 percent of the average total compensation (including bonuses) of the Inspector General of that entity for the preceding 3 fiscal years.

(B) SUNSET OF LIMITATION.—The limitation under subparagraph (A) shall not apply to any adjustment made in fiscal year 2013 or each fiscal year thereafter.

(c) SAVINGS PROVISION FOR NEWLY APPOINTED INSPECTORS GENERAL.—

(1) IN GENERAL.—The provisions of section 3392 of title 5, United States Code, other than the terms ''performance awards'' and ''awarding of ranks'' in subsection (c)(1) of such section, shall apply to career appointees of the Senior Executive Service who are appointed to the position of Inspector General.

(2) NONREDUCTION IN PAY.—Notwithstanding any other provision of law, career Federal employees serving on an appointment made pursuant to statutory authority found other than in section 3392 of title 5, United States Code, shall not suffer a reduction in pay, not including any bonus or performance award, as a result of being appointed to the position of Inspector General.

(d) SAVINGS PROVISION.—Nothing in this section shall have the effect of reducing the rate of pay of any individual serving on the date of enactment of this section as an Inspector General of—

(1) an establishment as defined under section 12(2) of the Inspector General Act of 1978 (5 U.S.C. App.) (as amended by section 7(a) of this Act);

(2) a designated Federal entity as defined under section 8G(2) of the Inspector General Act of 1978 (5 U.S.C. App.);

(3) a legislative agency for which the position of Inspector General is established by statute; or

(4) any other entity of the Government for which the position of Inspector General is established by statute.

SEC. 5. PROHIBITION OF CASH BONUS OR AWARDS.

Section 3 of the Inspector General Act of 1978 (5 U.S.C. App.) (as amended by section 4 of this Act) is further amended by adding at the end the following:

''(f) An Inspector General (as defined under section 8G(a)(6) or 12(3)) may not receive any cash award or cash bonus, including any cash award under chapter 45 of title 5, United States Code.''.

SEC. 6. SEPARATE COUNSEL TO SUPPORT INSPECTORS GENERAL.

(a) COUNSELS TO INSPECTORS GENERAL OF ESTABLISHMENT.—Section 3 of the Inspector General Act of 1978 (5 U.S.C. App.) (as amended by sections 4 and 5 of this Act) is further amended by adding at the end the following:

''(g) Each Inspector General shall, in accordance with applicable laws and regulations governing the civil service, obtain legal advice from a counsel either reporting directly to the Inspector General or another Inspector General.''.

(b) COUNSELS TO INSPECTORS GENERAL OF DESIGNATED FEDERAL ENTITIES.—Section 8G(g) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by adding at the end the following:

''(4) Each Inspector General shall—

''(A) in accordance with applicable laws and regulations governing appointments within the designated Federal entity, appoint a Counsel to the Inspector General who shall report to the Inspector General;

''(B) obtain the services of a counsel appointed by and directly reporting to another Inspector General on a reimbursable basis; or

''(C) obtain the services of appropriate staff of the Council of the Inspectors General on Integrity and Efficiency on a reimbursable basis.''.

(c) RULE OF CONSTRUCTION.—Nothing in the amendments made by this section shall be construed to alter the duties and responsibilities of the counsel for any establishment or designated Federal entity, except for the availability of counsel as provided under sections 3(g) and 8G(g) of the Inspector General Act of 1978 (5 U.S.C. App.) (as amended by this section). The Counsel to the Inspector General shall perform such functions as the Inspector General may prescribe.

SEC. 7. ESTABLISHMENT OF COUNCIL OF THE INSPECTORS GENERAL ON INTEGRITY AND EFFICIENCY.

(a) ESTABLISHMENT.—The Inspector General Act of 1978 (5 U.S.C. App.) is amended by redesignating sections 11 and 12 as sections 12 and 13, respectively, and by inserting after section 10 the following:

''SEC. 11. ESTABLISHMENT OF THE COUNCIL OF THE INSPECTORS GENERAL ON INTEGRITY AND EFFICIENCY.

''(a) ESTABLISHMENT AND MISSION.—

''(1) ESTABLISHMENT.—There is established as an independent entity within the executive branch the Council of the Inspectors General on Integrity and Efficiency (in this section referred to as the 'Council').

''(2) MISSION.—The mission of the Council shall be to—

''(A) address integrity, economy, and effectiveness issues that transcend individual Government agencies; and

''(B) increase the professionalism and effectiveness of personnel by developing policies, standards, and approaches to aid in the establishment of a well-trained and highly skilled workforce in the offices of the Inspectors General.

''(b) MEMBERSHIP.—

''(1) IN GENERAL.—The Council shall consist of the following members:

''(A) All Inspectors General whose offices are established under—

''(i) section 2; or

''(ii) section 8G.

''(B) The Inspectors General of the Office of the Director of National Intelligence and the Central Intelligence Agency.

''(C) The Controller of the Office of Federal Financial Management.

''(D) A senior level official of the Federal Bureau of Investigation designated by the Director of the Federal Bureau of Investigation.

''(E) The Director of the Office of Government Ethics.

''(F) The Special Counsel of the Office of Special Counsel.

''(G) The Deputy Director of the Office of Personnel Management.

''(H) The Deputy Director for Management of the Office of Management and Budget.

''(I) The Inspectors General of the Library of Congress, Capitol Police, Government Printing Office, Government Accountability Office, and the Architect of the Capitol.

''(2) CHAIRPERSON AND EXECUTIVE CHAIRPERSON.—

''(A) EXECUTIVE CHAIRPERSON.—The Deputy Director for Management of the Office of Management and Budget shall be the Executive Chairperson of the Council.

''(B) CHAIRPERSON.—The Council shall elect 1 of the Inspectors General referred to in paragraph (1)(A) or (B) to act as Chairperson of the Council. The term of office of the Chairperson shall be 2 years.

''(3) FUNCTIONS OF CHAIRPERSON AND EXECUTIVE CHAIRPERSON.—

''(A) EXECUTIVE CHAIRPERSON.—The Executive Chairperson shall—

''(i) preside over meetings of the Council;

''(ii) provide to the heads of agencies and entities represented on the Council summary reports of the activities of the Council; and

''(iii) provide to the Council such information relating to the agencies and entities represented on the Council as assists the Council in performing its functions.

''(B) CHAIRPERSON.—The Chairperson shall—

''(i) convene meetings of the Council—

''(I) at least 6 times each year;

''(II) monthly to the extent possible; and

''(III) more frequently at the discretion of the Chairperson;

''(ii) carry out the functions and duties of the Council under subsection (c);

''(iii) appoint a Vice Chairperson to assist in carrying out the functions of the Council and act in the absence of the Chairperson, from a category of Inspectors General described in subparagraph (A)(i), (A)(ii), or (B) of paragraph (1), other than the category from which the Chairperson was elected;

''(iv) make such payments from funds otherwise available to the Council as may be necessary to carry out the functions of the Council;

''(v) select, appoint, and employ personnel as needed to carry out the functions of the Council subject to the provisions of title 5, United States Code, governing appointments in the competitive service, and the provisions of chapter 51 and subchapter III of chapter 53 of such title, relating to classification and General Schedule pay rates;

''(vi) to the extent and in such amounts as may be provided in advance by appropriations Acts, made available from the revolving fund established under subsection (c)(3)(B), or as otherwise provided by law, enter into contracts and other arrangements with public agencies and private persons to carry out the functions and duties of the Council;

''(vii) establish, in consultation with the members of the Council, such committees as determined by the Chairperson to be necessary and appropriate for the efficient conduct of Council functions; and

''(viii) prepare and transmit a report annually on behalf of the Council to the President on the activities of the Council.

''(c) FUNCTIONS AND DUTIES OF COUNCIL.—

''(1) IN GENERAL.—The Council shall—

''(A) continually identify, review, and discuss areas of weakness and vulnerability in Federal programs and operations with respect to fraud, waste, and abuse;

''(B) develop plans for coordinated, Governmentwide activities that address these problems and promote economy and efficiency in Federal programs and operations, including interagency and interentity audit, investigation, inspection, and evaluation programs and projects to deal efficiently and effectively with those problems concerning fraud and waste that exceed the capability or jurisdiction of an individual agency or entity;

''(C) develop policies that will aid in the maintenance of a corps of well-trained and highly skilled Office of Inspector General personnel;

''(D) maintain an Internet website and other electronic systems for the benefit of all Inspectors General, as the Council determines are necessary or desirable;

''(E) maintain 1 or more academies as the Council considers desirable for the professional training of auditors, investigators, inspectors, evaluators, and other personnel of the various offices of Inspector General;

''(F) submit recommendations of individuals to the appropriate appointing authority for any appointment to an office of Inspector General described under subsection (b)(1)(A) or (B);

''(G) make such reports to Congress as the Chairperson determines are necessary or appropriate; and

''(H) perform other duties within the authority and jurisdiction of the Council, as appropriate.

''(2) ADHERENCE AND PARTICIPATION BY MEMBERS.—To the extent permitted under law, and to the extent not inconsistent with standards established by the Comptroller General of the United States for audits of Federal establishments, organizations, programs, activities, and functions, each member of the Council, as appropriate, shall—

''(A) adhere to professional standards developed by the Council; and

''(B) participate in the plans, programs, and projects of the Council, except that in the case of a member described under subsection (b)(1)(I) , the member shall participate only to the extent requested by the member and approved by the Executive Chairperson and Chairperson.

''(3) ADDITIONAL ADMINISTRATIVE AUTHORITIES.—

''(A) INTERAGENCY FUNDING.—Notwithstanding section 1532 of title 31, United States Code, or any other provision of law prohibiting the interagency funding of activities described under subclause (I), (II), or (III) of clause (i), in the performance of the responsibilities, authorities, and duties of the Council—

''(i) the Executive Chairperson may authorize the use of interagency funding for—

''(I) Governmentwide training of employees of the Offices of the Inspectors General;

''(II) the functions of the Integrity Committee of the Council; and

''(III) any other authorized purpose determined by the Council; and

''(ii) upon the authorization of the Executive Chairperson, any department, agency, or entity of the executive branch which has a member on the Council shall fund or participate in the funding of such activities.

''(B) REVOLVING FUND.—

''(i) IN GENERAL.—The Council may—

''(I) establish in the Treasury of the United States a revolving fund to be called the Inspectors General Council Fund; or

''(II) enter into an arrangement with a department or agency to use an existing revolving fund.

''(ii) AMOUNTS IN REVOLVING FUND.—

''(I) IN GENERAL.—Amounts transferred to the Council under this subsection shall be deposited in the revolving fund described under clause (i)(I) or (II).

''(II) TRAINING.—Any remaining unexpended balances appropriated for or otherwise available to the Inspectors General Criminal Investigator Academy and the Inspectors General Auditor Training Institute shall be transferred to the revolving fund described under clause (i)(I) or (II).

''(iii) USE OF REVOLVING FUND.—

''(I) IN GENERAL.—Except as provided under subclause (II), amounts in the revolving fund described under clause (i)(I) or (II) may be used to carry out the functions and duties of the Council under this subsection.

''(II) TRAINING.—Amounts transferred into the revolving fund described under clause (i)(I) or (II) may be used for the purpose of maintaining any training academy as determined by the Council.

''(iv) AVAILABILITY OF FUNDS.—Amounts in the revolving fund described under clause (i)(I) or (II) shall remain available to the Council without fiscal year limitation.

''(C) SUPERSEDING PROVISIONS.—No provision of law enacted after the date of enactment of this subsection shall be construed to limit or supersede any authority under subparagraph (A) or (B), unless such provision makes specific reference to the authority in that paragraph.

''(4) EXISTING AUTHORITIES AND RESPONSIBILITIES.—The establishment and operation of the Council shall not affect—

''(A) the role of the Department of Justice in law enforcement and litigation;

''(B) the authority or responsibilities of any Government agency or entity; and

''(C) the authority or responsibilities of individual members of the Council.

''(d) INTEGRITY COMMITTEE.—

''(1) ESTABLISHMENT.—The Council shall have an Integrity Committee, which shall receive, review, and refer for investigation allegations of wrongdoing that are made against Inspectors General and staff members of the various Offices of Inspector General described under paragraph (4)(C).

''(2) MEMBERSHIP.—The Integrity Committee shall consist of the following members:

''(A) The official of the Federal Bureau of Investigation serving on the Council, who shall serve as Chairperson of the Integrity Committee, and maintain the records of the Committee.

''(B) Four Inspectors General described in subparagraph (A) or (B) of subsection (b)(1) appointed by the Chairperson of the Council, representing both establishments and designated Federal entities (as that term is defined in section 8G(a)).

''(C) The Special Counsel of the Office of Special Counsel.

''(D) The Director of the Office of Government Ethics.

''(3) LEGAL ADVISOR.—The Chief of the Public Integrity Section of the Criminal Division of the Department of Justice, or his designee, shall serve as a legal advisor to the Integrity Committee.

''(4) REFERRAL OF ALLEGATIONS.—

''(A) REQUIREMENT.—An Inspector General shall refer to the Integrity Committee any allegation of wrongdoing against a staff member of the office of that Inspector General, if—

''(i) review of the substance of the allegation cannot be assigned to an agency of the executive branch with appropriate jurisdiction over the matter; and

''(ii) the Inspector General determines that—

''(I) an objective internal investigation of the allegation is not feasible; or

''(II) an internal investigation of the allegation may appear not to be objective.

''(B) DEFINITION.—In this paragraph the term 'staff member' means any employee of an Office of Inspector General who—

''(i) reports directly to an Inspector General; or

''(ii) is designated by an Inspector General under subparagraph (C).

''(C) DESIGNATION OF STAFF MEMBERS.—Each Inspector General shall annually submit to the Chairperson of the Integrity Committee a designation of positions whose holders are staff members for purposes of subparagraph (B).

''(5) REVIEW OF ALLEGATIONS.—The Integrity Committee shall—

''(A) review all allegations of wrongdoing the Integrity Committee receives against an Inspector General, or against a staff member of an Office of Inspector General described under paragraph (4)(C);

''(B) refer any allegation of wrongdoing to the agency of the executive branch with appropriate jurisdiction over the matter; and

''(C) refer to the Chairperson of the Integrity Committee any allegation of wrongdoing determined by the Integrity Committee under subparagraph (A) to be potentially meritorious that cannot be referred to an agency under subparagraph (B).

''(6) AUTHORITY TO INVESTIGATE ALLEGATIONS.—

''(A) REQUIREMENT.—The Chairperson of the Integrity Committee shall cause a thorough and timely investigation of each allegation referred under paragraph (5)(C) to be conducted in accordance with this paragraph.

''(B) RESOURCES.—At the request of the Chairperson of the Integrity Committee, the head of each agency or entity represented on the Council—

''(i) may provide resources necessary to the Integrity Committee; and

''(ii) may detail employees from that agency or entity to the Integrity Committee, subject to the control and direction of the Chairperson, to conduct an investigation under this subsection.

''(7) PROCEDURES FOR INVESTIGATIONS.—

''(A) STANDARDS APPLICABLE.—Investigations initiated under this subsection shall be conducted in accordance with the most current Quality Standards for Investigations issued by the Council or by its predecessors (the President's Council on Integrity and Efficiency and the Executive Council on Integrity and Efficiency).

''(B) ADDITIONAL POLICIES AND PROCEDURES.—

''(i) ESTABLISHMENT.—The Integrity Committee, in conjunction with the Chairperson of the Council, shall establish additional policies and procedures necessary to ensure fairness and consistency in—

''(I) determining whether to initiate an investigation;

''(II) conducting investigations;

''(III) reporting the results of an investigation; and

''(IV) providing the person who is the subject of an investigation with an opportunity to respond to any Integrity Committee report.

''(ii) SUBMISSION TO CONGRESS.—The Council shall submit a copy of the policies and procedures established under clause (i) to the congressional committees of jurisdiction.

''(C) REPORTS.—

''(i) POTENTIALLY MERITORIOUS ALLEGATIONS.—For allegations described under paragraph (5)(C), the Chairperson of the Integrity Committee shall make a report containing the results of the investigation of the Chairperson and shall provide such report to members of the Integrity Committee.

''(ii) ALLEGATIONS OF WRONGDOING.—For allegations referred to an agency under paragraph (5)(B), the head of that agency shall make a report containing the results of the investigation and shall provide such report to members of the Integrity Committee.

''(8) ASSESSMENT AND FINAL DISPOSITION.—

''(A) IN GENERAL.—With respect to any report received under paragraph (7)(C), the Integrity Committee shall—

''(i) assess the report;

''(ii) forward the report, with the recommendations of the Integrity Committee, including those on disciplinary action, within 30 days (to the maximum extent practicable) after the completion of the investigation, to the Executive Chairperson of the Council and to the President (in the case of a report relating to an Inspector General of an establishment or any employee of that Inspector General) or the head of a designated Federal entity (in the case of a report relating to an Inspector General of such an entity or any employee of that Inspector General) for resolution; and

''(iii) submit to the Committee on Government Oversight and Reform of the House of Representatives, the Committee on Homeland Security and Governmental Affairs of the Senate, and other congressional committees of jurisdiction an executive summary of such report and recommendations within 30 days after the submission of such report to the Executive Chairperson under clause (ii).

''(B) DISPOSITION.—The Executive Chairperson of the Council shall report to the Integrity Committee the final disposition of the matter, including what action was taken by the President or agency head.

''(9) ANNUAL REPORT.—The Council shall submit to Congress and the President by December 31 of each year a report on the activities of the Integrity Committee during the preceding fiscal year, which shall include the following:

''(A) The number of allegations received.

''(B) The number of allegations referred to other agencies, including the number of allegations referred for criminal investigation.

''(C) The number of allegations referred to the Chairperson of the Integrity Committee for investigation.

''(D) The number of allegations closed without referral.

''(E) The date each allegation was received and the date each allegation was finally disposed of.

''(F) In the case of allegations referred to the Chairperson of the Integrity Committee, a summary of the status of the investigation of the allegations and, in the case of investigations completed during the preceding fiscal year, a summary of the findings of the investigations.

''(G) Other matters that the Council considers appropriate.

''(10) REQUESTS FOR MORE INFORMATION.—With respect to paragraphs (8) and (9), the Council shall provide more detailed information about specific allegations upon request from any of the following:

''(A) The chairperson or ranking member of the Committee on Homeland Security and Governmental Affairs of the Senate.

''(B) The chairperson or ranking member of the Committee on Oversight and Government Reform of the House of Representatives.

''(C) The chairperson or ranking member of the congressional committees of jurisdiction.

''(11) NO RIGHT OR BENEFIT.—This subsection is not intended to create any right or benefit, substantive or procedural, enforceable at law by a person against the United States, its agencies, its officers, or any person.''.

(b) ALLEGATIONS OF WRONGDOING AGAINST SPECIAL COUNSEL OR DEPUTY SPECIAL COUNSEL.—

(1) DEFINITIONS.—In this section—

(A) the term ''Integrity Committee'' means the Integrity Committee established under section 11(d) of the Inspector General Act of 1978 (5 U.S.C. App), as amended by this Act; and

(B) the term ''Special Counsel'' refers to the Special Counsel appointed under section 1211(b) of title 5, United States Code.

(2) AUTHORITY OF INTEGRITY COMMITTEE.—

(A) IN GENERAL.—An allegation of wrongdoing against the Special Counsel or the Deputy Special Counsel may be received, reviewed, and referred for investigation by the Integrity Committee to the same extent and in the same manner as in the case of an allegation against an Inspector General (or a member of the staff of an Office of Inspector General), subject to the requirement that the Special Counsel recuse himself or herself from the consideration of any allegation brought under this paragraph.

(B) COORDINATION WITH EXISTING PROVISIONS OF LAW.—This subsection does not eliminate access to the Merit Systems Protection Board for review under section 7701 of title 5, United States Code. To the extent that an allegation brought under this subsection involves section 2302(b)(8) of that title, a failure to obtain corrective action within 120 days after the date on which that allegation is received by the Integrity Committee shall, for purposes of section 1221 of such title, be considered to satisfy section 1214(a)(3)(B) of that title.

(3) REGULATIONS.—The Integrity Committee may prescribe any rules or regulations necessary to carry out this subsection, subject to such consultation or other requirements as might otherwise apply.

(c) EFFECTIVE DATE AND EXISTING EXECUTIVE ORDERS.—

(1) COUNCIL.—Not later than 180 days after the date of the enactment of this Act, the Council of the Inspectors General on Integrity and Efficiency established under this section shall become effective and operational.

(2) EXECUTIVE ORDERS.—Executive Order No. 12805, dated May 11, 1992, and Executive Order No. 12933, dated March 21, 1996 (as in effect before the date of the enactment of this Act) shall have no force or effect on and after the earlier of—

(A) the date on which the Council of the Inspectors General on Integrity and Efficiency becomes effective and operational as determined by the Executive Chairperson of the Council; or

(B) the last day of the 180-day period beginning on the date of enactment of this Act.

(d) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) INSPECTOR GENERAL ACT OF 1978.—The Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(A) in sections 2(1), 4(b)(2), and 8G(a)(1)(A) by striking ''section 11(2)'' each place it appears and inserting ''section 12(2)''; and

(B) in section 8G(a), in the matter preceding paragraph (1), by striking ''section 11'' and inserting ''section 12''.

(2) SEPARATE APPROPRIATIONS ACCOUNT.—Section 1105(a) of title 31, United States Code, is amended by striking the first paragraph (33) and inserting the following:

''(33) a separate appropriation account for appropriations for the Council of the Inspectors General on Integrity and Efficiency, and, included in that account, a separate statement of the aggregate amount of appropriations requested for each academy maintained by the Council of the Inspectors General on Integrity and Efficiency.''.

SEC. 8. SUBMISSION OF BUDGET REQUESTS TO CONGRESS.

Section 6 of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by adding at the end the following:

''(f)(1) For each fiscal year, an Inspector General shall transmit a budget estimate and request to the head of the establishment or designated Federal entity to which the Inspector General reports. The budget request shall specify the aggregate amount of funds requested for such fiscal year for the operations of that Inspector General and shall specify the amount requested for all training needs, including a certification from the Inspector General that the amount requested satisfies all training requirements for the Inspector General's office for that fiscal year, and any resources necessary to support the Council of the Inspectors General on Integrity and Efficiency. Resources necessary to support the Council of the Inspectors General on Integrity and Efficiency shall be specifically identified and justified in the budget request.

''(2) In transmitting a proposed budget to the President for approval, the head of each establishment or designated Federal entity shall include—

''(A) an aggregate request for the Inspector General;

''(B) amounts for Inspector General training;

''(C) amounts for support of the Council of the Inspectors General on Integrity and Efficiency; and

''(D) any comments of the affected Inspector General with respect to the proposal.

''(3) The President shall include in each budget of the United States Government submitted to Congress—

''(A) a separate statement of the budget estimate prepared in accordance with paragraph (1);

''(B) the amount requested by the President for each Inspector General;

''(C) the amount requested by the President for training of Inspectors General;

''(D) the amount requested by the President for support for the Council of the Inspectors General on Integrity and Efficiency; and

''(E) any comments of the affected Inspector General with respect to the proposal if the Inspector General concludes that the budget submitted by the President would substantially inhibit the Inspector General from performing the duties of the office.''.

SEC. 9. SUBPOENA POWER.

Section 6(a)(4) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) by inserting ''in any medium (including electronically stored information, as well as any tangible thing)'' after ''other data''; and

(2) by striking ''subpena'' and inserting ''subpoena''.

SEC. 10. PROGRAM FRAUD CIVIL REMEDIES ACT.

Section 3801(a)(1) of title 31, United States Code, is amended—

(1) in subparagraph (D), by striking ''and'' after the semicolon;

(2) in subparagraph (E), by striking the period and inserting ''; and''; and

(3) by adding at the end the following:

''(F) a designated Federal entity (as such term is defined under section 8G(a)(2) of the Inspector General Act of 1978);''.

SEC. 11. LAW ENFORCEMENT AUTHORITY FOR DESIGNATED FEDERAL ENTITIES.

Section 6(e) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in paragraph (1) by striking ''appointed under section 3''; and

(2) by adding at the end the following:

''(9) In this subsection, the term 'Inspector General' means an Inspector General appointed under section 3 or an Inspector General appointed under section 8G.''.

SEC. 12. APPLICATION OF SEMIANNUAL REPORTING REQUIREMENTS WITH RESPECT TO INSPECTION REPORTS AND EVALUATION REPORTS.

Section 5 of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in each of subsections (a)(6), (a)(8), (a)(9), (b)(2), and (b)(3)—

(A) by inserting '', inspection reports, and evaluation reports'' after ''audit reports'' the first place it appears; and

(B) by striking ''audit'' the second place it appears; and

(2) in subsection (a)(10) by inserting '', inspection reports, and evaluation reports'' after ''audit reports''.

SEC. 13. INFORMATION ON WEBSITES OF OFFICES OF INSPECTORS GENERAL.

(a) IN GENERAL.—The Inspector General Act of 1978 (5 U.S.C. App.) is amended by inserting after section 8K the following:

''SEC. 8L. INFORMATION ON WEBSITES OF OFFICES OF INSPECTORS GENERAL.

''(a) DIRECT LINKS TO INSPECTORS GENERAL OFFICES.—

''(1) IN GENERAL.—Each agency shall establish and maintain on the homepage of the website of that agency, a direct link to the website of the Office of the Inspector General of that agency.

''(2) ACCESSIBILITY.—The direct link under paragraph (1) shall be obvious and facilitate accessibility to the website of the Office of the Inspector General.

''(b) REQUIREMENTS FOR INSPECTORS GENERAL WEBSITES.—

''(1) POSTING OF REPORTS AND AUDITS.—The Inspector General of each agency shall—

''(A) not later than 3 days after any report or audit (or portion of any report or audit) is made publicly available, post that report or audit (or portion of that report or audit) on the website of the Office of Inspector General; and

''(B) ensure that any posted report or audit (or portion of that report or audit) described under subparagraph (A)—

''(i) is easily accessible from a direct link on the homepage of the website of the Office of the Inspector General;

''(ii) includes a summary of the findings of the Inspector General; and

''(iii) is in a format that—

''(I) is searchable and downloadable; and

''(II) facilitates printing by individuals of the public accessing the website.

''(2) REPORTING OF FRAUD, WASTE, AND ABUSE.—

''(A) IN GENERAL.—The Inspector General of each agency shall establish and maintain a direct link on the homepage of the website of the Office of the Inspector General for individuals to report fraud, waste, and abuse. Individuals reporting fraud, waste, or abuse using the direct link established under this paragraph shall not be required to provide personally identifying information relating to that individual.

''(B) ANONYMITY.—The Inspector General of each agency shall not disclose the identity of any individual making a report under this paragraph without the consent of the individual unless the Inspector General determines that such a disclosure is unavoidable during the course of the investigation.''.

(b) REPEAL.—Section 746(b) of the Financial Services and General Government Appropriations Act, 2008 (5 U.S.C. App. note; 121 Stat. 2034) is repealed.

(c) IMPLEMENTATION.—Not later than 180 days after the date of enactment of this Act, the head of each agency and the Inspector General of each agency shall implement the amendment made by this section.

SEC. 14. OTHER ADMINISTRATIVE AUTHORITIES.

(a) IN GENERAL.—Section 6(d) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended to read as follows:

''(d)(1)(A) For purposes of applying the provisions of law identified in subparagraph (B)—

''(i) each Office of Inspector General shall be considered to be a separate agency; and

''(ii) the Inspector General who is the head of an office referred to in clause (i) shall, with respect to such office, have the functions, powers, and duties of an agency head or appointing authority under such provisions.

''(B) This paragraph applies with respect to the following provisions of title 5, United States Code:

''(i) Subchapter II of chapter 35.

''(ii) Sections 8335(b), 8336, 8344, 8414, 8468, and 8425(b).

''(iii) All provisions relating to the Senior Executive Service (as determined by the Office of Personnel Management), subject to paragraph (2).

''(2) For purposes of applying section 4507(b) of title 5, United States Code, paragraph (1)(A)(ii) shall be applied by substituting 'the Council of the Inspectors General on Integrity and Efficiency (established by section 11 of the Inspector General Act) shall' for 'the Inspector General who is the head of an office referred to in clause (i) shall, with respect to such office,'.''.

(b) AUTHORITY OF TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION TO PROTECT INTERNAL REVENUE SERVICE EMPLOYEES.—Section 8D(k)(1)(C) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by striking ''physical security'' and inserting ''protection to the Commissioner of Internal Revenue''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. TOWNS) and the gentleman from Connecticut (Mr. SHAYS) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. TOWNS. Madam 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 New York?

There was no objection.

Mr. TOWNS. I yield myself such time as I may consume.

H.R. 928, the Inspector General Reform Act of 2008, focuses on the important role of the Inspectors General in providing independent oversight within Federal agencies. By investigating and reporting waste, fraud and abuse to both agency leaders and to the Congress, Inspectors General play a critical role in maintaining checks and balances in the Federal Government.

This bill strengthens and reforms the Inspector General system by providing greater independence and accountability for IG offices. H.R. 928 first passed this House last October with more than 400 votes. The other body passed a similar bill sponsored by Senator MCCASKILL earlier this year. We have worked with the Senate to resolve the differences between the two bills and produce the amended bill now under consideration. It passed the Senate by unanimous consent last night.

H.R. 928 enhances the rank and pay of IGs within their agencies, and requires that Congress be promptly informed if an IG is transferred or removed from office. It provides a mechanism for IGs to report to Congress if their budgets are inadequate to perform their responsibilities and sets aside funding for training. And the bill establishes an Inspectors General Council, and sets procedures for investigating potential IG misconduct.

I would like to commend the sponsor of this bill, my good friend Mr. COOPER from the great State of Tennessee, for his work in crafting this legislation. He has worked on it for several years as part of his work on improving government accountability.

I also thank Chairman WAXMAN and Ranking Member DAVIS as well as the subcommittee Ranking Member BILBRAY for their work in moving this bill forward.

H.R. 928 will make sure that the IGs have the legal authority and tools necessary to continue their role as nonpartisan, professional, honest brokers on behalf of the people.

I reserve the balance of my time.

Mr. SHAYS. I yield myself such time as I may consume.

I'm rising in support of this legislation. The Government Oversight and Reform Committee works very closely with both the general accountability office and the Inspector General's office. The Inspector Generals play a major role in our ability to weed out waste, abuse and fraud. We need to strengthen this office.

And we appreciate the work that Mr. COOPER has been involved in to bring this legislation forward.

I will insert my full statement into the RECORD.

Madam Speaker, today, we take up H.R. 928, the Improving Government Accountability Act. This legislation is intended to enhance the independence of inspectors general throughout government to improve their ability to monitor and oversee executive branch operations.

Since the enactment of the Inspector General Act of 1978, inspectors general throughout government have played an integral role in identifying waste and mismanagement in government. IGs have also been instrumental in aiding Congress and the executive branch to make government more efficient and effective.

We all agree IGs should operate independently, free from political interference. After all, both agency heads and Congress often rely on IG reports to provide frank assessments of the effectiveness of Federal programs.

However, inspectors general should also be part of an agency's management structure—albeit with some independence—rather than a "fourth branch" of the Federal Government. We must be careful not to separate the IGs from the day-to-day operations of the agencies they oversee so they may continue to perform a constructive, integrated role and not just "second-guess" the decisions made by agencies.

I believe the compromise legislation we are taking up today strikes the right balance between IG independence and the appropriate management role of inspectors general.

I reserve the balance of my time.

Mr. TOWNS. I would like to yield 5 minutes to the gentleman from Tennessee, who is a person who came to us early on with this idea which, I think, is an excellent one, so I am delighted to yield 5 minutes to the gentleman from Tennessee (Mr. COOPER).

Mr. COOPER. Thanks to my friend and colleague Mr. TOWNS of New York and my friend from Connecticut, Mr. SHAYS.

This is a very important bill for cleaning up the mess in government. Inspectors General are the watchdogs on behalf of the U.S. taxpayer to make sure that the waste, fraud and abuse that can occur in any Federal agency is cleaned up.

This bill is long overdue. We've been working on it for a long time. Sadly, it took many years for it to be brought up for a vote. But now with the Democratic majority, it passed, as my friend from New York noted, overwhelmingly. It has been passed in the Senate, and now will soon be enacted into law.

The key points are these: We needed to professionalize the IGs. These are wonderful public servants, but due to historical accident, some of them are appointed by the President, some are appointed by the agency heads, some of them are more independent than others. There's been a lot of confusion there, and they simply haven't had the independence and the accountability that they need to have to serve the U.S. taxpayer.

I want to thank, in particular, previous legislative directors that I've had who've worked on this bill for literally many years. Anne Kim deserves great credit. Cicely Simpson deserves great credit. And my current Legislative Director, James Leuschen, deserves great credit because these are the folks who really carried the ball during the years in which we were, literally, unable to get a vote.

Believe it or not, this bill even faced, this year, a Presidential veto threat; they were so worried about reducing the patronage that they had had in past appointments.

But now, finally, the IGs of America will be professionalized. That is good news, not only for every Federal agency, but also, most importantly, for the Federal taxpayer.

No matter how much oversight we conduct in this Congress, and I'm proud to see the Oversight and Government Reform Committee revitalized under HENRY WAXMAN's leadership, because we are conducting the hearings that really should have been held over many years.

□ 1100

But no matter how watchful Congress is in looking over Federal agencies, we can't be on the ground in the agency every day the way Inspectors General can be.

So I want to congratulate my friends from New York and Connecticut because these two gentlemen are true public servants. Their hearts are in the right place when it comes to protecting the taxpayer, and now we've even persuaded the majority of the House and the Senate and the White House to do the right thing.

I hope we can have a substantial vote on the suspension for professionalizing Inspectors General of the United States of America.

Mr. SHAYS. Madam Speaker, this legislation is essential if the United States Congress is going to do its job. Our job is not just writing legislation; our job is to do proper oversight of all of the various departments and agencies.

We have Inspectors General that are assigned for each of our departments. We have some who do a really outstanding job, and we have some who do a good job, and some who, frankly, need to do a better job.

I think this legislation will help professionalize this agency in a way that's important for our people, for our country, and for the majority and the minority in this Congress. We want a more efficient government. We want a better-run government. Inspectors General help us do that.

I yield back my time.

Mr. TOWNS. Madam Speaker, I really feel that this legislation is so timely, because when you talk to people, when we had hearings that Inspectors General would come in and talk about the fact that sometimes they would be in the middle of an investigation of some type and that the budget would be cut, or in some instances they were actually fired.

So I think this kind of brings about the independence that they need regardless in terms of the fact that if there is an investigation, if there's problems, it gives them the freedom to be able to move and get the things they need to get done.

I would like to commend all of my colleagues that have been involved in this issue. I would like to commend the staff for bringing us where we are today.

Mrs. MALONEY of New York. Madam Speaker, I rise today in strong support of H.R.

928, the ''Inspector General Reform Act'' This legislation includes provisions of a bill that I introduced last year, along with Ranking Member TOM DAVIS, which will provide for the enhanced protection of the Internal Revenue Service and its employees.

In 1998, Congress passed the Internal Revenue Service Restructuring and Reform Act, which created the Treasury Inspector General for Tax Administration (TIGTA). The legislation gave TIGTA the responsibility for protecting the Internal Revenue Service (IRS) against external attempts to corrupt or threaten IRS employees. At the same time, it excluded the provision of providing ''physical security'' from TIGTA's responsibilities

Prior to the enactment of this law, the former IRS Inspection Service had been responsible for protecting the IRS against external attempts to corrupt or threaten IRS employees. The IRS Inspection Service was responsible for providing armed escorts for IRS employees who were specifically threatened or who were contacting individuals designated as ''Potentially Dangerous Taxpayers.'' The law transferred most of those duties to the new Treasury Inspector General for Tax Administration. Inexplicably, ''physical security'' was excluded from TIGTA's statutory responsibilities.

In its current statutory mission, TIGTA investigates all allegations of threats or assaults involving IRS employees and assists U.S. Attorneys' offices with appropriate prosecutions. However, if TIGTA determines that any of the threats or assaults it investigates call for the provision of physical security, the language of the 1998 law precludes TIGTA from taking action.

Authorizing TIGTA to have armed escort authority would be both more efficient and more effective in advancing tax administration and ensuring the safety of IRS employees.

I am pleased that upon passage of H.R. 928 today, this bill will be sent to the president for his signature. I want to thank Chairman WAXMAN and Ranking Member DAVIS for their support of this provision, and I urge my colleagues to support H.R. 928.

Mr. DAVIS of Virginia. Madam Speaker, today, we take up H.R. 928, the Improving Government Accountability Act. This legislation is intended to enhance the independence of inspectors general throughout government to improve their ability to monitor and oversee executive branch operations.

Since the enactment of the Inspector General Act of 1978, inspectors general throughout government have played an integral role in identifying waste and mismanagement in government. IGs have also been instrumental in aiding Congress and the executive branch to make government more efficient and effective.

We all agree IGs should operate independently, free from political interference. After all, both agency heads and Congress often rely on IG reports to provide frank assessments of the effectiveness of federal programs.

However, inspectors general should also be part of an agency's management structure—albeit with some independence—rather than a ''fourth branch'' of the Federal Government. If we separate the IGs from the day-to-day operations of the agencies they oversee, IGs will cease to perform a constructive, integrated role and instead would become a ''Monday morning quarterback'' with their function solely second-guessing decisions made by agencies.

The House passed its version of this bill last October. At the time, while I supported the bill, I remained concerned that several of the provisions went too far in isolating inspectors general, removing them from the agency decision-making process.

After the Senate passed its bill in April, we began discussions with the Senate Homeland Security and Governmental Affairs Committee and developed a compromise to both bills—which we are taking up today.

I will support the compromise bill as I believe it adequately addresses my remaining concerns by striking the right balance between IG independence and the appropriate management role of inspectors general.

Mr. WAXMAN. Madam Speaker, I rise in support of the Senate amendments to H.R. 928, the Improving Government Accountability Act. This bill, introduced by Representative COOPER, was favorably reported by the Oversight Committee on August 2, 2007, with strong support from members across the political spectrum.

There is a simple reason why this bill has so much support: it strengthens the Inspectors General, who are the first line of defense against waste, fraud, and abuse in federal programs.

The last six years have given us examples of Inspectors General at their best and at their worst.

Stuart Bowen, the Special Inspector General for Iraq Reconstruction, has uncovered fraud and saved American taxpayers hundreds of millions of dollars. Clark Kent Erving and Richard Skinner, the former and current IGs for the Department of Homeland Security, have identified billions in wasteful spending in the new Department. Glenn Fine at the Department of Justice; Earl Delvaney at Interior; and Brian Miller at the General Services Administration have all reported courageously on abuses within the agencies they oversee.

These and other IGs have fought waste, fraud, and abuse and saved the taxpayers billions of dollars.

Yet there are also IGs who seem more intent on protecting their departments from political embarrassment than on doing their job. The Oversight Committee is investigating allegations that the State Department IG has blocked investigations into contract fraud in Iraq and Afghanistan. The Energy and Commerce Committee documented serious abuses by the former IG in the Commerce Department. And the Science Committee has identified serious questions raised about the close relationship of the NASA IG to agency management.

This bill strengthens the good IGs by giving them greater independence. Under this legislation, they will have new budgetary independence, and the President or agency head will have to inform Congress 30 days before any IG is removed.

At the same time, the legislation enacts in statute new mechanisms for holding bad IGs to account. The legislation establishes an ''Integrity Committee'' that will investigate allegations that IGs have abused the public trust.

There have been several key champions of the legislation. Representative COOPER has worked tirelessly on this issue for years and deserves our thanks for his efforts. I would also like to acknowledge Subcommittee Chairman TOWNS for his tremendous leadership in moving this legislation forward and Ranking Member TOM DAVIS for his commitment to strong IGs and his many helpful contributions.

H.R. 928 would make needed improvements to the IG Act and I urge members to support it.

Mr. TOWNS. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. TOWNS) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 928.

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

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

The point of no quorum is considered withdrawn.

SENIOR PROFESSIONAL PERFORMANCE ACT OF 2008

Mr. TOWNS. Madam Speaker, I move to suspend the rules and pass the Senate bill (S. 1046) to modify pay provisions relating to certain senior-level positions in the Federal Government, and for other purposes.

The Clerk read the title of the Senate bill.

The text of the Senate bill is as follows:

S. 1046

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 ''Senior Professional Performance Act of 2008''.

SEC. 2. PAY PROVISIONS RELATING TO CERTAIN SENIOR-LEVEL POSITIONS.

(a) LOCALITY PAY.—Section 5304 of title 5, United States Code, is amended—

(1) in subsection (g), by amending paragraph (2) to read as follows:

''(2) The applicable maximum under this subsection shall be level III of the Executive Schedule for—

''(A) positions under subparagraphs (A) and (B) of subsection (h)(1); and

''(B) any positions under subsection (h)(1)(C) as the President may determine.''; and

(2) in subsection (h)—

(A) in paragraph (1)—

(i) by striking subparagraph (A);

(ii) in subparagraph (D)—

(I) in clause (v), by striking ''or'' at the end;

(II) in clause (vi), by striking the period at the end and inserting ''; or''; and

(III) by adding at the end the following:

''(vii) a position to which section 5376 applies (relating to certain senior-level and scientific and professional positions).''; and

(iii) by redesignating subparagraphs (B), (C), and (D) as subparagraphs (A), (B), and (C), respectively; and

(B) in paragraph (2)(B)—

(i) in clause (i)—

(I) by striking ''subparagraphs (A) through (C)'' and inserting ''subparagraphs (A) and (B)''; and

(II) by striking ''or (vi)'' and inserting ''(vi), or (vii)''; and

(ii) in clause (ii)—

(I) by striking ''paragraph (1)(D)'' and inserting ''paragraph (1)(C)''; and

(II) by striking ''or (vi)'' and inserting ''(vi), or (vii)''.

(b) ACCESS TO HIGHER MAXIMUM RATE OF BASIC PAY.—Section 5376(b) of title 5, United States Code, is amended—

(1) in paragraph (1), by striking subparagraph (B) and inserting the following:

''(B) subject to paragraph (3), not greater than the rate of basic pay payable for level III of the Executive Schedule.''; and

(2) by adding at the end the following:

''(3) In the case of an agency which has a performance appraisal system which, as designed and applied, is certified under section 5307(d) as making meaningful distinctions based on relative performance, paragraph (1)(B) shall apply as if the reference to 'level III' were a reference to 'level II'.

''(4) No employee may suffer a reduction in pay by reason of transfer from an agency with an applicable maximum rate of pay prescribed under paragraph (3) to an agency with an applicable maximum rate of pay prescribed under paragraph (1)(B).''.

(c) AUTHORITY FOR EMPLOYMENT; APPOINTMENTS; CLASSIFICATION STANDARDS.—Title 5, United States Code is amended—

(1) in section 3104(a), in the second sentence, by striking ''prescribes'' and inserting ''prescribes and publishes in such form as the Director may determine'';

(2) in section 3324(a) by striking ''the Office of Personnel Management'' and inserting: ''the Director of the Office of Personnel Management on the basis of qualification standards developed by the agency involved in accordance with criteria specified in regulations prescribed by the Director'';

(3) in section 3325—

(A) in subsection (a), in the second sentence, by striking ''or its designee for this purpose'' and inserting the following: ''on the basis of standards developed by the agency involved in accordance with criteria specified in regulations prescribed by the Director of the Office of Personnel Management''; and

(B) by adding at the end the following:

''(c) The Director of the Office of Personnel Management shall prescribe such regulations as may be necessary to carry out the purpose of this section.''; and

(4) in section 5108(a)(2) by inserting ''published by the Director of the Office of Personnel Management in such form as the Director may determine'' after ''and procedures''.

(d) EFFECTIVE DATE AND APPLICATION.—

(1) EFFECTIVE DATE.—The amendments made by this section shall take effect on the first day of the first pay period beginning on or after the 180th day following the date of enactment of this Act.

(2) NO REDUCTIONS IN RATES OF PAY.—

(A) IN GENERAL.—The amendments made by this section may not result, at the time such amendments take effect, in a reduction in the rate of basic pay for an individual holding a position to which section 5376 of title 5, United States Code, applies.

(B) DETERMINATION OF RATE OF PAY.—For the purposes of subparagraph (A), the rate of basic pay for an individual described in that subparagraph shall be deemed to be the rate of basic pay set for the individual under section 5376 of title 5, United States Code, plus any applicable locality pay paid to that individual on the day before the effective date under paragraph (1), subject to regulations that the Director of the Office of Personnel Management may prescribe.

(3) REFERENCES TO MAXIMUM RATES.—Except as otherwise provided by law, any reference in a provision of law to the maximum rate under section 5376 of title 5, United States Code—

(A) as provided before the effective date of the amendments made by this section, shall be considered a reference to the rate of basic pay for level IV of the Executive Schedule; and

(B) as provided on or after the effective date of the amendments made by this section, shall be considered a reference to—

(i) the rate of basic pay for level III of the Executive Schedule; or

(ii) if the head of the agency responsible for administering the applicable pay system certifies that the employees are covered by a performance appraisal system meeting the certification criteria established by regulation under section 5307(d), level II of the Executive Schedule.

SEC. 3. LIMITATIONS ON CERTAIN PAYMENTS.

(a) IN GENERAL.—Section 5307(d) of title 5, United States Code, is amended—

(1) in paragraph (2), by striking all after ''purposes of'' and inserting: ''applying the limitation in the calendar year involved, has a performance appraisal system certified under this subsection as making, in its design and application, meaningful distinctions based on relative performance.''; and

(2) in paragraph (3)(B)—

(A) by striking all beginning with ''An'' through ''2 calendar years'' and inserting ''The certification of an agency performance appraisal system under this subsection shall be for a period not to exceed 24 months beginning on the date of certification, unless extended by the Director of the Office of Personnel Management for up to 6 additional months''; and

(B) by striking '', for purposes of either or both of those years,''.

(b) EXTENSION OF CERTIFICATION.—

(1) EXTENSION TO 2009.—

(A) IN GENERAL.—For any certification of a performance appraisal system under section 5307(d) of title 5, United States Code, in effect on the date of enactment of this Act and scheduled to expire at the end of calendar year 2008, the Director of the Office of Personnel Management may provide that such a certification shall be extended without requiring additional justification by the agency.

(B) LIMITATION.—The expiration of any extension under this paragraph shall be not later than the later of—

(i) June 30, 2009; or

(ii) the first anniversary of the date of the certification.

(2) EXTENSION TO 2010.—

(A) IN GENERAL.—For any certification of a performance appraisal system under section 5307(d) of title 5, United States Code, in effect on the date of enactment and scheduled to expire at the end of calendar year 2009, the Director of the Office of Personnel Management may provide that such a certification shall be extended without requiring additional justification by the agency.

(B) LIMITATION.—The expiration of any extension under this paragraph shall be not later than the later of—

(i) June 30, 2010; or

(ii) the second anniversary of the date of the certification.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. TOWNS) and the gentleman from Connecticut (Mr. SHAYS) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. TOWNS. Madam 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 New York?

There was no objection.

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

I rise in support of S. 1046, the Senior Professional Performance Act of 2008, introduced by Senator GEORGE VOINOVICH of Ohio.

This legislation passed the Senate with an amendment by unanimous consent on July 11, 2008, and was referred to the House Committee on Oversight and Government Reform.

This legislation amends Federal pay provisions to raise the cap on base pay for certain senior-level scientific and professional government employees while eliminating locality-based comparability payments for the employees.

The legislation makes small changes in the procedures for new appointments of senior-level scientific and professional provisions classified above GS–15. The legislation also allows the director of the Office of Personnel Management to extend the certification of an agency's performance appraisal system, which is otherwise limited to 24 months under the bill, for up to 6 months.

The Congressional Budget Office estimates that implementing this legislation would cost the Federal Government roughly $7 million between 2008 and 2012, which would be paid from discretionary appropriations. This legislation would not affect direct spending or revenues.

In 2003, Congress enacted legislation to reform the pay-for-performance management system for the Senior Executive Service. This legislation, as amended, authorizes agencies to develop and implement similar pay and performance management systems for senior level scientific and professional personnel in order to retain these talented and capable employees.

With the prediction on the high numbers of Federal workers eligible for retirement, it is important that the Federal Government have tools in place to recruit and retain a highly skilled workforce. S. 1046 provides agencies with the flexibility needed to meet future workforce needs of the Federal Government. We recognize that pay-for-performance systems are still under review. However, this bill serves as a first step to improving innovative Federal compensation systems.

Therefore, Madam Speaker, I urge my colleagues to join me in supporting this legislation by agreeing to pass S. 1046.

I reserve the balance of my time.

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

Today we take up the Senior Professional Performance Act of 2008. It's a commonsense reform, and I'm pleased to support it, and so are other members of the committee.

The purpose of this bill is to align the pay system for certain Federal employees with that of the Senior Executive Servicemembers—those who provide the executive management of the Federal Government.

The employees covered by this bill—senior professionals classified as scientific and professional personnel (ST) and senior-level personnel (SL)—are recognized as providing essential specialized skills needed to address the Federal Government's imminent challenges.

The ST employee is a specially qualified, non-executive who conducts research and development functions in the physical, biological, medical, or engineering sciences, or a closely related field.

The SL employee is a high-level nonexecutive who is not involved in fundamental research and development—like a high-level special assistant or a senior attorney in a highly specialized field. The Senior Executives Association, whose members include SL and ST employees, have asked for this pay comparability, as has the Office of Personnel Management.

I intend to support this legislation. I believe other Members on our committee do as well, and we urge our colleagues to do so as well.

I reserve my time.

Mr. TOWNS. Madam Speaker, does the gentleman from Connecticut have additional speakers?

Mr. SHAYS. Madam Speaker, I don't have any additional speakers.

I would just like to say this is an essential bill to make sure that we are getting the kind of employees in our government who can do the kinds of jobs that we need to do. They need to be properly reimbursed, and I thank the gentleman.

I yield back.

Mr. TOWNS. Let me just say that to the critics, this might not be a total solution, but I say to you that it is a giant step in the right direction. I'm happy that my colleague from Connecticut, who also agrees with this, and others who have worked very hard to bring us to where we are today, I would like to salute our staff who worked very hard as well, and to say that, yes, it might not be a total solution, but it is a step in the right direction, a giant step, and that we should move as quickly as possible to make certain that this becomes law by passing it out of this House today.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. TOWNS) that the House suspend the rules and pass the Senate bill, S. 1046.

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

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

The point of no quorum is considered withdrawn.

BULLETPROOF VEST PARTNERSHIP GRANT ACT OF 2008

Mr. CONYERS. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 6045) to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to extend the authorization of the Bulletproof Vest Partnership Grant Program through fiscal year 2012.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6045

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 ''Bulletproof Vest Partnership Grant Act of 2008''.

SEC. 2. EXTENSION OF AUTHORIZATION OF APPROPRIATIONS FOR BULLETPROOF VEST PARTNERSHIP GRANT PROGRAM.

Section 1001(a)(23) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793(a)(23)) is amended by striking ''2009'' and inserting ''2012''.

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

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. CONYERS. Madam Speaker, I ask unanimous consent that all Members have 5 days to revise and extend their remarks and include extraneous material.

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

There was no objection.

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

Members of the House, I rise to commend the gentleman from Indiana, PETER VISCLOSKY, for helping us provide more bulletproof vests to policemen. It's kind of amazing that we need to pass a law to get more bulletproof vests for policemen.

More than 800,000 police officers put their lives at risk daily to protect our community. Many of them are protected by bullet-resistant armor, but an alarming number of officers are not afforded this protection because of local budget constraints. So this bill created by the gentleman from Indiana tries to take care of this problem.

The Bulletproof Vest Partnership Grant Program was established back in 1998 to assist State and local law enforcement agencies in securing protective equipment necessary to safeguard the lives of officers. And the program administered by the Department of Justice provides up to half of the matching grants—50 percent of the matching grants for the purchase of protective vests. Since then, the program has enabled thousands of jurisdictions across our Nation to purchase more than 1.5 million such vests.

It's estimated 3,000 law enforcement officers have survived shootings in part due to their bulletproof vest. In recognition of its vital role in the protection of these officers, the Bulletproof Vest Program has been extended, and it's set to expire at the end of fiscal year 2009 unless we extend it again.

Here we reauthorize the program for an additional 3 years so that to help more of our law enforcement officers, and I doubt if there's a Member in this House that isn't in full support of this measure.

I reserve the balance of my time.

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

On Tuesday, the life of an Alexandria, Virginia, police officer was spared because he was wearing a bulletproof vest when he was shot in the chest. The officer was shot during a traffic stop on Interstate 395 just outside of Washington, DC, by a man who later took his own life. Fortunately, the officer is expected to make a full recovery.

There are more than 900,000 State and local law enforcement officers who risk their lives every day to keep our community safe, yet we often lose sight of how quickly something as routine as a traffic stop can turn deadly for a police officer. Each year approximately 16,000 State and local officers are injured in the line of duty. In 2007, for instance, 55 police officers were killed by firearms in the line of duty.

Thankfully, many police officers and sheriff's deputies are saved each year by bulletproof vests. The Bulletproof Vest Partnership was created by the Bulletproof Vest Partnership Grant Act of 1998 as a Department of Justice program to provide funding for bulletproof vests and other body armor to State and local law enforcement.

□ 1115

Since 1999, 40,000 State and local governments have participated in the Bulletproof Vest Program. The program, administered by the Office of Justice Programs, has awarded Federal grants to support the purchase of an estimated 1.5 million vests, including over 800 vests to law enforcement agencies in my home State of Utah, making my police and many police around the country safer.

H.R. 6045 reauthorizes the Bulletproof Vest Partnership Grant Program through fiscal year 2012. This legislation enjoys broad bipartisan support and endorsements from a number of law enforcement organizations, including the Fraternal Order of Police.

It is important that we reauthorize this simple and effective program to protect our men and women in law enforcement. I urge my colleagues to support this bill.

I reserve the balance of my time.

Mr. CONYERS. Madam Speaker, I yield to the gentleman from Indiana (Mr. VISCLOSKY) as much time as he may consume.

Mr. VISCLOSKY. I appreciate the chairman yielding very much.

Madam Speaker, I rise today in strong support of H.R. 6045, the Bulletproof Vest Partnership Grant Act of 2008. I am a very proud sponsor of this legislation.

At the outset, I want to express my heartfelt gratification and thanks to my friend, the gentleman from New Jersey (Mr. LOBIONDO) for his lead in cosponsorship of H.R. 6045. Mr. LOBIONDO and I have been partners in this endeavor since 1997.

I would also like to thank the Committee on the Judiciary chairman, Mr. CONYERS, as well as Mr. CANNON, Ranking Member LAMAR SMITH, chairman of the subcommittee BOBBY SCOTT, and subcommittee Ranking Member LOUIE GOHMERT for their strong support and efforts on behalf of this important legislation.

Finally, I would like to thank the 170 bipartisan cosponsors of this measure and the law enforcement organizations that have expressed their strong support.

If I could take a step back, the Bulletproof Vest Partnership Grant Act was introduced in November 1997 after meeting with Northwest Indiana chiefs of police and hearing that many gang members and drug dealers had the protection of bulletproof vests, while many police officers did not. I was even more troubled to learn the reason why so many officers do not have access to bulletproof vests. It was because they are prohibitively expensive. A good vest can cost in excess of $500. Many small departments, as well as larger ones, simply cannot afford to purchase vests for all of their officers, a fact that sometimes forces officers to purchase their own.

Our original legislation was signed into law by President Clinton in June of 1998, and as you know, the purpose of the act is to protect the lives of law enforcement officers by helping State and local government equip them with bulletproof vests. Bulletproof vests and body armor have saved thousands of lives since the introduction of the modern material; however, they cannot protect the lives of those who do not have access to them.

The Fraternal Order of Police have stated that ''body armor is one of the most important pieces of equipment an officer can have and often mean the difference between life and death.''

The grant program has directly benefited every State and territory of the United States, and this critical program provides State and local and tribal law enforcement officers with needed protection by aiding the purchase of protective equipment.

In closing, I again want to thank my good friend Mr. LOBIONDO for his strong leadership and work on this measure over the years and the police officers who risk their lives for us every day, all of us. They are the mothers and fathers, and they are the sons and daughters. It is our obligation to the officers and their families to give them access to the equipment that will safeguard their life.

Madam Speaker, I ask my colleagues for their strong support of this measure.

Mr. CANNON. Madam Speaker, I yield for so much time as he may consume to the gentleman from New Jersey (Mr. LOBIONDO).

Mr. LOBIONDO. Madam Speaker, to my colleague Mr. CANNON, thank you very much.

I would also like to particularly thank Mr. VISCLOSKY. In 1997 when we first started talking about this, there was a dramatic and very sad incident that took place in my district, the Second Congressional District of New Jersey, and I believe that Mr. VISCLOSKY had a similar situation in his district.

Through the 1990s, a variety of groups had been sort of cobbling together the ability to buy vests for officers by selling doughnuts and for cake sales and a number of different ways because they understood the need, but there wasn't a resource to be able to do this. Unfortunately, in 1996, at a State prison in my district, Officer Fred Baker, a corrections officer who was on duty, who was not wearing a vest, was stabbed in the back by an inmate and that stab was fatal.

We can only speculate what the fate would have been of Officer Baker if he had a vest on. I happen to believe that he would be alive today. And when I got back from that break at home, I got together with Mr. VISCLOSKY, and we embarked upon this road to convince our colleagues of the importance of this program.

You've heard the statistics, 40,000 jurisdictions, 1.5 million vests, and people ask, Well, why is it important to keep doing this? Once you've done a vest, why isn't that enough? Well, they have a shelf life. When you put a vest to an officer, it doesn't last forever. The technology increases and they wear out.

This is a critically important program. At a time when all of America wonders whether what's happening in Washington really works on Main Street and in the real world, this is a program that we can point to with absolute certainty that has conclusive, positive benefit. It saves the lives of our police officers.

This is something that works. This is something that Main Street understands. This is something that law enforcement understands, and this is one of those programs where we can do the right thing and continue it.

When an officer is sworn in and receives their badge and their gun, they should be receiving a vest. All across America people get up every morning and don't expect to have a problem, but if that problem occurs and they need that thin blue line, they expect our law enforcement to respond as quickly as they can, and part of that response for law enforcement ought to be the protection that a vest provides. It's the least that we can do.

I strongly support this bill. I thank Mr. VISCLOSKY, I thank Mr. CONYERS, I thank Mr. SMITH of Texas, and all those who are responsible for having this move to the floor today.

Mr. CONYERS. We yield back our time.

Mr. CANNON of Utah. Madam Speaker, I wanted to just thank Mr. VISCLOSKY and also Mr. LOBIONDO who suffered tragic losses and resulted in very important protection for my police and police around the country.

Ms. LORETTA T. SANCHEZ of California. Madam Speaker, I rise in support of H.R. 6045, the Bulletproof Vest Partnership Grant Act of 2008.

Bulletproof vests and body armor have saved thousands of law enforcement officers since the introduction and improvement of bulletproof material.

The Bulletproof Vest Partnership Grant Program provides our brave law enforcement officers with the vital equipment they need to save lives in the line of fire.

This grant program was created in 1999 by the Department of Justice to provide protection to state, local and tribal law enforcement officers by assisting officers in purchasing the protective equipment they need.

Since its inception, the grant program has purchased more than 1.5 million bulletproof vests for over 40,000 jurisdictions in the United States. In 2007 alone, the program provided $28.6 million to state and local law enforcement agencies across America and purchased over 180,000 new bulletproof vests.

In my district, this grant program has awarded more than $45,000 to law enforcement officials in the cities of Anaheim and Santa Ana. As a result, these cities were able to purchase more than 400 vests for their officers.

I am pleased that the House of Representatives is acting to reauthorize the Bulletproof Vest Partnership Grant Program for another three years.

Brave law enforcement officers risk their lives on a daily basis to protect our communities, and this grant program ensures that their communities can help protect them.

Mr. CANNON. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. CONYERS) that the House suspend the rules and pass the bill, H.R. 6045.

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

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the

Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

RECESS

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

Accordingly (at 11 o'clock and 34 minutes a.m.), the House stood in recess subject to the call of the Chair.

□ 1205

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HOLDEN) at 12 o'clock and 5 minutes p.m.

EXPRESSING SENSE OF CONGRESS THAT THE PRESIDENT SHOULD GRANT A POSTHUMOUS PARDON TO JOHN ARTHUR ''JACK'' JOHNSON

Ms. ZOE LOFGREN of California. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 214) expressing the sense of Congress that the President should grant a posthumous pardon to John Arthur ''Jack'' Johnson for the 1913 racially motivated conviction of Johnson, which diminished his athletic, cultural, and historic significance, and tarnished his reputation.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 214

Whereas John Arthur ''Jack'' Johnson was a flamboyant, defiant, and controversial figure in American history who challenged racial biases;

Whereas Jack Johnson was born in Galveston, Texas, in 1878 to parents who were former slaves;

Whereas Jack Johnson was a professional boxer who traveled throughout the United States and the world, fighting both Black and White heavyweight boxers;

Whereas in 1908, after being denied the opportunity to fight two White boxing champions on purely racial grounds, Jack Johnson was granted an opportunity by an Australian promoter to fight Tommy Burns, the reigning world heavyweight champion;

Whereas Jack Johnson defeated Burns to become the first African American to hold the title of world heavyweight champion;

Whereas the victory of Jack Johnson over Burns prompted the search for a White boxer who could beat him, a recruitment effort dubbed the search for the ''Great White Hope'';

Whereas in Reno, Nevada, in 1910, in what was referred to by many as the ''Battle of the Century'', a White former heavyweight champion named James ''Jim'' Jeffries came back from retirement to fight, and lose to, Jack Johnson;

Whereas the defeat of Jeffries by Jack Johnson sparked rioting and aggression toward African Americans and led to racially motivated murders of African Americans nationwide;

Whereas the resentment felt toward Jack Johnson by many Whites was compounded by his relationships with White women;

Whereas between 1901 and 1910, 754 African Americans were lynched, some simply for being ''too familiar'' with White women;

Whereas in 1910, Congress passed the White-slave traffic Act (commonly known as the ''Mann Act''), which outlawed the transportation of women in interstate or foreign commerce ''for the purpose of prostitution or debauchery, or for any other immoral purpose'';

Whereas in October 1912, Jack Johnson became involved with a White woman, Lucille Cameron, whose mother disapproved of the relationship, claimed that Johnson had abducted her daughter, and sought action from the Department of Justice;

Whereas Jack Johnson was arrested by United States marshals on October 18, 1912, for transporting Lucille Cameron across State lines for an ''immoral purpose'' in violation of the Mann Act, but Cameron refused to cooperate with authorities, the charges were dropped, and Cameron later married the champion;

Whereas Federal authorities continued to pursue Jack Johnson and summoned Belle Schreiber, a White woman, to testify that Johnson had transported her across State lines for the purposes of ''prostitution and debauchery'';

Whereas in 1913, Jack Johnson was convicted of violating the Mann Act and was sentenced to 1 year and 1 day in Federal prison, but fled the country to Canada and then to various European and South American countries;

Whereas Jack Johnson lost the heavyweight championship title to Jess Willard in Cuba in 1915;

Whereas Jack Johnson returned to the United States in July 1920, surrendered to the authorities, and served nearly 1 year in the United States Penitentiary at Leavenworth, Kansas;

Whereas Jack Johnson fought boxing matches after his release from prison, but never regained the heavyweight championship title;

Whereas Jack Johnson supported this Nation during World War II by encouraging citizens to buy war bonds and by participating in exhibition boxing matches to promote the sale of war bonds;

Whereas Jack Johnson died in an automobile accident in 1946; and

Whereas in 1954, Jack Johnson was inducted into the Boxing Hall of Fame: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of Congress that—

(1) John Arthur ''Jack'' Johnson paved the way for African American athletes to participate and succeed in racially integrated professional sports in the United States;

(2) Jack Johnson was wronged by a racially motivated conviction prompted by his success in the boxing ring and his relationships with White women;

(3) the criminal conviction of Jack Johnson unjustly ruined his career and destroyed his reputation; and

(4) the President should grant a posthumous pardon to Jack Johnson to expunge from the annals of American criminal justice a racially motivated abuse of the prosecutorial authority of the Federal Government, and to recognize Jack Johnson's athletic and cultural contributions to society.

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

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

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

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

There was no objection.

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

I rise today in support of this resolution expressing the sense of Congress that the President should grant a posthumous pardon to John Arthur ''Jack'' Johnson for the 1913 racially motivated conviction of Mr. Johnson, which diminished his athletic, cultural and historic significance and tarnished his reputation.

More importantly, Mr. Speaker, adoption of this resolution and granting of this posthumous pardon by the President would remove a nearly century-old stain from the reputation of this Nation. Although the harm inflicted on Mr. Johnson can never be undone, it is nevertheless important that we set the record straight and acknowledge that he was wrongfully convicted in a disgraceful climate of racial hatred.

John Arthur ''Jack'' Johnson was a flamboyant, defiant and controversial figure in American history who challenged racial biases. The son of former slaves, Jack Johnson was a professional boxer who traveled throughout the United States and the world, fighting both black and white heavyweight boxers. He was without question one of the greatest boxers this Nation has ever produced.

The resentment felt towards Mr. Johnson by many whites was not limited to his successes in the ring. It was compounded by his relationship with white women, an issue which aroused not just anger, but brutal violence. Between 1901 and 1910, 754 African Americans were lynched, some simply for being perceived as ''too familiar'' with white women.

In 1912, Jack Johnson was arrested by United States marshals and charged with transporting his future wife, Lucille Cameron, across State lines for an ''immoral purpose'' in violation of the Mann Act. Ms. Cameron refused to cooperate with the authorities, the charges were dropped, and she later married the champion.

Federal authorities continued to pursue Jack Johnson and subsequently sought to prosecute him based on charges of ''prostitution and debauchery.'' This time they were able to obtain a conviction, and Mr. Johnson was forced to flee the country.

He returned to the United States in July 1920, surrendered to the authorities, and served nearly 1 year in the

United States Penitentiary at Leavenworth, Kansas. Jack Johnson fought boxing matches after his release from prison, but never regained the heavyweight championship title.

Although this Nation failed him, Jack Johnson remained a patriotic American. He supported this Nation during World War II by encouraging citizens to buy war bonds and by participating in exhibition boxing matches to promote the sale of war bonds. He died in 1946. In 1954, Jack Johnson was finally inducted into the Boxing Hall of Fame, a fitting recognition of the outstanding accomplishments of this great sportsman.

It is time that we also recognize the wrong that was done and do what is in our power to make amends for this wrongful conviction, which destroyed a great boxing career, but not a courageous and indomitable sportsman.

I urge my colleagues to support the measure.

I reserve the balance of my time.

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

The gentlewoman from California has eloquently set forth the facts, the simple facts that relate to why we are here today. This is a profoundly important piece of legislation because it transforms a wrong in American history.

I would just like to say that one of the profoundly important things in our time, one of the things that I am most proud of and most pleased with, in fact one of the things that gives me the greatest pleasure in life, is the fact that we are in a time when a person's ethnicity is less important than his or her capabilities.

I think it is time that we ask the President to pardon Jack Johnson, because he represents some of the difficulty in our past. I am impressed that he was killed in a car accident after he sped away from a restaurant that refused to serve him. Every American today is uncomfortable with that. It was a standard at one point in time. It is not the standard in America today, something that I think is wonderful in our country.

At a time with other crises going on around us, I am pleased to ask for our colleagues to support this bill and do something right, or recognize that some wrong was done in America and do something about that.

I support the passage of House Concurrent Resolution 214, which calls on the President to grant a posthumous pardon to Jack Johnson for a racially motivated conviction for violating the Mann Act.

Jack Johnson was the first African American boxer to become the heavyweight champion of the world. But the Mann Act conviction diminished Mr. Johnson's athletic, cultural, and historic significance and tarnished his reputation.

Jack Johnson was born in Galveston, TX, in 1878. The son of former slaves, Johnson grew up poor. He attended school only until the fifth grade and began boxing as a young teenager.

By 1902, Johnson had won at least 50 fights against both white and black opponents. However, his efforts to win the heavyweight title were thwarted as world champion Jim Jeffries refused to face him. In 1905, Jeffries retired from the sport rather than give Johnson a title fight.

In 1908, Johnson finally won the heavyweight title when he knocked out Tommy Burns in Sydney, Australia. However, Johnson was not officially recognized as champion until 1910, when he bested Jim Jeffries who came out of retirement specifically for the fight.

Johnson went on to defend his title a number of times. But in 1913, at the height of his career, the boxer was convicted of violating the Mann Act—a law that outlawed the transportation of women across state lines for "any immoral purpose."

After his conviction, Jack Johnson fled the country and spent several years abroad as a fugitive. In 1915, he lost his title to Jess Willard in Cuba.

Five years later, Johnson returned to the United States, surrendered to authorities, and served 1 year and 1 day in prison. He was never given another shot at the heavyweight title, and he never cleared his name. He died in a traffic accident in 1946 at age 68. He was furiously speeding away from a restaurant that refused to serve him.

In 2004, filmmaker Ken Burns initiated the movement for a pardon after producing a documentary about Jack Johnson's life. That year, the Senate approved Senate Resolution 447, an earlier version of today's resolution, by unanimous consent.

In 2005, a bipartisan group of Senators, led by Senator MCCAIN, wrote a letter to the President to request a pardon. The letter stated that a pardon "would be a strong and necessary symbol to the world of America's continuing resolve to live up to the noble ideals of freedom, opportunity and equal justice for all."

Although it has been over 90 years since Jack Johnson's conviction and over 50 years since his death, a Presidential pardon would be untimely but still just.

I join my colleagues in supporting this resolution and ask that the President grant a long-awaited pardon to Jack Johnson.

Mr. KING of New York. Mr. Speaker, today I rise in support of H. Con. Res. 214, a resolution granting a posthumous pardon to John Arthur "Jack" Johnson for his 1913 racially motivated conviction. On September 17, 2007, I introduced this resolution with Congressman JESSE JACKSON, and I join today with 40 of my cosponsoring colleagues in urging the House to pass this resolution today.

Jack Johnson became the first black World Heavyweight Boxing Champion in 1908 after defeating Tommy Burns in Australia and kept the title until 1915. He was a flamboyant and controversial figure in American history who paved the way for African-American athletes to participate and succeed in racially integrated professional sports in the United States.

Prompted by his success in the boxing ring and his relationship with a white woman, Jack Johnson was wronged by a racially motivated conviction under the Mann Act. He was convicted in 1913 after fleeing to Canada, Europe and South America and served one year in prison. Being convicted ruined his career and wrongly destroyed his reputation.

Because of this, we believe the President should grant a posthumous pardon to Jack Johnson to clear his name and recognize his athletic and cultural contributions to society. I am proud to have sponsored this resolution on his behalf

Mr. Speaker, I urge all my colleagues to support this resolution.

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

Ms. ZOE LOFGREN of California. Mr. Speaker, I urge adoption of this measure. I appreciate Mr. CANNON's comments, and yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. ZOE LOFGREN) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 214.

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. CANNON. 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. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

EFFECTIVE CHILD PORNOGRAPHY PROSECUTION ACT OF 2007

Ms. ZOE LOFGREN of California. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 4120) to amend title 18, United States Code, to provide for more effective prosecution of cases involving child pornography, and for other purposes.

The Clerk read the title of the bill.

The text of the Senate amendment is as follows:

Senate amendment:

Strike all after the enacting clause and insert the following:

SECTION 1. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Table of contents.

TITLE I—EFFECTIVE CHILD PORNOGRAPHY PROSECUTION ACT OF 2007

Sec. 101. Short title.
Sec. 102. Findings.
Sec. 103. Clarifying ban of child pornography.

TITLE II—ENHANCING THE EFFECTIVE PROSECUTION OF CHILD PORNOGRAPHY ACT OF 2007

Sec. 201. Short title.
Sec. 202. Money laundering predicate.
Sec. 203. Knowingly accessing child pornography with the intent to view child pornography.

TITLE I—EFFECTIVE CHILD PORNOGRAPHY PROSECUTION ACT OF 2007

SEC. 101. SHORT TITLE.

This title may be cited as the "Effective Child Pornography Prosecution Act of 2007".

SEC. 102. FINDINGS.

Congress finds the following:

(1) Child pornography is estimated to be a multibillion dollar industry of global proportions, facilitated by the growth of the Internet.

(2) Data has shown that 83 percent of child pornography possessors had images of children

younger than 12 years old, 39 percent had images of children younger than 6 years old, and 19 percent had images of children younger than 3 years old.

(3) Child pornography is a permanent record of a child's abuse and the distribution of child pornography images revictimizes the child each time the image is viewed.

(4) Child pornography is readily available through virtually every Internet technology, including Web sites, email, instant messaging, Internet Relay Chat, newsgroups, bulletin boards, and peer-to-peer.

(5) The technological ease, lack of expense, and anonymity in obtaining and distributing child pornography over the Internet has resulted in an explosion in the multijurisdictional distribution of child pornography.

(6) The Internet is well recognized as a method of distributing goods and services across State lines.

(7) The transmission of child pornography using the Internet constitutes transportation in interstate commerce.

SEC. 103. CLARIFYING BAN OF CHILD PORNOGRAPHY.

(a) IN GENERAL.—Chapter 110 of title 18, United States Code, is amended—

(1) in section 2251—

(A) in each of subsections (a), (b), and (d), by inserting ''using any means or facility of interstate or foreign commerce or'' after ''be transported'';

(B) in each of subsections (a) and (b), by inserting ''using any means or facility of interstate or foreign commerce or'' after ''been transported'';

(C) in subsection (c), by striking ''computer'' each place that term appears and inserting ''using any means or facility of interstate or foreign commerce''; and

(D) in subsection (d), by inserting ''using any means or facility of interstate or foreign commerce or'' after ''is transported'';

(2) in section 2251A(c), by inserting ''using any means or facility of interstate or foreign commerce or'' after ''or transported'';

(3) in section 2252(a)—

(A) in paragraph (1), by inserting ''using any means or facility of interstate or foreign commerce or'' after ''ships'';

(B) in paragraph (2)—

(i) by inserting ''using any means or facility of interstate or foreign commerce or'' after ''distributes, any visual depiction''; and

(ii) by inserting ''using any means or facility of interstate or foreign commerce or'' after ''depiction for distribution'';

(C) in paragraph (3)—

(i) by inserting ''using any means or facility of interstate or foreign commerce'' after ''so shipped or transported''; and

(ii) by striking ''by any means,''; and

(D) in paragraph (4), by inserting ''using any means or facility of interstate or foreign commerce or'' after ''has been shipped or transported''; and

(4) in section 2252A(a)—

(A) in paragraph (1), by inserting ''using any means or facility of interstate or foreign commerce or'' after ''ships'';

(B) in paragraph (2), by inserting ''using any means or facility of interstate or foreign commerce'' after ''mailed, or'' each place it appears;

(C) in paragraph (3), by inserting ''using any means or facility of interstate or foreign commerce or'' after ''mails, or'' each place it appears;

(D) in each of paragraphs (4) and (5), by inserting ''using any means or facility of interstate or foreign commerce or'' after ''has been mailed, or shipped or transported''; and

(E) in paragraph (6), by inserting ''using any means or facility of interstate or foreign commerce or'' after ''has been mailed, shipped, or transported''.

(b) AFFECTING INTERSTATE COMMERCE.—Chapter 110 of title 18, United States Code, is amended in each of sections 2251, 2251A, 2252, and 2252A, by striking ''in interstate'' each place it appears and inserting ''in or affecting interstate''.

(c) CERTAIN ACTIVITIES RELATING TO MATERIAL INVOLVING THE SEXUAL EXPLOITATION OF MINORS.—Section 2252(a)(3)(B) of title 18, United States Code, is amended by inserting '', shipped, or transported using any means or facility of interstate or foreign commerce'' after ''that has been mailed''.

(d) CERTAIN ACTIVITIES RELATING TO MATERIAL CONSTITUTING OR CONTAINING CHILD PORNOGRAPHY.—Section 2252A(a)(6)(C) of title 18, United States Code, is amended by striking ''or by transmitting'' and all that follows through ''by computer,'' and inserting ''or any means or facility of interstate or foreign commerce,''.

TITLE II—ENHANCING THE EFFECTIVE PROSECUTION OF CHILD PORNOGRAPHY ACT OF 2007

SEC. 201. SHORT TITLE.

This title may be cited as the ''Enhancing the Effective Prosecution of Child Pornography Act of 2007''.

SEC. 202. MONEY LAUNDERING PREDICATE.

Section 1956(c)(7)(D) of title 18, United States Code, is amended by inserting ''section 2252A (relating to child pornography) where the child pornography contains a visual depiction of an actual minor engaging in sexually explicit conduct, section 2260 (production of certain child pornography for importation into the United States),'' before ''section 2280''.

SEC. 203. KNOWINGLY ACCESSING CHILD PORNOGRAPHY WITH THE INTENT TO VIEW CHILD PORNOGRAPHY.

(a) MATERIALS INVOLVING SEXUAL EXPLOITATION OF MINORS.—Section 2252(a)(4) of title 18, United States Code, is amended—

(1) in subparagraph (A), by inserting '', or knowingly accesses with intent to view,'' after ''possesses''; and

(2) in subparagraph (B), by inserting '', or knowingly accesses with intent to view,'' after ''possesses''.

(b) MATERIALS CONSTITUTING OR CONTAINING CHILD PORNOGRAPHY.—Section 2252A(a)(5) of title 18, United States Code, is amended—

(1) in subparagraph (A), by inserting '', or knowingly accesses with intent to view,'' after ''possesses''; and

(2) in subparagraph (B), by inserting '', or knowingly accesses with intent to view,'' after ''possesses''.

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

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, the bill we are considering today combines two bills the House passed last November to strengthen the Justice Department's ability to prosecute child pornography. The first fixes a glaring loophole in the Federal statute prohibiting possession of child pornography, which a Federal appeals court last year said requires as an essential element of the offense proof that the images, here kept on a computer desk, had actually crossed State lines.

Our colleague, NANCY BOYDA of Kansas, introduced H.R. 4120 to clarify that this statute covers conduct ''in or affecting interstate commerce,'' not just ''in commerce.'' This small change will have great legal significance, allowing that statute to reach the full extent of Congress' commerce clause powers.

Trafficking in child pornography is national and international in scope, and even conduct that may appear wholly intrastate necessarily affects interstate commerce. This will ensure that our laws reach to their maximum extent, and it is important, because child pornography is one of the worst things that exists in our culture.

The Senate also inserted another House-passed bill, H.R. 4136, introduced by CHRIS CARNEY of Pennsylvania. It adds child pornography proceeds to the money laundering statutes and fixes another loophole that allowed Internet users to get around the laws against possessing child pornography simply by not downloading or saving the images.

Mr. Speaker, these two combined measures will be a tremendous help in the effort to put a stop to this disgusting, abominable exploitation of children and to bring to justice those who traffic in it.

I want to commend Congresswoman NANCY BOYDA and Congressman CHRISTOPHER CARNEY for their sustained commitment to pursuing this effort so that we can see it enacted into law now.

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

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

I would just like to thank the gentlewoman from California for taking the lead here today on this issue. It is an important issue, and she has laid out the facts behind the need for this today.

We live in a world of very quickly transforming technology. The courts sometimes have difficulty keeping up with that, and we have to act to create the legal environment for the courts to appropriately act. This bill does that. I encourage my colleagues to support it when it comes to a vote.

Mr. Speaker, I rise in support of H.R. 4120, the Effective Child Pornography Prosecution Act of 2007. The House passed this legislation in November of last year to combat the pervasiveness of child pornography on the Internet.

Child abuse and exploitation are among the most heinous crimes committed in this country. And in recent years, the Internet, with its virtually unregulated access to information and to people all over the world, has become a foul source for this type of criminal activity. However, in many instances, Federal prosecutors are prevented from seeking justice.

In a decision by the 10th Circuit United States Court of Appeals in United States v. Schafer, the Court ruled the transmission of

child pornography on the Internet did not satisfy the interstate requirement in child pornography laws.

H.R. 4120, the ''Effective Child Pornography Prosecution Act of 2007,'' responds to that decision by expanding jurisdiction for prosecuting Internet child pornography crimes.

This bill allows the government to prosecute cases when child pornography or is transmitted ''using any means or facility of interstate or foreign commerce.'' This is the broadest assertion of interstate commerce power that Congress can make consistent with the Constitution.

H.R. 4120, as passed by the Senate, includes provisions similar to H.R. 4136, the ''Enhancing the Effective Prosecution of Child Pornography Act of 2007'' which also passed the House last November.

This language closes a loophole used by child pornographers to circumvent the law by expanding current child pornography statutes.

Current law prohibits the ''possession'' of child pornography. This law pre-dates the prevalence of the Internet in transmitting child pornography images. Today, a pedophile can access child pornography and view it but, under the current statute, may not be criminally liable for possessing it. This provision will prohibit accessing such content with the intent to view it and will no longer require an offender to actually download the material.

It is no longer sufficient to warn our children to not talk to strangers. With the expansion of the Internet and other technologies, we must now find new ways to protect our children from the dangers of the world.

H.R. 4120, the ''Effective Child Pornography Prosecution Act of 2007,'' provides law enforcement important tools for combating these heinous crimes.

I urge my colleagues to support this bill.

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

□ 1215

Ms. ZOE LOFGREN of California. Mr. Speaker, I appreciate the comments made by the gentleman from Utah. I enjoy working with him, as he knows. I urge Members to support this bill.

Mrs. BOYDA of Kansas. Mr. Spreaker, the Department of Justice estimates that, in the last year, one in five children between the ages of 10 and 17 received a sexual solicitation or approach while they were using the Internet, With so many threats out there, Congress must provide a unified message that we, as a society, will not stand for anything less than a safe Internet. We will do that today when we pass five good pieces of legislation that will help keep our children safe. I am proud that my legislation, H.R. 4120, Effective Child Pornography Prosecution Act will be a part of that message.

A man from Kansas, William Schaefer, was found guilty of both ''knowingly receiving'' and ''knowingly possessing'' child pornography that had been ''transported in interstate commerce, by any means including by computer.''

Sadly, the 10th Circuit Court of Appeals overturned this decision and the offender was not prosecuted to the fullest extent of the law. The Court ruled that just because images are obtained on the Internet, does not mean they were transmitted across state lines and issued the following statements:

We decline to assume that Internet use automatically equates with a movement across state lines.

Congress' use of the ''in commerce'' language, as opposed to phrasing such as ''affecting commerce'' or ''facility of interstate commerce,'' signals its decision to limit federal jurisdiction and require actual movement between states to satisfy interstate nexus.

The Court essentially asked Congress to clarify its intent that the Internet is in fact Interstate Commerce and we did that with passage of the Effective Child Pornography Prosecution Act of 2007. This legislation closes the jurisdictional loophole that allowed a guilty man to escape punishment.

As concerned citizens, parents, and Members of Congress, we must do all we can to keep our children safe. That means we must make a commitment to being tough on crime—to make sure that those who violate the law are fully prosecuted—to ensure that the law is so clear that it deters such heinous crimes from happening.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. ZOE LOFGREN) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 4120.

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. CANNON. 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. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

CODE TALKERS RECOGNITION ACT OF 2008

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on one motion to suspend the rules previously postponed.

The unfinished business is the question on suspending the rules and passing the bill, H.R. 4544, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. GUTIERREZ) that the House suspend the rules and pass the bill, H.R. 4544, 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.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Mr. ARCURI from the Committee on Rules, submitted a privileged report (Rept. No. 110–883) on the resolution (H. Res. 1500) providing for consideration of motions to suspend the rules, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 7060, RENEWABLE ENERGY AND JOB CREATION TAX ACT OF 2008

Mr. ARCURI, from the Committee on Rules, submitted a privileged report (Rept. No. 110–884) on the resolution (H. Res. 1501) providing for consideration of the bill (H.R. 7060) to amend the Internal Revenue Code of 1986 to provide incentives for energy production and conservation, to extend certain expiring provisions, to provide individual income tax relief, and for other purposes, which was referred to the House Calendar and ordered to be printed.

WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS

Mr. ARCURI. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1490 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1490

Resolved, That the requirement of clause 6(a) of rule XIII for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House is waived with respect to any resolution reported on any legislative day through September 27, 2008, providing for consideration or disposition of a measure to provide incentives for energy production and conservation, to extend certain expiring provisions, to provide individual income tax relief, and for other purposes.

The SPEAKER pro tempore. The gentleman from New York is recognized for 1 hour.

Mr. ARCURI. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Texas (Mr. SESSIONS). All time yielded during consideration of this rule is for debate only.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, House Resolution 1490 waives a requirement of clause 6(a) of rule XIII requiring a two-thirds vote to consider a rule on the same day it is reported from the Rules Committee. The resolution applies to any rule reported on any legislative day through September 27, 2008, providing for consideration or disposition of a measure to

provide incentives for energy production and conservation, to extend certain expiring provisions, to provide individual income tax relief, and for other purposes.

I rise today in support of this rule because American families and small businesses need tax relief now more than ever. This rule will allow us to bring legislation to the House floor later today that will not only strengthen our economy by directing tax relief to middle class families and creating jobs at small businesses, but also will help to bring this country into a new alternative energy future that will help to create green collar jobs right here in America, jobs that cannot be outsourced to foreign countries or overseas.

Since being elected to Congress, I have voted, along with this body, to cut taxes for middle class families and small businesses on at least 14 separate occasions. In doing so, this Congress has upheld its pledge to the American people, and I have kept the promise I made to my constituents to provide much-needed tax relief and incentives for economic growth.

I know that there are many families and businesses in my district that are struggling in the current economic crisis. With talk of a $700 billion plan to bail out Wall Street, we cannot, in good conscience, fail to take action to help so many families facing the ever-escalating costs of gasoline and home heating fuel into this winter.

This legislation we will consider provides tax relief and incentives to those who need them most at a fraction of the cost of bailing out the financial industry.

This Congress has shown a strong commitment to the pay-as-you-go rule that we adopted last January. I applaud my Blue Dog Coalition colleagues for their outspoken leadership on the PAYGO consideration and the PAYGO issue. When I explain to folks back home what PAYGO is, I ask them a question: You have to balance your books each month, don't you? The individuals say, of course. They, of course, understand what it means to balance their books. They would not think of spending more than they earn. Businesses would not think of spending more than they earn. You have to ensure that you have enough income coming in to cover your expenses, and, of course, they respond with a nod of the head. They understand it. They get it. And then I say: Shouldn't the Federal Government operate in the same way when it involves spending your tax dollars?

The legislation this rule will allow us to consider today will extend a number of critical tax relief measures targeted at middle class families and small businesses to improve the quality of life and strengthen our economy. Supporting this rule and the tax legislation we will consider later today is simple common sense.

We can provide tax relief and incentives to middle class families, spur innovation, create tens of thousands of new green collar jobs, reduce our dependence on oil from hostile nations and reduce greenhouse gases—and we can do it all in a fiscally responsible manner. I urge my colleagues on both sides of the aisle to support this rule and the underlying legislation.

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

Mr. SESSIONS. I want to thank the gentleman, my friend, Mr. ARCURI, for the time that he has yielded me, and I yield myself such time as I may consume.

''Mr. Speaker, I rise in strong opposition to this martial law rule and in opposition to the outrageous process that continues to plague this House. We have before us a martial law rule that allows the leadership to once again ignore the rules of the House and the procedures and the traditions of this House. Martial law is no way to run a democracy, no matter what your ideology, no matter what your party affiliation.''

I strongly agree with these words, but I cannot, in good faith, take credit for them because I did not write them. I simply just read them. My staff did not write them, nor did any of the Republican staff on the Rules Committee.

In fact, as far as I know, not one Republican had any hand in the composition of this eloquent defense of democracy in the House of Representatives, because their author is actually the gentleman from Massachusetts and a senior member of the Democrat Rules Committee, the gentleman, Mr. MCGOVERN.

He spoke these exact same words on the floor 2 years ago regarding what he eloquently and accurately called a martial law rule, which is what we are being asked to consider here today.

□ 1230

Although these are not my words, I associate myself with them fully because they are as true and relevant today as when they were first used. And since I have already borrowed one selection of the gentleman's words, I would like to point out another comment my esteemed Rules Committee colleague made regarding martial law rules. On December 6, 2006, just 1 month before Democrats were to take control of the House of Representatives, Democrats made a number of promises on how they would run the House which, unfortunately, have not held up well in the contrast to reality.

Before they had control, Mr. MCGOVERN said, ''Mr. Speaker, there is a better way to run this body. The truth, Mr. Speaker, is that the American people expect and deserve better. That's why the 110th Congress must be different. I believe we need to rediscover openness and fairness in the House. We must insist on full and fair debate on the issues that come to this body.''

I would like to ask my friends on the Democrat Rules Committee and this Democratic leadership: What happened? What happened? Where is that openness and the fairness? Where was the openness on the no-energy bill rule where over 90 amendments were closed out, including a Republican substitute?

Where was that openness when we first considered SCHIP reauthorization and we were handed two closed rules by the Democrat leadership? Where has it been over these last 2 years when Democrats have forced a record number of lock-down, closed rules through this House of Representatives with no opportunity for Members, Republicans or Democrats, to improve that legislation? And where is that openness today when we are being asked to consider this tax extenders rule by once again suspending regular order in this House of Representatives?

I know where it is. Our friends, the Democrats, left it out on the campaign trail. And with an upcoming election, I suspect that is where we will be able to find these broken promises once again this next January. It was an empty promise when they made it, and the emptiness of this promise was fulfilled on the opening day of the new majority when the Democrats wrote into the rules of the House closed rules for consideration of the first six bills that they were able to take up, in effect discharging the Rules Committee from its duties for the first six bills they were going to consider. Ah, yes, 6 in '06.

The remedy for examples of unfairness, they criticized the Rules Committee for the way they did their work, and that trend has started, sadly, and continues today.

As the gentleman from Massachusetts (Mr. MCGOVERN) said, ''Mr. Speaker, there is a better way to run this body. The truth, Mr. Speaker, is that the American people expect and deserve better. That is why the 110th Congress must be different. I believe we need to rediscover openness and fairness in this House. We must insist on full and fair debate on the issues that come before this body.''

Mr. Speaker, with these wise words, I reserve the balance of my time.

Mr. ARCURI. Mr. Speaker, I would inquire of my colleague, my friend Mr. SESSIONS, if he has any further speakers. I am prepared to close.

Mr. SESSIONS. Mr. Speaker, I have several speakers.

At this time I yield for such time as he may use to the gentleman from Oregon (Mr. WALDEN).

Mr. WALDEN of Oregon. I thank my colleague and friend from Texas for yielding.

I come to the floor today bitterly disappointed that this majority is one more time denying the opportunity to fund county timber payments to districts like mine.

The Secure Rural Schools Program aids more than 600 rural counties, and 4,400 school districts in 42 States. Let me say that again: 4,400 school districts, 42 States, 600 rural counties are affected by this.

There is broad bipartisan support to reauthorize this legislation and keep a

nearly century-old commitment to the areas like I represent in rural Oregon where the Federal Government owns more than half of the land, much of it timbered. In the old days they would share the receipts from the timber harvest, and then the Federal Government and the courts shut all of that down.

I have three counties that have more than 8 percent unemployment. Virtually all of the mills are gone. I had people coming up to me last weekend in their overalls asking, Is there any hope? Is there any hope for them and their kids to make a decent living taking care of America's forests? Is there any hope to reauthorize the Secure Rural Schools and Community Self-Determination Act in this Congress? I gave them a little hope. I said the Senate, the United States Senate, seems to be caring about us. And, indeed, in the tax extenders bill passed by the United States Senate by 93–2, they reauthorized the Secure Rural Schools, phasing it out over 4 years in a formula we all agreed to, but we don't necessarily like.

Time and again, Democrat leadership in this House has said ''no'' to that legislation. That is happening right here, right now. It just happened up in the Rules Committee by denying an amendment offered by the gentleman from Washington (Mr. HASTINGS) on a party-line 8–3 vote. They said, no, we won't even let the House vote to take care of these folks back home and keep this 100-year-old Federal commitment. It is outrageous. It is outrageous.

Let me tell you what it means to the people out there. These are real jobs being lost. There are counties in Oregon that may declare bankruptcy. Half the police force in sheriff's offices, the deputies are gone. Road department after road department after road department, cut, slashed, gone. I have counties that have one road maintenance person for every 100 miles of road in their county now. That is the distance from the Nation's capital to Richmond, Virginia, in case you're counting.

You are down to where there won't be any patrols by sheriff's deputies. And yet Americans want to recreate in America's forests. Unfortunately, they go out there and occasionally they get lost. And when they get lost, whom do they call upon to come find them but these same search and rescue teams. Tragically, often they have perished in my State before they get rescued.

It was through funding through this program, or in the old days through the revenue sharing that came to those counties that we were able to have the search and rescue teams and the equipment and everything necessary to go out and try and rescue these families who would get lost or caught in a snowstorm. That is going away.

Schools are deeply affected. In my State, the money, $280 million a year, was funneled throughout all of the school districts. In some States they didn't do it that way. They have already laid off teachers.

Now what is wrong with keeping the word that this Speaker and others said at the beginning of this Congress that there would be an open and fair opportunity for the minority to offer up amendments, have them fully considered, and have them so people can see them.

No, this Rules Committee on an 8–3 basis said we are not going to even allow you to have a vote. And the heck with these county roads and schools where the Federal Government has total control, and the heck with the people who live out there.

County roads and school reauthorization should never have been a partisan issue, and yet it has become that. This House could simply take up the Senate bill under a different rule and allow a vote. And the President of the United States, although he is not the biggest fan of reauthorizing this county payments program, said he would sign that bill that came out of the Senate. So he is not the obstacle. He never said he would veto this. He doesn't like parts of it, but the staff is pretty clear that he would sign it into law and we would reauthorize it.

Republicans would like to see a vote on this. They tried in the Rules Committee, but your Rules Committee said no. So here we are today. This same day rule short-circuits that process with a rule that says this is all you get, and shoves it back to the Senate.

It is time for reform and time for change, and it needs to start right here right now by defeating this same-day rule, by defeating the next rule and giving people in this House the chance to represent their people back home by at least having a vote to reauthorize and fund county roads and schools.

I will tell you, when you let them down, you are hurting literally school kids and putting people's lives in peril because search and rescue will be reduced or eliminated in some areas, and police forces are already being dramatically cut. And that is wrong. It doesn't have to be that way. If we really wanted to solve problems, you wouldn't ram this through the way you are doing it.

Mr. ARCURI. Mr. Speaker, I continue to reserve my time.

Mr. SESSIONS. Mr. Speaker, the gentleman from Oregon (Mr. WALDEN) has now for at least the last 2 years made himself available, built bipartisan support, spoken to people in both parties, built a case, invited people to see the circumstance, and talked on behalf of 42 States, people who live in rural areas that have timber.

The gentleman invited me out this last August, notwithstanding that I am a friend of his, but he invited me out. I landed in Portland, drove east on the beautiful highway that goes to Hood, Oregon, and had an opportunity to meet a lot of the people in the area. They are fabulous. They are outstanding people who live in the very midst of Mount Hood.

I had an opportunity to see Mount Hood from a different perspective than the three climbers from Dallas who were trapped and who died earlier last winter. I had a chance to see Mount Hood in the summertime. As I was there with the gentleman, Mr. WALDEN, he told me the story about the big blowout in the mountain which happened on a separate event, that devastated the area as a result of what Mother Nature had done. He spoke about how the communities got together, how they worked together and solved their problems, just as they did when the three climbers from Dallas perished on the mountain.

But he forthrightly, along with others, reminded me that it is really up to us to get our work done here in Washington. And by no means did the gentleman task me with doing it, but he knew, he knew that I would have the opportunity, along with our colleague, the gentleman from Pasco, Washington, DOC HASTINGS, who is also greatly affected, that we could come back to a committee that we have served on for 10 and 12 years respectively between the two of us, that we would be able to talk to our colleagues whom we have served with on that committee for the past 10 years, that we would be able to express to them the need and the desire for public policy to be addressed at the appropriate time.

Well, the appropriate time is now. The Senate has spoken. Today the bill came over from the Senate, overwhelming vote, and the gentleman from Oregon (Mr. WALDEN) rushed to me to find out what the Rules Committee would do, really just to find out what was in the bill. We found out about the bill only minutes before, which once again is against the rules of the House that you don't consider a bill until it is laid out publicly for 24 hours. But that didn't matter again today.

And so we asked on behalf of the gentleman, Mr. WALDEN, the other members of the Rules Committee what we thought was a bipartisan basis because I believe it is true to say that there are five people on the committee who serve rural areas also or who had heard the compelling story that impacts people all across this country.

So I told Mr. WALDEN, I think we stand a good chance because we are able to come to our colleagues whom we have spent hundreds of hours with over the last 10 years and to say if it is not in your bill, and we found out it was not, but it is in the package that came from the Senate, will you please just include that?

Mr. WALDEN of Oregon. Will the gentleman yield?

Mr. SESSIONS. I yield to the gentleman.

Mr. WALDEN of Oregon. I appreciate the gentleman's kind and generous comments, and also his willingness to come out to my State this summer and see what we are facing in some of these forests.

I talked to a county commissioner from Klamath County yesterday morning. The Winema National Forest now, between the Federal forest land and adjacent private land, there is a half-a-million acres, 500,000 acres, that is now bug infested and nearly dead, if not completely dead. They can go in and treat that area, clean it up, replant it, get the dead trees out for about $250 an acre. If we wait until it catches on fire, taxpayers will spend $1,500 to $2,000 an acre to fight the fire.

Reauthorizing the Secure Rural Schools and Community Self-Determination Act makes funds available through different titles in the bill to assist those local governments and the Forest Service to get in and make our forests less susceptible to catastrophic fire, healthier by removing the dead or diseased trees or those that are bug infested and get ahead of this and actually be better stewards of our lands.

□ 1245

This year, the Federal Forest Service budget spent over half, 52 percent so far, to fight fire. In that forest alone, they had to take $1 million away from forest treatment efforts to pay for fighting fires elsewhere. So we fall further and further behind.

This is not the stewardship of our forests that we should be proud of. It is the lack of stewardship that would cause Theodore Roosevelt to roll over in his grave, the great founder of our Nation's forest system. And it doesn't have to happen. It doesn't have to happen.

Communities shouldn't be evacuated because of fire threat. Our budgets at the Forest Service shouldn't be exhausted to put out fires. And the biggest economic activity in a rural, forested timbered community around these Federal lands shouldn't be the making of sandwiches for the fire fighters. This has to stop.

The gentleman from New York is a cosponsor of the legislation I'm advocating here. There are other members of the Rules Committee that are cosponsors of this legislation on both sides of the aisle. This is our opportunity. This is our moment. This is our time.

The Senate and the White House support this effort in the legislation sent here by the Senate. If not now, when? Or do you let it all burn? Because that's what's happening out there.

Do you put people out of work?

You claim you're for family wage jobs. You're killing them in my part of the world.

Am I angry about this?

You bet I am. This is real life-and-death stuff. I was at the memorial service for the firefighters who were killed in Northern California, killed fighting fires. And while that, tragically, will happen again, and it is not all the fault that we don't have the Community Self-Determination Act in place, we need to get better policy. We need to get ahead of this problem. We need to be the good stewards we're entrusted to be of these lands. It is not that hard to be fair. It shouldn't be that hard.

Mr. SESSIONS. Reclaiming my time, Mr. Speaker, you're hearing a story that happened just minutes ago up in the Rules Committee where the members of the committee had within their sole jurisdiction the ability to handle this issue, to take what is referred to as the ping-pong, the bill that moved over, that was completely in the bill that the gentleman, Mr. WALDEN, and the gentleman, Mr. HASTINGS, have worked so diligently for the last few years to do.

The Rules Committee chairman, the gentlewoman, Ms. SLAUGHTER, said, well, you know, I had to wait 13 years for one of my bills. That was the response.

The answer was, we came back and reasked the Rules Committee if they would please vote for it. Well, what they did is they turned it down on a voice vote. So we asked for a recorded vote.

On a party-line basis, every single Democratic member of that Rules Committee said no to something that is completely within their jurisdiction, completely within their endeavor. And I fail to know where there's any opposition.

It was obstinate, and it was a slap in the face to the members of the committee who have served with them for making a very simple, honest request.

Open, honest, and ethical. These were the words that we were told and the American people were told. Well, the people in these 41 States are going to have to judge that, but they will know, they will know that it was the Rules Committee and the Speaker of this House, not the United States Senate, who voted 93–2. It's not the President of the United States. He's already said he'd sign the bill. It was the Rules Committee, under the complete jurisdiction of the gentlewoman, Ms. SLAUGHTER, and the Speaker of this House.

So we're on the floor today, a little upset. Being slam dunked I can handle. I think being treated in the way that we were is wrong. I think it's wrong to this committee. I think it's wrong to the members who are on it.

We reserve the balance of our time.

Mr. ARCURI. Mr. Speaker, I would like to yield 3 minutes to the gentleman from Vermont, my colleague from the Rules Committee, Mr. WELCH.

Mr. WELCH of Vermont. I thank the gentleman from New York, my colleague on the Rules Committee. I thank my friend from Texas, also a colleague on the Rules Committee.

The legislation before us is long overdue. It's about jobs, about energy efficiency and energy independence, and it's about restoring our confidence that we can produce jobs and produce energy that's clean, environmentally sensitive and strong and durable to help move our economy ahead.

This transition language would allow us to extend about $42 billion in tax incentives. Mr. Speaker, I'm a skeptic oftentimes on tax incentives because they are frequently given to industries that are mature and profitable at the expense of taxpayers. An example of that, of course, is the $13 billion in tax breaks that continue to go to the oil industry that has been doing extremely well with the high price of oil.

Tax incentives properly should be focused on emerging technologies, and emerging industries, where our country, where our companies, our small businesses can use the boost in order to develop the new technologies that will solve a problem that we have, the need for energy, the need for clean energy, and the need to create jobs and energy independence here in this country. This legislation will do that.

I will give just an example. In Vermont, Jeff and Dorry Wolf are two folks who moved to Vermont in 1998, and they had a dream. The dream was they could create a company that would build renewable energy. They got involved in solar energy. And their company, when they started it, at a time when this was a pipe dream, has now become one of our big companies in Vermont. It's become a leader in solar technology. It is doing work all around the country. And these incentives are critical to its continuation.

So, Mr. Speaker, I urge us to pass this rule so that we can pass the underlying legislation, move towards energy independence, create jobs here in this country, and clean up our environment.

Mr. SESSIONS. Mr. Speaker, if I could inquire the time remaining on both sides.

The SPEAKER pro tempore. The gentleman from Texas has 8½ minutes remaining, and the gentleman from New York has 23 minutes remaining.

Mr. SESSIONS. Mr. Speaker, at this time I would like to yield 5 minutes to the gentleman from Pasco, Washington, a gentleman who has spoken very eloquently and consistently up in the Rules Committee, and has worked his heart out for the needs of the 41 States that fall within the same position that the gentleman Mr. WALDEN and the gentleman Mr. HASTINGS have. He's a strong advocate. I would like to yield him 5 minutes.

Mr. HASTINGS of Washington. I want to thank my friend from Texas for yielding me the time.

Mr. Speaker, I have been in this body for going on 14 years, and I thought I understood how this system works. We have Republicans and we have Democrats. And always, I think, it's in the best interest of the American people when we can work in a bipartisan way.

The issue I want to address myself to is the Secure Rural Schools Act. It expired. It is very, very important to States, particularly in the western part of the United States where there's a big influence of Federal lands and particularly forest lands.

I just caught the end of what my colleague from Oregon talked about as to

why we are in this situation in the first place. But I can tell you, this is a big economic hit for those rural areas because they don't get the revenue from the Federal lands that they otherwise would have had.

But what I don't understand is that this issue has strong bipartisan support. I serve on the Rules Committee, and there are five of my Democrat colleagues on the Rules Committee, five out of nine, that are cosponsors of this legislation.

We know that we are nearing the end of this Congress. And we know that there are things that have to pass. The tax extender package is a very important package for other provisions in that bill. For example, the sales tax deductibility for States that don't have a State income tax. Florida is in that situation. There are several members of the Rules Committee that are affected by that. My State is one of those.

But this issue of Secure Rural Schools is very, very important. I have four counties in my district that are impacted, and one that is heavily impacted, impacted in a way that my friend from Oregon (Mr. WALDEN) talked about.

What I find rather confusing about this is that we have now a bill that will be brought before us that we could pass in a nanosecond. It's a tax extender bill that the Senate sent over with a vote of 93–2. It has essentially the same provisions that I think everybody agrees, taxes that need to be extended. But it has the provision and a fix to the Secure Rural Schools for 4 years. For 4 years. It allows those communities now to make some plans as to what the transition may be in the future, since we—of course, I think the best thing we ought to do is utilize our Federal lands. But if that's not going to happen, at least they'll have some time to plan for it.

This morning, and, by the way, we got the text of this bill at 9:52 this morning, which is a little over 3 hours ago, even though we were told that we're going to have 24 hours to look at any bill. But we had it at 9:52 this morning. And we discovered that the Secure Rural Schools Act was out of the House bill. It wasn't in there.

Well, I'm a member of the Rules Committee, and as a member of the Rules Committee, you can amend the rules by suspending rules to put certain provisions in that you think need to be passed. It happens all the time, especially at the end of the session.

So here we are, this morning, discovered the Secure Rural Schools wasn't in there. I questioned the individual from the Ways and Means Committee, Mr. BLUMENAUER from Oregon, who came up and testified on the bill, if this was in there. It wasn't in there.

By the way, his State is affected. Even though his district isn't affected, his State is affected.

So I asked him why this was not in the bill. And his response to me was, well, this is a tax bill and really the Secure Rural Schools issue is a spending issue, so we felt it shouldn't be part of the package.

Well, I said, if that's the case, and I accept your argument, then maybe it could go on some appropriation bill.

And then I thought, wait a minute. Yesterday we had a continuing resolution with three appropriation bills that passed this House, and Secure Rural Schools wasn't on it. I don't know why the Democrat leadership didn't put it on that vehicle. That probably would have been the proper one. But we're running out of time. And the House Rules Committee can suspend the rules and attach a provision to anything they want to. We know the Senate bill came over here 93–2.

So, Mr. Speaker, I offered an amendment to take the text of the Senate language, which passed 93–2, and asked that that be debated on the House floor, just asked for it to be debated. If it loses, okay. That's fine. But I think there's broad support. But if it loses, I understand that.

I called for a vote on that. And the vote was on a party-line vote, 8–3 no. In other words, the five Democrats that are cosponsors of this provision, in the waning days of the session, voted ''no'' to consider this on the House floor.

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

Mr. SESSIONS. I will yield the gentleman 1 additional minute with only 2 minutes remaining.

□ 1300

I thank the gentleman for his courtesy.

So as I said from the outset, Mr. Speaker, sometimes I don't understand how this process works because these extenders have to pass. We know that. And further, we know that the President will sign this bill with the Secure Rural Schools language in it. We know that. We know that.

So, Mr. Speaker, I'm kind of frustrated here, and I think this issue should pass. I think the best way to do that, frankly, is to pass the Senate bill and be on with it.

Mr. ARCURI. Mr. Speaker, I would like to yield 4 minutes to the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. I thank the gentleman very much.

President Bush and the Senate Republicans have been given opportunity after opportunity to pass tax credit extensions for renewable energy. In just the past year and a half, the Republican leadership has followed the marching orders of the Bush administration and voted 13 times against Democratic efforts to increase our use of renewable energy, help protect consumers from high energy prices, and ensure that Big Oil pays its fair share. They have refused time after time, instead siding with Big Oil and their fossil fuel friends even as oil prices remain sky high.

Now the Senate Republicans couldn't resist this time around, either, sending us a renewable energy tax package stuffed with goodies for coal-to-liquids, tar sands, and oil shale. Big Oil even gets to keep most of their tax breaks even though they're tipping consumers upside down and shaking money out of their pockets. They also want to shake them upside down as taxpayers and get more money as tax breaks from the American people.

The only thing renewable about Republican energy policy for the last 8 years has been their inexhaustible support for the Big Oil agenda.

I commend the great work of Chairman RANGEL in stripping harmful and unnecessary provisions and giving us a genuine clean energy tax package to vote upon today.

This bill primes the renewable energy engine and gives coal a clean path forward with more than $1 billion in tax incentives to demonstrate carbon capture and sequestration. This may be the last chance to get these renewable energy incentives passed into law. If President Bush and Senate Republicans shoot this package down like they've shot down every other opportunity for clean energy tax breaks, then there may not be another opportunity.

Solar and wind companies are delaying projects because of investment uncertainty. History has shown that renewable energy deployment could fall 70 percent or more if these tax incentives lapse. That would translate into a loss of 116,000 job opportunities and $19 billion in private investment loss in 2009 alone. That's one more legacy I fear President Bush has no problem in carrying back to Crawford, Texas: Champaign celebrations for Big Oil and red ink and pink slips for America's high tech energy companies and their green collar workers.

Last year in the United States, more wind capacity was installed than any other source with the exception of natural gas. Thirty-five percent of all new electrical generating capacity installed in the United States last year was wind power.

This year, over 40 percent of all new electrical generating capacity in the United States will be new wind power. Solar photovoltaic installations also increased an amazing 80 percent last year. 2008 will surpass that. But what about 2009? What about 2010?

This bill before us invests in the renewable revolution that will transform America. Electric cars, cellulosic biofuels, wind and solar will assert our energy independence over the coming decade if the President signs this bill.

After 8 years of running on a Bush-Cheney-Big Oil energy plan, America, it is time for an oil change. It is time for us to move off the oil agenda and move on to the solar, the wind, the biofuels.

The slogan for this Congress should be ''Change, baby, change!'' That is not what the Republicans are talking about.

Mr. SESSIONS. I would like to reserve my time

Mr. ARCURI. I am prepared to close, so I would reserve the balance of my time.

Mr. SESSIONS. Mr. Speaker, in the remaining time I have, I want you to know that, however, despite everything you have heard, I have good news, good news for the American people. Right now with the passage of this continuing resolution yesterday, Republicans have finally removed the main Democrat roadblock to increasing the domestic production of American energy.

This underlying legislation—which I am going to put on the floor right now—which contains tax credits for energy efficiency and conservation will also help this House to implement what Republicans have advocated for months: an all-of-the-above strategy, including nuclear power.

So today I urge my colleagues to demonstrate the courage of these convictions by voting with me to defeat the previous question. If the previous question is defeated, I will move to amend the rule to allow this House to take up a measure right now right here today that will prevent Members from going home to campaign for reelection without actually passing a comprehensive energy bill into law.

It would make it plain and permanent for their support. It would allow States to expand their exploration and extraction of natural resources along the Outer Continental Shelf; it would open the Arctic energy slope and oil shale reserves to environmentally prudent exploration and extraction; it would extend expiring renewable energy initiatives; it would encourage the streamlining approval and refining of capacity for nuclear power facilities; it would encourage research and development of clean coal, coal-to-liquid, and carbon sequestration technologies and minimizing drawn-out legal challenges that unreasonably delay or prevent actual domestic energy production.

This requirement would force the Democrat leadership to take positive, comprehensive, permanent, and meaningful action to increase the supply of American energy.

Mr. Speaker, all across this country there are cities without gasoline—there are cities without gasoline—and it stands exactly at the feet of the Democrat leadership, the new majority, who is making sure that the American consumer pays record high prices and yet we've done nothing to make sure that the supply side is taken care of.

Mr. Speaker, I ask unanimous consent to have the text of the amendment and extraneous material inserted into the RECORD prior to the vote on the previous question.

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

There was no objection.

Mr. SESSIONS. I yield back the balance of my time.

Mr. ARCURI. I thank my friend from Texas.

Mr. Speaker, when you listen to the people on the other side of the aisle, you would think that everything that's happened is the fault of the Democratic Party.

They have had the White House for 8 years. We see oil prices as high as they have ever been. Two oilmen in the White House, yet we still see that. We see the economy as bad as the economy has ever been. We're talking about bailing out Wall Street with $700 billion that we're borrowing.

This rule today for this bill is about tax extenders, and that is extenders that would create incentives for alternative energy to help us wean ourselves off of our addiction to foreign oil. And we're doing it in a prudent way, in a way that doesn't borrow and spend, doesn't dump this on the backs of our children and grandchildren, but rather as a paid-for.

The bill that my colleague from Washington spoke about, it's a very good bill, but it hasn't been paid for. These tax extenders today that we're talking about have been paid for. They are extenders that are prudent and responsible.

Supporting this rule and the tax relief legislation we consider later today is simply common sense. We can provide tax relief and incentives to middle class families, we can spur innovation, create tens of thousands of new jobs, reduce our dependence on oil from hostile nations, and reduce greenhouse gasses. And we can do all of it in a fiscally responsible way.

I urge my colleagues to vote "yes" on the previous question and on the rule.

The material previously referred to by Mr. SESSIONS is as follows:

AMENDMENT TO H. RES. 1490 OFFERED BY MR. SESSIONS OF TEXAS

At the end of the resolution add the following new section:

SEC. 3. It shall not be in order in the House to consider a concurrent resolution providing for an adjournment of either House of Congress until comprehensive energy legislation has been enacted into law that includes provisions designed to—

(A) allow states to expand the exploration and extraction of natural resources along the Outer Continental Shelf;

(B) open the Arctic National Wildlife Refuge and oil shale reserves to environmentally prudent exploration and extraction;

(C) extend expiring renewable energy incentives;

(D) encourage the streamlined approval of new refining capacity and nuclear power facilities;

(E) encourage advanced research and development of clean coal, coal-to-liquid, and carbon sequestration technologies; and

(F) minimize drawn out legal challenges that unreasonably delay or prevent actual domestic energy production.

(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. ARCURI. 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.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on adoption of the resolution, if ordered, and motion to suspend the rules with regard to H.R. 758.

The vote was taken by electronic device, and there were—yeas 227, nays 198, not voting 8, as follows:

[Roll No. 637]

YEAS—227

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis, Lincoln
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 (IL)
Johnson, E. B.
Kagen
Kanjorski
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Langevin
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
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
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
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—198

Aderholt
Akin
Alexander
Bachmann
Bachus
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Cazayoux
Chabot
Childers
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, Tom
Deal (GA)
DeFazio
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hill
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Johnson, Sam
Jones (NC)
Jordan
Kaptur
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kucinich
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
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Roskam
Royce
Ryan (WI)
Sali
Saxton
Scalise
Schmidt
Sensenbrenner
Sessions
Shadegg
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—8

Cubin
Davis (IL)
Davis, David
McCrery
Miller (FL)
Moore (WI)
Shuler
Udall (CO)

□ 1336

Mr. FORTENBERRY and Ms. KAPTUR changed their vote from ''yea'' to ''nay.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated for:

Ms. MOORE of Wisconsin. Mr. Speaker, on rollcall No. 637, had I been present, I would have voted "yea."

The SPEAKER pro tempore. The question is on the resolution.

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

RECORDED VOTE

Mr. SESSIONS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 222, noes 198, not voting 13, as follows:

[Roll No. 638]

AYES—222

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
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
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Lampson
Langevin
Larsen (WA)
Larson (CT)
Lee
Levin
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
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
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Tierney
Towns
Tsongas
Udall (NM)
Van Hollen
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NOES—198

Aderholt
Akin
Alexander
Bachmann
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Cazayoux

Chabot
Childers
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, Tom
Deal (GA)
DeFazio
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hill
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Latta
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (MI)
Miller, Gary
Mitchell
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Scalise
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Terry
Thornberry
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

Bachus
Cubin
Davis, David
Hooley
Kaptur
Lewis (CA)
Lewis (GA)
Miller (FL)
Shuler
Thompson (MS)
Tiahrt
Udall (CO)
Velázquez

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1343

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.

Stated against:

Mr. TIAHRT. Mr. Speaker, on rollcall No. 638, I was unavoidably detained. Had I been present, I would have voted "no."

BREAST CANCER PATIENT PROTECTION 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. 758, 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 New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 758, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 421, nays 2, not voting 10, as follows:

[Roll No. 639]

YEAS—421

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
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
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
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
Forbes
Fortenberry
Fossella
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
Hulshof
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
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 (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)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
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
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)

NAYS—2

Flake
Paul

NOT VOTING—10

Broun (GA)
Campbell (CA)
Cubin
Davis, David
Hunter
Kirk
Miller (FL)
Rangel
Shuler
Udall (CO)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1353

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.

PROVIDING FOR CONSIDERATION OF H.R. 7060, RENEWABLE ENERGY AND JOB CREATION TAX ACT OF 2008

Mr. ARCURI. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1501 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1501

Resolved, That upon the adoption of this resolution it shall be in order to consider in

the House the bill (H.R. 7060) to amend the Internal Revenue Code of 1986 to provide incentives for energy production and conservation, to extend certain expiring provisions, to provide individual income tax relief, and for other purposes. All points of order against consideration of the bill are waived except those arising under clause 10 of rule XXI. The bill shall be considered as read. All points of order against the bill are waived. The previous question shall be considered as ordered on the bill to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means; and (2) one motion to recommit.

SEC. 2. During consideration of H.R. 7060 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.

SEC. 3. House Resolution 1489 is laid on the table.

The SPEAKER pro tempore. The gentleman from New York is recognized for 1 hour.

Mr. ARCURI. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Texas (Mr. SESSIONS). All time yielded during consideration of this rule is for debate only.

GENERAL LEAVE

Mr. ARCURI. I ask unanimous consent that all Members have 5 legislative days in 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 New York?

There was no objection.

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

Mr. Speaker, House Resolution 1501 provides for consideration of H.R. 7060, the Renewable Energy and Job Creation Tax Act. The rule provides 1 hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means.

Mr. Speaker, I rise today in support of this rule because American families and small businesses need tax relief now more than ever. This rule will allow us to bring legislation to the House floor later today that will not only strengthen our economy by directing tax relief to middle class families and creating jobs at small businesses, but also help to bring the country into a new future of alternative energy not dependent on foreign energy and foreign fuel.

Since being elected to Congress, I have voted along with this body to cut taxes for middle class families and small businesses on at least 14 occasions. In doing so, this Congress has upheld its pledge to the American people. And I have kept my promise I made to my constituents to provide much-needed tax relief and incentive for economic growth.

I know that there are many families and businesses in my district that are struggling in the current economic crisis. With talk of a $700 billion plan to bail out Wall Street, we cannot, in good conscience, fail to take action to help so many families facing the ever-escalating costs of gasoline and home heating oil into this winter. This legislation we will consider provides tax relief and incentives to those who need them most at a fraction of the cost for bailing out the financial industry.

Mr. Speaker, this Congress has shown a strong commitment to the pay-as-you-go rule adopted last January. I applaud my Blue Dog Coalition colleagues for their outspoken leadership on PAYGO. When I explain to folks back home what PAYGO is, they always ask the same question. I ask, you have to balance the books each month, right? Why shouldn't the government do the same? And they all get it. My constituents get it. And the American people get it. Mr. Speaker, unfortunately, there are still some Members of Congress who are steadfastly against the idea of being fiscally responsible in balancing the Federal books in the same way our constituents balance their checkbooks. But it appears that even our colleagues in the Senate are beginning to come around. The legislation we will consider later today is proof that you can provide tax relief in a fiscally responsible way.

The legislation this rule provides for consideration of will extend a number of critical tax relief measures targeted at middle class families and small businesses to improve the quality of life and strengthen our economy. During these tight economic times, it is also absolutely critical that we pass legislation to invest in jobs for today and long-term development for tomorrow, including jobs in the alternative energy sector like wind and biomass that will reduce our Nation's dependence on foreign oil and bring the price of gasoline and heating oil to levels that families and businesses can afford.

I am a realist. I understand that we can't bring back the millions of manufacturing jobs, including thousands in my own congressional district, which have been moved overseas. However, we can look to the future, a future of our Nation's economy that is green, and recreate jobs that we once lost. It is absolutely essential that we leverage every possible option, whether it is through tax credits, investment through research and development, or education to advance alternative and renewable energy development.

Mr. Speaker, tax credits for alternative energy production have the power to truly jump-start our economy and create good-paying, highly skilled jobs that cannot be outsourced overseas, the type of jump-start, Mr. Speaker, which is already happening in my upstate New York district with the creation of new green collar jobs. In the last 2 years, I have spoken numerous times throughout the debate over extending these renewable energy tax credits about the new businesses in my district that are utilizing the national investment in alternative energy to create good-paying jobs in upstate New York. Those businesses are to be commended. That is why I'm proud to support the approximately $15 billion in long-term, clean renewable energy tax incentives and investments included in this legislation which we will vote for later today.

□ 1400

I hope that by doing so, it will encourage other companies to follow suit, both in my region and across the Nation.

The underlying legislation extends and modifies critical tax credits for production of electricity from renewable sources, ranging from wind, solar and geothermal energy to closed loop and open loop biomass. Specifically, the legislation includes extension of clean, renewable energy bonds, efficient commercial building tax incentives, investment tax credits for solar and fuel cell systems, tax credits for energy efficiency upgrades to existing homes, tax credits for production of efficient home appliances, and tax incentives for consumer purchase of energy efficient products.

Most of these incentives either expired at the end of the last year or are set to expire at the end of this year. It is vitally important to sustaining the development of clean energy technology industries, which will lead to the creation of new jobs, that these tax credit incentives are extended.

The legislation also includes an extension of the Research and Development Tax Credit that allows companies to claim credit for a portion of their R&D expenditures. Extending the R&D credit is vital to ensuring that America remains on the cutting edge of innovation that keeps our domestic companies competitive. This credit is of particular interest in the area of New York that I represent, because its extension will further the expansion of microchip fabrication and nanotechnology industries which are beginning to blossom in upstate New York.

American companies rely on this credit and upon its continuing to adequately plan for their long-term research projects. I support this 2-year retroactive extension to provide that continuing extension, and I will continue to work for a much-needed permanent extension that would eliminate concerns over expirations or lapses.

The legislation also extends and expands and creates important tax credits for individuals.

Supporting this rule and the tax relief legislation we will consider later today is simply common sense. We can provide tax relief and incentives to the middle class, spur innovation, create tens of thousands of new jobs, reduce our dependence on oil from hostile nations and reduce greenhouse gas. We can do all of this in a fiscally responsible manner.

Mr. Speaker, I urge my colleagues on both sides of the aisle to support this rule and the underlying legislation.

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

Mr. SESSIONS. I want to thank the gentleman, my friend from New York, for yielding the time.

Mr. Speaker, I rise in opposition to this new record-breaking 64th closed rule being offered by this Democrat-led Congress, the most open, honest and ethical Congress in the history, proclaimed by our Speaker, NANCY PELOSI. But we have this new record-breaking 64th closed rule, so it makes me kind of wonder which conference she was really in reference to.

Mr. Speaker, I oppose this underlying legislation also. Just in the last 24 hours, Senate Democrat Majority Leader HARRY REID referred to the introduction of this bill as the ability to ''snatch defeat from the jaws of victory,'' because it guts a carefully negotiated and bipartisan compromise reached in the Senate. So what the Senate has worked very closely and clearly on and passed the bill, this Speaker decided we are not going to do it that way. In the waning days of this session, we are not going to play ball with our colleagues in the Senate. So what it does is it leaves many of the deal's most important provisions in limbo, rather than addressing them responsibly today.

Two evenings ago, the Senate passed a comprehensive tax extenders package by an overwhelming and bipartisan vote of 92–3. This legislation included an $18 billion fully offset energy tax policy proposal, as well as a partially offset tax relief package, including an AMT patch to prevent middle class families from being hit with an unprecedented and unintended tax bill, along with important extensions of current tax policy, disaster-related tax provisions for the victims of the Midwest floods and Hurricane Ike, and for mental health parity legislation.

Understanding the delicate balance in that Chamber, Democrat Majority Leader HARRY REID 2 days ago begged Speaker PELOSI not to send the Senate back a different bill, because it won't pass, and that if the House messes, and I quote, ''messes with the package, it will die.''

Today, news reports have surfaced that he is ''furious'' that House Democrats refuse to accept his bipartisan deal and has retaliated with procedural tactics intended to delay the House from continuing along the House Democrat leadership's preferred course of action.

But rather than heeding these dire warnings from their own leadership, from the Senate leadership of their own party, this House Democrat leadership has decided to chop up this legislation into pieces, making substantive and negative changes to many of them, and to engage in a game of legislative chicken with the Senate, rather than doing the responsible thing and making sure that important measures like, we will just name one, like helping the victims of natural disaster, or, as we have heard, tax relief for middle class families who are at risk of being unintentionally caught by a tax created for the super-wealthy, and fairness for our own Nation's rural schools. Each of these passed. They passed in the Senate bill, and we could do it here today.

I am disappointed, Mr. Speaker, that this Democrat majority thinks that scoring some sort of political points on the eve of an election is more important than passing these measures. But, unfortunately, this kind of political gamesmanship has come up all too often in what Speaker PELOSI once again, and we reiterate, promised would be the most open, honest and ethical Congress in history.

Included in this House Democrat package are a number of energy tax incentives for energy efficiency and conservation, which, along with the upcoming October expiration on the ban of drilling for American energy, will go a long way to fulfilling House Republicans' long-term commitment to an all-of-the-above strategy, which helps America achieve energy independence.

Also included in this legislation are important tax provisions for American families trying to make ends meet and for American business trying to create jobs here in America and to be competitive with companies around the world. These include measures like the Research and Development Tax Credit, the State and local sales tax deduction, and the deduction for out-of-pocket expenses for teachers. This is particularly important for families, schools and businesses in my home State of Texas, and I strongly support their inclusion in this legislation.

I do not support, however, the inclusion of measures to permanently raise taxes on the American economy during an economic crisis to simply extend these current job-creating tax policies. Tax increases are never the way to solve a soft economy.

I ask all of my colleagues to vote with me to defeat this rule so that the House can end this political charade and cover a vote for its vulnerable Members, and take up the better Senate option to provide American families and businesses with tax relief they deserve.

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

Mr. ARCURI. Mr. Speaker, contrary to what my friend says, Democrats are not trying to make any political points here. In fact, it is just the contrary. We are trying to get something done here.

I certainly understand that Senator REID has some considerations that he has to make in the Senate, but we have some considerations here in the House, and one of them is something that is very important to me, and that is paying for these provisions that we do, something important to the Blue Dog Coalition here and something important to Congress. We need to pay for it, and that is what this bill is doing. It is paying for it, and it is very important.

I would now like to 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, I would like to address the importance of this bill, the American job creation bill, and how this bill relates to another bill we are working on. By doing that, I just want to share something I saw in Colorado about 3 weeks ago.

I was in Golden, Colorado, at the National Renewable Energy Lab. At that National Renewable Energy Lab I saw a functioning system of powering our cars with solar energy.

It was a photovoltaic cell about 400 square feet mounted on a little pod that basically would run two cars, two electric plug-in cars for a day, just by charging them for about 6 to 8 hours. So you plug them in, they run 40 miles on all electricity, and then they could go another 250 miles on gasoline. Basically what it showed was a vision for this country using home-grown solar power and home-grown electric cars.

This bill is absolutely imperative to make sure that we get that solar energy located in the United States. So these industries like Ausra Solar Thermal Power, like Nanosolar in Palo Alto with photovoltaic power, so we keep building those businesses right here in the United States. And the renewable tax credits are imperative in this bill.

But I want to point out how this dovetails with another bill that is under consideration today in the House, and that is a bill we will have to try to stimulate job creation.

It very important in those plug-in cars that we have that we manufacture in this country the batteries that are going to run our electric cars. When we have plug-in electric cars and fully electric cars, the batteries will represent 50 percent of the value of those cars, and we cannot allow those jobs to go to China and Korea. Unfortunately, right now the plans are to make the car bodies here, but make the batteries in China and Korea. That is a sure loss of tens of thousands of jobs.

So we are working on another bill here today parallel to this one that would create a loan guarantee program to ensure that those battery production jobs stay in America. I am hopeful that we get these renewable energy tax credits extended, and I think it is imperative that we move forward to save the battery industry in this country.

Mr. SESSIONS. Mr. Speaker, it sounds like our friends on the Democratic side are talking off talking points of the Republican Party today, cutting taxes, keeping jobs in America, expanding our economy. We can sure use a little bit of this. It goes a long way. We ought to make it permanent, but we shouldn't do it with a tax increase attached to it.

Mr. Speaker, at this time I would like to yield 5 minutes to my friend, the gentleman from Washington (Mr. HASTINGS).

Mr. HASTINGS of Washington. I want to thank my friend from Texas for yielding.

Mr. Speaker, let me talk about the broad bill and speak as to how important that bill is. I think it is vitally important to extend these tax extenders. Frankly, I think these tax extenders that we have here ought to be made permanent, but maybe we will have a debate on that at a future time.

It is especially important to my State of Washington, because it allows for the sales tax deduction of State sales tax from my Federal income tax obligation, because Washington State, along with six or seven other states, doesn't have an income tax, and this is simply a fairness issue.

So this is a very important bill, very broadly, but it is not a complete bill. This bill in its current form will not pass the Senate and therefore will not become law.

Why is that, Mr. Speaker? The reason why is because it leaves out a very, very important provision, a provision that the Senate put in there, and I don't always like to congratulate the Senate, but in this case, in their wisdom, to take care of a problem that faces rural America, especially, and especially rural America that has a lot of Federal lands, and that is the Secure Rural Schools Act. It extends it for 4 years.

What is this act? This act is simply an act to recognize that Federal policies in the past, i.e. policies that don't allow some communities to log their Federal lands and get the revenue from that, puts a big hurt on local government and school districts. The Secure Rural Schools Act is designed to mitigate that because of Federal policy.

Now, what I can't understand about this is this has broad bipartisan support. It has had support a number of times. And, here we are, winding our way down in this Congress, and you would think that the broad bipartisanship of this would recognize that the Senate passed this bill 93–2 and that they say I think this has a pretty good chance of becoming law. But, no, earlier this morning I offered an amendment to the rule to allow me to simply bring up the opportunity to vote up or down on this issue, and it was defeated on a partisan vote.

Mr. Speaker, this issue is very, very important. I have in front of me here, Mr. Speaker, and I will include it for the RECORD, a letter from the National Forest Counties and Schools Coalition.

□ 1415

The essence of this—and it is dated today—a letter to Speaker PELOSI to include this provision in the Tax Extenders Act.

Well, it is in the act. It is in the act that passed the Senate.

Now maybe there are politics being played with this. I know that we are in a political arena here, sometimes that happens, but I think the Speaker of the House, who comes from urban San Francisco, doesn't understand rural America.

I would suggest that probably the chairman of the Ways and Means Committee, who comes from urban New York City, doesn't understand the needs of rural America. I can only think that's the reason it wasn't included in something that has broad bipartisan support.

I think that we should defeat this rule, and I think what we need to do at the end of the day is to pass the Senate bill, because we know the President will sign it. He has sent a letter to every Member of the House saying that he would sign that bill.

I don't like to concede everything to the Senate. There are a lot of times I disagree with what they are saying.

But I think we need to take into account what the majority leader has said. I think we need to take into account what was said by the senior Senator from Oregon. By the way, Oregon is one of these States that are heavily hit, impacted by the lack of rural school language in this bill.

Senator WYDEN said, after passage of the Senate bill, and I quote, ''Now it's up to the House and the President to do the right thing, or thousands of critical employees in hundreds of communities across Oregon could face a very difficult winter.''

Well, I have got to tell you, the President is on board. He doesn't have to say the President would do the right thing, the President said he would sign this bill. It's up to the House.

The way to accomplish that is to defeat this rule so we can take up the Senate bill and concur with them, send it to the President's desk, and it will become law.

NATIONAL FOREST COUNTIES AND SCHOOLS COALITION,
Red Bluff, CA, September 25, 2008.

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

DEAR SPEAKER PELOSI: We are writing this letter to ask that you please include four years of funding for Secure Rural Schools and PILT in the final version of the Tax Extenders Act of 2008. As you are aware this legislation is crucial to school children and teachers across the nation, and the continuation of vital county services. The Administration ''supports prompt passage'' of H.R. 6049, and has not threatened to veto that legislation if it includes funding for Secure Rural Schools and PILT.

We would very much appreciate your leadership on this issue. You have an opportunity to ensure that school children are afforded the opportunity for a quality education. We look forward to working with you, and other members of Congress, to include this funding package in the final legislation.

Thank you for all your efforts on our behalf.

Sincerely,

ROBERT E. DOUGLAS,
Executive Director.

Mr. RANGEL. Will the gentleman yield?

Mr. HASTINGS of Washington. I will be happy to yield to my friend.

Mr. RANGEL. I don't think there is anything that you have said in support of rural schools that I do not believe in and that I am not willing to support.

I just want to make it abundantly clear that the issue that has caused this logjam with the Senate has nothing to do with the causes that you advocate and I support. There is only one issue that has not brought us here, and that is the issue of whether or not we pay for the extenders or don't pay for the extenders.

It seems like an issue, when we are asked to come up with $700 billion, that should not really concern us that much. But the truth of the matter is, they have sent the bill over here.

The SPEAKER pro tempore (Mr. ROSS). The time of the gentleman from Washington has expired.

Mr. ARCURI. Mr. Speaker, I yield such time as he may consume to the chairman of the Ways and Means Committee, the gentleman from New York (Mr. RANGEL).

Mr. RANGEL. The only real big issue is that they have sent over a 2-year extension, but it's paid for only 1 year. The position that has been taken by the majority in the House is that instead of 2 years, we are prepared to accept the extender package, as is, except that we will reduce it to 1 year so there would be no years unpaid for, or, in the alternative, and I spoke just yesterday with Senator GRASSLEY, we are prepared to pay for the 2 years.

There is a difference, they claim over there, and I have no reason to disagree with them, that if we do anything on the House side, exercise any prerogative in the payment of this, they cannot hold on to their 60 votes.

I want the gentleman to know that I only wish that rural schools would be the only issue, because it could be resolved. It is not the issue. It is only the issue that I stated with you, and I have shared this with the chairman of the Senate Finance Committee, Senator BAUCUS, and have shared it with our Speaker.

That is the issue that is holding up the passage. So we will send another bill back over there.

Mr. HASTINGS of Washington. Will the gentleman yield?

Mr. RANGEL. Yes, I will.

Mr. HASTINGS of Washington. I appreciate the gentleman yielding.

Mr. Speaker, there are two points I want to make, and I know there are Members on your side that have advocated paying for things.

Yesterday we had two tax bills on the floor, the AMT fix, that didn't have a pay-for, and the disaster relief which didn't have a pay-for. So we have made exceptions to that in the past.

This issue has been in front of us for some time. It is absolutely critical to these communities involved.

Now I would suggest, in fact, when Mr. BLUMENAUER from Oregon was upstairs in the Rules Committee this morning in your stead, he suggested that rural schools probably shouldn't be on this bill, particular bill, because it's a tax bill.

I will concede that that may be a logical course of action. But if that is the case, it seemed to me there should have been another vehicle, like an appropriation bill in the CR, and it wasn't on the CR. We are running out of time, is what I am just suggesting to my friend.

Let me ask my friend, if this bill does not pass, is there any likelihood whatsoever of the Senate bill that passed 93–2 being enacted into law?

Mr. RANGEL. I am telling you that the issues that we have and concerns with the credibility of funding tax decreases is one that exists, but probably between our parties, and we have division in the House. But we would like to believe that in the House of Representatives that we initiate taxes and just sometimes, just sometimes the other body has to yield to our requests.

Four times we sent it over, four times we tried to negotiate. Even yesterday I was talking and trying to see whether we could work out something.

There are times when the integrity of the House is important in order to recognize that we have to get things done, but we have to also maintain some principles. We are at that point now.

I don't know how long it's going to take, but I just came to the floor, when I heard your eloquent argument, which hardly anyone can dispute, to make it clear that if you are a Republican or a Democrat, and you want to help, if you are in business, and you are concerned about the extension of benefits that workers and companies need, if you are concerned about the energy crisis, and you want to do something, that we are going to keep sending packages. If we had someone as eloquent as you on the other side saying let's get something done this year, we wouldn't have this problem.

So when it gets down to it, who is going to yield? Well, we have, again and again and again and again.

As proud as I am of being a Member of Congress and chairman of this committee, it has to stop somewhere where the other body knows that they are just one body of the Congress. They just can't say that they can't get anything done.

But once they do come together, then it means that we don't have anything to say about anything as to what gets in their package.

Mr. HASTINGS of Washington. Will the gentleman yield?

Mr. RANGEL. I yield.

Mr. HASTINGS of Washington. I appreciate the gentleman yielding. Far be it from me to defend the actions of the other body. I am a Member of this House and I am proud to be a Member of this House.

But we have to recognize this is a bicameral process. Sometimes we have to recognize, as they have to recognize on some legislation that we pass, where we don't move, and that's happened in the past.

This one is a 93–2. That is overwhelming, and it includes language, as I mentioned on Secure Rural Schools, that is very, very important.

So I hope that the Senate bill passes. I would urge my colleagues to defeat this rule, as I mentioned, and the underlying bill so we can take that up, and I appreciate the gentleman yielding me the length of time.

Mr. RANGEL. I appreciate the time that you have given me.

Mr. SESSIONS. Mr. Speaker, I appreciate the chairman, the gentleman from New York, coming down and being on the floor. I really do respect and appreciate that.

It's my hope that the gentleman from New York also heard, and I am not claiming any insensitivity here at all, but I hope that he has heard the story about these 41 States and these, in particular, communities that had counted on and received this money for a long time.

The actual impact, and I am going to yield in just a minute to the gentleman from Oregon, who can more clearly enunciate, but the real impact on 41 States, rural communities, that have forests in their areas, is a real and genuine problem. I had an opportunity this year in August to go out to Oregon and see firsthand.

I had an opportunity firsthand to meet with people who tried to explain to me. They said, Congressman SESSIONS, please look at what we are asking for and the need.

It is my hope, and I would like to know that the gentleman who is the chairman of the Ways and Means Committee would be able to hear firsthand.

And so at this time I would like to yield 5 minutes to the distinguished gentleman from Oregon (Mr. WALDEN).

Mr. WALDEN of Oregon. Thank you to my colleague from Texas, and I note the chairman, apparently, has had to leave the floor, but perhaps he will be able to hear this somewhere wherever he is.

It is extraordinarily important to the States that are involved, to the 4,400 school districts that are involved, the 600 rural counties that are involved, this is the opportunity that is being lost. This measure, when it came from the other body, passed by the other body, had in it a 4-year reauthorization bipartisan of the Secure Rural Schools and Community Self-Determination Act.

That funding is used to help school kids go to school in areas where there is a high preponderance of Federal lands, timber lands. That funding is being taken away. It helps pay for search and rescue, fire and police. That funding is being taken away.

You see, I have got counties that up to 70 percent of their land mass is off their tax rolls because it's Federal land. We have 11 national forests in my district alone in the nearly 70,000 square miles of Oregon that I represent.

The mills are closed because of change in policy and litigation. The jobs are lost, the revenues have dried up. Now the Federal Government, in effect, is breaching its nearly century-old commitment, century-old commitment, to share revenues and help.

Now yesterday on this House floor the majority waived twice PAYGO rules on two other tax provisions, waived them. They have waived them before.

If they were going to bring a bill here that has pay-fors in it to pay for the tax extensions, why did they rip out county payments and not, instead, pay for them somehow and put that on the floor? It's a choice they made.

Why didn't they allow us to have at least a vote on the floor on an amendment and let the will of the House be worked, as they promised they would do if they got control of this House, and now seem less inclined to allow?

So there is no opportunity for my side of the aisle, the Republicans, to even offer an amendment, to keep the Federal Government's commitment for the last 100 years to these rural schools and counties and sheriffs' departments, to do the search and rescue, to do the fire work, to do everything they do, educate our kids, among other things. It also denies us the opportunity to reauthorize titles II and III of the Secure Rural Schools and Community Self-Determination Act, which brings together in a collaborative process environmental organizations, forestry and community leaders in all the States.

How can we be better stewards of the lands around us? How do we get out and do the work that, A, produces jobs; B, makes our forests healthier and safer and our communities safer?

That funding stream has dried up. There have been massive layoffs in the local governments that I represent. We have counties in Oregon, some of which are contemplating bankruptcy, bankruptcy, dissolve, go away, turn themselves back to the States and the neighboring counties. This is real serious stuff, and it has been going on a long time.

This is the opportunity before us. We asked the leadership in a bipartisan way. Members of both parties sent letters to the leadership saying can you give us another 1-year extension in the CR. They chose not to, and that's their prerogative.

This is the vehicle that's come from the Senate, or at least the vehicle that the Senate passed would have reauthorized and funded county payments for the next 4 years in a phased-out process.

Now some have alleged in the press that it was dropped because the President was going to veto this bill if it was in it. That's not what the statement of administrative policy says, and I don't believe that's what the chairman said or the leadership on the Democrat side of the aisle said.

This isn't because the President said he would veto it, because he didn't say he would veto it. He said he would sign it if the House would take it up. So this could become law. This could become law. This could be passed, this could become law. We could get back

on track in 600 rural counties and 4,400 school districts in 42 States and be the partner we should be.

We do a lot of things in this Congress for this, our Nation's city. That's right, because there is a huge Federal footprint and presence here, so we do a lot of things to help the residents of Washington, DC. I believe the figure is 26 percent of the land mass of Washington, DC is Federal. And the rest is private.

You get out in the west and upwards of half of our States in some cases, and sometimes more, is Federal ground. When there is a fire in the forest, which we have had, again, another record season of fire-fighting costs and loss of life and loss of habitat and forests, it is the local sheriff's department. It is the local community that is affected.

□ 1430

In southern Oregon this year in the Rogue Valley, for nearly a month the air quality was about as bad as you can get because of the fires in northern California choking the air shed. There is so much work we need to do out in our forests.

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

Mr. SESSIONS. I yield the gentleman an additional 3 minutes.

Mr. WALDEN of Oregon. In the Winema-Fremont National Forest, there is more than 500,000 acres of Federal and private land that is ready to go up in smoke. It is disease-ridden. There is beetle kill. And because of the way that the budget is structured and this Congress' refusal—we did it in the House but the Senate hasn't taken it up, a bill to create a separate fire category for the Forest Service, they have had to take $1 million out of that one forest alone to pay for current fire-fighting costs elsewhere, which means the money is not available to go in and do the thinning and remove the dying trees and open up the stands and deal with the beetle kill. They have had to put all of that, or at least $1 million of it, on hold which just means that the problem gets worse faster. So when it ignites, and it will, folks, you will have half-a-million acres in the northwest, in the Winema-Fremont National Forest, go up in smoke.

Now this legislation, if we can get an amendment, and if you vote down the previous question, I will offer a 4-year extension as the alternative. So you will have a chance to vote. If you are for county payments, vote ''no'' on the previous question.

If that fails, then our motion to recommit will be the full Senate bill that has the 4-year extension with county payments in it.

So this is where the rubber hits the road. This is where you have an opportunity to be for county payments, for your local schools, for the sheriff service, for search and rescue. For all the things, the collaborative approaches to forest management that this legislation in the past has helped provide.

Unless you think that this is a partisan issue, it never was and should never be, because it was enacted in a Republican Congress with a Democrat President, and it has been hailed as a marvelous success on the ground, and it has been a wonderful partnership until it was allowed to expire. Today we need to reauthorize it. Today we need to be given at least the opportunity to vote on it. What is wrong in a democratic institution, the finest on the planet, of offering us at least an opportunity to vote? You have the votes if you want to kill it. You outnumber us on rules more than 2-to-1. There are ways to do this. It doesn't have to be this way.

Mr. ARCURI. Mr. Speaker, I yield to the distinguished majority leader, the gentleman from Maryland, 1 minute.

Mr. HOYER. I thank the gentleman for yielding.

I rise in strong support of this rule and strong support of this bill.

I want to say to my friend, I am mindful of the issue he raises. I think that ought to be addressed and I certainly will look forward to working with him and others in addressing this as we move along; and before, hopefully, we leave here because he makes a good point.

I support this bill for two reasons. First, because it provides essential tax relief to American families and businesses. And secondly, just as importantly, because it is paid for.

The tax credits extended by this bill, some of the most necessary, are those that support renewable energy and energy efficiency. Business and political leaders agree. This summer, 51 State governors sent us a letter which read in part: ''Extending tax incentives for energy efficiency and conservation will slow the growth of future energy needs, minimize ratepayers' costs, and lessen potential environmental impacts.''

New energy technologies may not end the pain of $4 a gallon gas in the short term, but those technologies which this bill helps to support are the only long-term solutions to our energy crunch. In the meantime, alternative energy tax credits will create tens of thousands of American jobs. We must pass this legislation.

Now, I was proud of the fact that the House passed a bill expanding domestic production of oil just this month. But a country that controls less than 3 percent of the world's oil supply, while using more than a quarter, cannot drill its way out of the fundamental problem. Boone Pickens has made that very clear to all of us.

That is why I am glad to see the House consider farsighted legislation like this. But I don't just support the goals of this bill, I support it because its tax credits are not financed by even more debt. We are going to incur a lot of debt, we are going to incur a lot of debt in this week. We did so yesterday. Almost all of the Members of this House voted to so-called fix the alternative minimum tax. I voted against that. I voted against it because it wasn't paid for.

The means used to pay for this legislation are not controversial. They include a provision to close a loophole that allows hedge fund managers and other high-income corporate executives to defer taxes through offshore tax havens. What does that mean, the rest of us pay more.

A large majority of the business community agrees that we should close that loophole. So do majorities in the House and Senate. Only a Republican minority in the Senate, frankly, is putting high-income tax loopholes above fiscal sanity. They are insisting, instead, that we pay for this bill with borrowed money.

I understand that bind, the bind that presents for principled Senate Democrats. But fiscal responsibility is not something we can compromise on, especially now. We have a crisis. This economy is in the worse shape it has been in half a century, notwithstanding the protestations that were made in 2001 and 2002 and 2003 and 2004 and 2005 and 2006 about how good this economy was, and the fact that the tax and economic policies being pursued by this administration were making our economy grow and expand and create jobs. The fact of the matter is, we have lost jobs this year; 500,000 jobs. Bill Clinton in the same period of time in his administration created 1.4 million new jobs. That is a net turnaround of 2 million jobs.

But fiscal responsibility is not something that we can compromise on, especially now. In crisis, we need to act. But in time of financial crisis brought on, in part, by massive fiscal irresponsibility and regulatory neglect, Mr. Speaker, no matter how much we value this extenders bill, it is simply wrong to pay for it by once more whipping out the national credit card. We don't need to do that. We have not done it, and I hope my colleagues on both sides of the aisle will support this bill. They support the policies. All we are asking is to pay for it, and the pay-fors in this bill are not controversial. That is the kind of thinking that swung the Clinton surplus deep into record debt under President Bush and led to more foreign borrowing by this administration than by the first 42 administrations combined. In other words, we have had to borrow more money from foreign governments during the last 90 months than we borrowed in the previous 219 years.

We helped to create a crisis of confidence in our financial system which we are being asked to pay for, dearly. Charging our children and grandchildren for our priorities is deeply unwise, and I would suggest immoral.

This year, Senator BOB CORKER, a Republican, was one of the few Republicans to bravely break with his party and insist that this bill be paid for. He said, and I call my Republican colleagues' attention to what BOB CORKER had to say: ''It is the first time in a

long time I thought we had something that was intellectually honest,'' and that is paying for this bill. ''And I have to tell you, my big fear is our tremendous lack of fiscal discipline.'' So said BOB CORKER, Republican from Tennessee, when calling upon his body to pay for this bill.

That fear of more debt is entirely reasonable. I am glad more and more Members of Congress are coming to share it.

I urge my colleagues on both sides of the aisle, not because they are Republicans or Democrats, but because they love our country, they want to see our fiscal ship of state righted, realizing we are in a crisis time, and they have an opportunity to act in a fiscally responsible way today. Take that opportunity. Show America that we have the courage to pay for what we buy while at the same time giving tax relief to people who need it, to businesses who will expand and create jobs, and to an energy independence that is so critical for our Nation.

Mr. SESSIONS. Mr. Speaker, I appreciate the gentleman, my friend, the majority leader of the House, for coming down and being on the floor. I would, if I can, not take his words but to take his feelings and understandings in the way I accept this, as well as the gentleman from Oregon, that the majority leader has indicated that he will try before this session is over to address this issue. It is my hope that the majority leader, and so that we don't engage in talking past each other, would not do what happened on July 30 when the gentleman, the chairman of the Agriculture Committee said in a colloquy that he would also work with another Member of the Republican team before the bill came back on an amendment. That never happened.

It is my hope, without calling anyone's bluff around here, to take the gentleman's words that I believe he very sincerely stated, that he would initiate the opportunity to find a place in the budget, I'm sorry, in an appropriation bill, to get passed by the House of Representatives and the Senate because that's what we are talking about. We are talking about a bill today that could have passed because the President would sign it and the Senate would agree to it. So I have taken it that way.

Now, the gentleman from Maryland also indicated that he saw nothing controversial in this bill, but extending future taxes for 1 year, this provision is going to cost employers $1.474 billion. That is a tax increase. That means it makes it more difficult for employers to hire employees. It sounds like the same type of arrangement that some of our other States have done, up to and including the State of Illinois that raised taxes just like this which puts Illinois where they are 48 out of 50 in job creation. It places States in a position and employers in the position where they lay off employees. So there is a controversial piece in this package that I am disappointed is in there as a permanent tax increase.

Mr. Speaker, at this time I would like to yield 2 minutes to the gentleman from California (Mr. DOOLITTLE).

Mr. DOOLITTLE. Mr. Speaker, I am very pleased to have heard the tremendous support for our rural schools throughout America. I am bringing this up because the Senate tax extenders package has funding for rural schools in it. We have gone for the entire year without addressing this problem. Our layoff notices have gone out in California already. I have one county, Plumas County, where they will be laying off a majority of their administrators, nearly one-third of their teachers, they will be closing all school libraries and closing some, if not all, of the school cafeterias. This is a problem that cries out for action.

I was very happy to hear the chairman of the Ways and Means Committee, as reported to me, that he indicated that he did not have a problem with this. I personally spoke with the President of the United States who understands the problem of our rural schools and is willing to support it. We just can't get the House of Representatives to keep it in the bill when it comes to the floor.

Mr. Speaker, representing the 4,400 schools that qualify for this aid, and the 780 counties in this country where the schools are located, I implore you, we must act to save our rural communities. They are entitled to be included in this bill and to get the funding that they deserve. It is unconscionable that we keep going with bills through this Congress and fail to address this issue.

So please, let's work together on a bipartisan basis and a bicameral basis and take care of our rural communities starting with the Secure Rural Schools and Self-Determination Act for our communities.

Mr. ARCURI. Mr. Speaker, I yield 4 minutes to the gentleman from Oregon (Mr. BLUMENAUER), a member of the Ways and Means Committee.

Mr. BLUMENAUER. I appreciate the gentleman yielding me this time to speak on this, and his leadership in bringing this measure to the floor.

This is an important element to bring together to finally wrap up and end a game of political ping-pong. We have passed four times through the House of Representatives these critical energy provisions, along with the tax extenders.

We have a proposal before us today that is something that our friends on the other side of the Capitol ought to be able to accept. It meets all of the needs of things that we all agree should be part of this legislation, and it is paid for by using provisions all of which have already passed the other body. These are not controversial. These are things on which there is agreement.

We can meld these together and be able to have the provisions that are so critical for research and development, for solar, for wind. There are others obviously that deal with important parts of our economy and items that relate to individual families in terms of tax extenders.

□ 1445

There is something in this legislation for virtually everybody on the floor of the House, for the people that we represent, and in terms that do not have to be controversial. Indeed, our chairman of Ways and Means took out a provision that is near and dear to his heart, a proposal that was a recommendation from the President of the United States, to keep the American commitment at Ground Zero; not that it's not important, but it's not there in order to make this a clean tax bill and to minimize controversy.

There have been some concerns about the rural schools provision. I come from the State of Oregon. I have been here working in a bipartisan basis, to atone for what the last Republican-controlled Congress did, where they allowed this provision to expire. The Republicans chose not to renew it, so we started from scratch. We had to scramble to find a budget home.

I see my colleague, PETER DEFAZIO from Oregon here, who's been a champion trying at every turn to move this forward. And we've actually got it through in several provisions through the House of Representatives.

It's ironic that there are some who would come to the floor, and sadly, as we heard them, attack the Speaker, the Rules Committee Chair in the past and others who are trying to help us and whose leadership is critical.

I've talked to the majority leader a few minutes ago. You just heard his words on the floor as he told me privately that he would continue to work with us. We're not done yet. Let's look for a provision in which we could get help for rural school. The best way to do it is to take people at their word, yes, try and work with them, and yes, not to insult the people who we're relying on to help us guide it through. I would hope we are people of goodwill.

The rural schools funding is not a tax provision and not germane. I hope we can find an opportunity in an economic stimulus bill or something else, that is appropriate. I want to deal with the problem at Ground Zero.

But let's not muddy the waters on this bill. Let's not vote against the rule. Let's not disparage people whose help we need at a time when there are all sorts of things going on here and we're going to need to work together cooperatively.

Mr. RANGEL. Will the gentleman yield?

Mr. BLUMENAUER. I would be honored to.

Mr. RANGEL. Let me try to clear up some things. It's insulting to believe that because I come from the City of New York that I don't understand the problems of education in rural areas. In

this great country it's so important that all of our kids have——

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

Mr. ARCURI. I yield an additional 2 minutes.

Mr. BLUMENAUER. And I continue to yield.

Mr. RANGEL. Thank you so much, a distinguished member of our committee, and I've heard your eloquent plea on behalf of education for our rural children. And whether they're in inner cities or rural areas, in order for this country to be productive, in order for this country to make certain that we can compete, we've got to improve the quality of education.

Now, people are talking about the other body's bill as though we have it. They're holding up that bill at the desk. They won't bring that bill over here. All we're trying to do is to say, don't hold back the incentives that we have for businesses to continue what they're doing in order to get energy.

Now, I can give some assurances too. We have to think, not as Democrats and Republicans, but we have to think about having the House of Representatives respected, and to believe that in the House of Representatives, the people govern.

And I can assure you, if we can break down that gridlock as relates to who's going to be responsible and pay for these incentives, I have no problems, even though that bill does not have jurisdiction in my committee, as the chairman in accepting that, because I know how important it is.

But if you weaken us, they come over here, and you believe that they're right because they have 90 votes? Well, God knows that we can work out something with Republicans and have our way on everything as long as we say you're going to get what you want. That's not the way we think that we should legislate.

You have a good issue. We accept the issue. We can work with the issue. And we can do it in the other body's bill. That other body's bill has not been sent over here, for political purposes, in order to believe that at the last minute there's going to be a cave-in.

Mr. BLUMENAUER. I want to thank the chairman for his expression of support. I just would conclude by saying that we want to make sure that this bill goes forward for the things the American people need, and we can work on the long term for these other solutions. And I appreciate the gentleman's clarification——

Mr. RANGEL. We can do it in this bill.

Mr. BLUMENAUER. And your leadership.

Mr. SESSIONS. Mr. Speaker, the gentleman from New York has hit upon a great idea, which means we can do this today, which means, if the previous question is defeated, we can just add the gentleman, Mr. WALDEN's amendment right to the bill. We can get it accepted. There's no need to go back to committee. It'll just be accepted as it is.

We've heard lots of people from the majority, including the majority leader, the gentleman from New York, who does care about schools. He cares about education. But today we can resolve this.

You see, what happened is I was just upstairs, Mr. Speaker, at the Rules Committee, and we lost 9–4 on a party-line vote. We tried the process. Republicans respectfully came and tried. Evidently we're making progress today. That makes me happy.

So the gentleman can, with respect, whatever his words may be, will have a chance today. We're not going to send anything back to the committee. We'll just add the amendment to the bill once the previous question is defeated.

Mr. RANGEL. Will the gentleman yield?

Mr. SESSIONS. I would yield to the gentleman.

Mr. RANGEL. I want to give you as much assurance as to what can be done and what can't be done. It may sound good to say that you can add it to the bill. Just because it has no germaneness in the Senate does not prevent me, in conference, from accepting it. But I can't help to make your amendment germane on a bill that has nothing to do with rural education, no matter how deep the commitment.

All I can promise you, if we showed the solidarity in sending our bill over there as they clearly have in sending their bill over here, I can assure you in conference, if it's in their bill I will be able to support it. But the question of having an amendment when it's not germane is something that we can't win on.

Mr. SESSIONS. Reclaiming my time, I would like to ask the gentleman. It's my understanding that this was a conference report.

Mr. RANGEL. We have never, never, never, been able to go into conference. We've ended conferences with the other body. They make up their mind what they want to do and they come and tell me, and then around the edges we get some agreement.

Mr. SESSIONS. Well, I thank the gentleman. Reclaiming my time, you know, we could sit here and ping-pong back between you and me too. I'm trying to say that the gentleman, Mr. WALDEN, has respectfully brought the issue for over 2 years.

We were upstairs yesterday in the Rules Committee. The gentleman from Pasco, Washington, DOC HASTINGS, politely asked. He served on the committee 12 years. I've only served on it 10 years. We politely asked if we could get it in. And now we're down being nice to each other on the floor.

All I'm suggesting to you is we can go through our own parliamentary procedure properly. We can get it included in and then we know that all of our words did matter.

But without that, without that, the gentleman from Oregon is correct. Otherwise, then it is only the Democrat leadership, the Speaker and the Rules Committee who will be responsible for it not making it. The committee had that opportunity yesterday. We're going to give every single Member of this body the opportunity in just a few minutes. I'm hopeful that people take us up on it.

Mr. Speaker, at this time I would like to yield 2 minutes to the gentleman from Utah (Mr. BISHOP).

Mr. BISHOP of Utah. Mr. Speaker, this is indeed a unique situation as I rise to speak on something that I consider to be extremely significant, and it seems as if it has almost bipartisan and bi-House support for doing this at the same time.

We throw around a lot of numbers in this floor, and I think there's only two that I would like to emphasize right now, 52 and 4. 52 and 4. Because one of the situations that we have in this particular issue is that if you live east of the Rocky Mountains, only 4 percent of all of it is owned by the Federal Government; and 52 percent of those of us who live west of it is owned by the Federal Government, which creates a unique and significant problem.

Mr. Speaker, if I could, for a moment, I would like to yield to the gentleman from Texas.

Mr. SESSIONS. Mr. Speaker, I'm going to ask unanimous consent to have the text of the amendment and extraneous material inserted into the RECORD prior to the vote on the previous question.

I'm going to offer and place forward this amendment to H. Res. 1501. It will allow this body to be able to vote, when we defeat the previous question, to add in the amendment directly to the bill.

I reserve the balance of my time.

The SPEAKER pro tempore. Without objection, it will be entered into the RECORD.

There was no objection.

Mr. ARCURI. Mr. Speaker, I yield 3 minutes to the gentleman from Wisconsin, a member of the Ways and Means Committee, Mr. KIND.

Mr. KIND. Mr. Speaker, I want to thank my good friend from New York for yielding me the time and for his management of this important rule and the important legislation that we're going to have a chance to debate and consider in a short while.

But I also want to thank the chairman of the Ways and Means Committee for his strong commitment to the rural school portion that's been discussed on the floor here.

As someone who represents Western Wisconsin, with many rural schools, I have the utmost confidence that we're going to find a way, working with the Senate, whether it's in conference in the reconciliation that will inevitably have to take place between this energy tax incentive extender bill that we have before us and what they've moved earlier in the week in order to get this provision done. It is important, across the aisle, that we accomplish that.

But let's get back to the substance of what we have before us here, which represents, I believe, an important step along the road to developing a comprehensive energy plan that makes sense for our country's future and our children's future because of the crucial investment that it makes with the tax incentives to develop alternative and renewable energy sources in this country.

Throughout the summer, and for too long, we have heard the chant from the other side that the answer to our energy woes is ''drill, drill, drill.'' But Thomas Friedman is correct in stating that it's comparable to a group of citizens standing up on the eve of the information technology revolution, screaming for more electric typewriters, electric typewriters, electric typewriters, when our national chant really should be, ''invent, invent, invent.'' It's the only way we're going to see our way out of the energy box and crisis that we're facing as a Nation and throughout the world. That's what this bill helps us to accomplish, with tax incentives for the development of wind and solar, fuel cell development, geothermal, electric hybrid technology, but also the incentives to enhance conservation and an efficiency program, which is another important aspect towards energy independence; extending the credit for energy efficient improvements to existing homes, for instance, energy efficient commercial buildings, energy efficient appliance credits, accelerated depreciation for smart meters and smart grid systems, qualified green building and sustainable design projects, as well as the extension of the R&D tax credit, which will help spur the investment in clean technology and clean energy sources.

The only real difficulty we have with this legislation is the fact that the Democratic Party, since we took the majority, believes that we need to start paying for things again. We have responsible offsets to pay for this so we don't dig a hole deeper for our children to climb out of. And when we adopted pay-as-you-go budgeting rules, we did it not because we thought it was going to be fun or easy. We did it because we thought it was the responsible thing to do, so that we don't leave a legacy of debt to our children and grandchildren.

And the revenue offsets that we identify in this bill to pay for the investment and build-out of renewable energy in this country, come from the exorbitant tax breaks that big oil companies receive under their bill at a time of record profits with oil companies sitting on huge cash reserves. That's why this legislation is important, and I encourage my colleagues to support it.

Mr. SESSIONS. Mr. Speaker, we will reserve our time.

□ 1500

Mr. ARCURI. Mr. Speaker, I yield 1 minute to the gentlewoman from Arizona (Ms. GIFFORDS).

Ms. GIFFORDS. This week, Congress is grappling with grave economic issues, issues that are facing our Nation's economy, and we're all being called upon right now to ensure that America's financial situation is secure. But today we also have an opportunity to look beyond the present and ensure that America's future is strong, and that's what this energy tax bill is all about.

In particular, I want to call your attention to the solar tax credits. Solar power is clean, it's domestic, it's renewable, it's going to bring us closer to energy independence and provide us with powerful economic benefits across our great Nation.

According to a recent study, an 8-year extension of the solar ITC could lead to more than 440,000 jobs and attract $232 billion in investment. Not only is that serious economic stimulus, it will foster a cleaner, safer, and more sustainable world. But without the solar ITC being signed into law this year, it will not happen.

We have to pass this bill. We must work with the Senate. We must work with the White House.

Time is not on our side.

Mr. SESSIONS. We will reserve our time, Mr. Speaker.

Mr. ARCURI. Mr. Speaker, I yield 2 minutes to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. No one's district, with perhaps the exception of the other gentleman from Oregon, is impacted more than mine by the issue of counties and schools. And no one has worked harder to try to get it included. And actually it was said yesterday that we didn't have a vote in the House on county schools. We did, actually, in May, and the Republicans chose to side with Big Oil instead of with counties and schools. I got 218 votes, but I needed a two-thirds majority to pass it.

And it was also included in an energy package last year, a major energy initiative sent by the House to the Senate which was filibustered by 41 Republican Senators, again, over the issue of protecting Big Oil.

So the record's pretty clear here. I appreciate the chairman of the Ways and Means Committee saying he's going to work with us and try to help us with this vehicle or other vehicles in the closing days of this Congress to get this critical funding, and I take heart with that because he's an honorable man.

We've got another problem, and it is downtown. It's called George Bush. Here is the President's statement on county schools: ''Finally, the administration opposes new, mandatory funding for payments in lieu of taxes, and believes that any extension of rural community payments should be phased out, as it has previously proposed. The administration urges Congress to eliminate all such provisions from the final bill.'' All such provisions. That's the President's position.

If this President would lift one pinky, we would have county school funding. He muscled $465 million in foreign aid into the continuing resolution that passed the House yesterday because he wanted $365 million for Georgia, but he didn't ask for a penny for county schools here in the United States of America. And by the way, that wasn't Georgia the State, that's Georgia the country overseas; one of his favorite places, I guess.

If we just had a little bit of help downtown, we could get this done. And we're not done here yet. We're going to fight like heck in the next 2 days to get it.

Mr. SESSIONS. Mr. Speaker, we will reserve our time.

Mr. ARCURI. Mr. Speaker, I am prepared to close. I have no further speakers.

I reserve my time.

PARLIAMENTARY INQUIRY

Mr. SESSIONS. Mr. Speaker, it's my understanding that the bill that we're debating now and that was passed by the Rules Committee is not the package that is on the floor now, that there was a change that was made upwards of $100 million, and that the Rules Committee, in fact, met—and in my opinion should not have—and we passed a bill that's not on the floor.

And I don't know—I'm looking for some clarification on this. I'm saying that right now on the floor. This is not the same bill that is presently on the floor that we passed in the Rules Committee.

And I'm asking for the Speaker to rule this bill out of order or to tell me what we believe is the correct thing to do because we think that there's been a huge mistake.

The SPEAKER pro tempore. Does the gentleman have a parliamentary inquiry?

Mr. SESSIONS. I would say I have a point of parliamentary inquiry.

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

Mr. SESSIONS. Mr. Speaker, what version of the bill do we presently have on the floor, and was it the same that was passed by the Rules Committee this morning?

The SPEAKER pro tempore. The Chair does not interpret a resolution while it is pending.

The gentleman from New York is recognized.

Mr. ARCURI. I reserve the balance of my time.

Mr. SESSIONS. Then I would ask the gentleman from the Rules Committee, and I would say directly to the gentleman, we do not believe that the bill that is presently on the floor today was exactly the same bill that was considered and passed in the Rules Committee and we are asking for clarification. We believe there is at least a $100 million difference.

Mr. ARCURI. As I understand it, the bill that is on the floor today is the very same bill that was before the Rules Committee earlier today.

Mr. SESSIONS. So you believe it is exactly the same bill that we passed in the Rules Committee?

Mr. ARCURI. As I understand it, it is the same bill that we saw in the Rules Committee. That's right.

Mr. SESSIONS. I was looking for a direct answer from the gentleman.

Mr. Speaker, we've made our point today that we're going to ask that the gentleman, once the previous question is defeated, the gentleman from Oregon will have a chance to not send the bill back to committee; just to accept the amendment. And we have made our case on the floor today. We asked for and received clarification about the bill.

I yield back the balance of my time.

PARLIAMENTARY INQUIRY

Mr. DEFAZIO. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore. The gentleman from Oregon will state his parliamentary inquiry.

Mr. DEFAZIO. The parliamentary inquiry would be if the previous question, as the gentleman suggests, were defeated, under the rules of the House and the germaneness, are all rules at that point waived and this could be added to the bill, or would the germaneness rule apply and would a point of order stand against it?

The SPEAKER pro tempore. If the previous question was defeated, the rules of the House would continue to apply.

Mr. DEFAZIO. I guess that means it would not be in order; is that correct?

The SPEAKER pro tempore. That would be a hypothetical question. The Chair will not render an advisory opinion.

Mr. ARCURI. Mr. Speaker, supporting this rule and the tax relief legislation we will consider later today is simply common sense. We can provide tax relief and incentives to middle class families, spur innovation, and creates tens of thousands of new jobs, reduce our dependence on oil from hostile nations, reduce greenhouse gases, and we can do it in a fiscally responsible way. That is to say, we can do it without putting the price tag on our children and our grandchildren. We can pay for it today.

I urge my colleagues to vote ''yes'' on the previous question and the rule.

The material previously referred to by Mr. SESSIONS is as follows:

AMENDMENT TO H. RES. 1501 OFFERED BY REP. SESSIONS OF TEXAS

Strike all after the resolved clause and insert the following:

That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 7060) to amend the Internal Revenue Code of 1986 to provide incentives for energy production and conservation, to extend certain expiring provisions, to provide individual income tax relief, and for other purposes. All points of order against consideration of the bill are waived except those arising under clause 10 of rule XXI. The bill shall be considered as read. All points of order against the bill are waived. The previous question shall be considered as ordered on the bill, and any amendment there to, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means; (2) the amendment relating to the reauthorization of the Secure Rural Schools and Community Self-Determination Act printed in section 4 of this resolution, if offered by Representative Walden of Oregon or his designee, which shall be in order without intervention of any point of order, shall he considered as read, and shall be separately debatable for one hour equally divided and controlled by the proponent and and opponent; and (3) one motion to recommit with or without instructions.

SEC. 2. During consideration of H.R. 7060 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 he designated by the Speaker.

SEC. 3. House Resolution 1489 is laid on the table,

SEC. 4. The amendment referred to in section 1 is as follows:

At the end of the bill add the following new section:

SEC. 409. SECURE RURAL SCHOOLS AND COMMUNITY SELF-DETERMINATION PROGRAM.

(a) REAUTHORIZATION OF THE SECURE RURAL SCHOOLS AND COMMUNITY SELF-DETERMINATION ACT OF 2000.—The Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 500 note; Public Law 106–393) is amended by striking sections 1 through 403 and inserting the following:

''SECTION 1. SHORT TITLE.

''This Act may be cited as the 'Secure Rural Schools and Community Self-Determination Act of 2000'.

''SEC. 2. PURPOSES.

''The purposes of this Act are—

''(1) to stabilize and transition payments to counties to provide funding for schools and roads that supplements other available funds;

''(2) to make additional investments in, and create additional employment opportunities through, projects that—

''(A)(i) improve the maintenance of existing infrastructure;

''(ii) implement stewardship objectives that enhance forest ecosystems; and

''(iii) restore and improve land health and water quality;

''(B) enjoy broad-based support; and

''(C) have objectives that may include—

''(i) road, trail, and infrastructure maintenance or obliteration;

''(ii) soil productivity improvement;

''(iii) improvements in forest ecosystem health;

''(iv) watershed restoration and maintenance;

''(v) the restoration, maintenance, and improvement of wildlife and fish habitat;

''(vi) the control of noxious and exotic weeds; and

''(vii) the reestablishment of native species; and

''(3) to improve cooperative relationships among—

''(A) the people that use and care for Federal land; and

''(B) the agencies that manage the Federal land.

''SEC. 3. DEFINITIONS.

''In this Act:

''(1) ADJUSTED SHARE.—The term 'adjusted share' means the number equal to the quotient obtained by dividing—

''(A) the number equal to the quotient obtained by dividing—

''(i) the base share for the eligible county; by

''(ii) the income adjustment for the eligible county; by

''(B) the number equal to the sum of the quotients obtained under subparagraph (A) and paragraph (8)(A) for all eligible counties.

''(2) BASE SHARE.—The term 'base share' means the number equal to the average of—

''(A) the quotient obtained by dividing—

''(i) the number of acres of Federal land described in paragraph (7)(A) in each eligible county; by

''(ii) the total number acres of Federal land in all eligible counties in all eligible States; and

''(B) the quotient obtained by dividing—

''(i) the amount equal to the average of the 3 highest 25-percent payments and safety net payments made to each eligible State for each eligible county during the eligibility period; by

''(ii) the amount equal to the sum of the amounts calculated under clause (i) and paragraph (9)(B)(i) for all eligible counties in all eligible States during the eligibility period.

''(3) COUNTY PAYMENT.—The term 'county payment' means the payment for an eligible county calculated under section 101(b).

''(4) ELIGIBLE COUNTY.—The term 'eligible county' means any county that—

''(A) contains Federal land (as defined in paragraph (7)); and

''(B) elects to receive a share of the State payment or the county payment under section 102(b).

''(5) ELIGIBILITY PERIOD.—The term 'eligibility period' means fiscal year 1986 through fiscal year 1999.

''(6) ELIGIBLE STATE.—The term 'eligible State' means a State or territory of the United States that received a 25-percent payment for 1 or more fiscal years of the eligibility period.

''(7) FEDERAL LAND.—The term 'Federal land' means—

''(A) land within 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)) exclusive of the National Grasslands and land utilization projects designated as National Grasslands administered pursuant to the Act of July 22, 1937 (7 U.S.C. 1010–1012); and

''(B) such portions of the revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant land as are or may hereafter come under the jurisdiction of the Department of the Interior, which have heretofore or may hereafter be classified as timberlands, and power-site land valuable for timber, that shall be managed, except as provided in the former section 3 of the Act of August 28, 1937 (50 Stat. 875; 43 U.S.C. 1181c), for permanent forest production.

''(8) 50-PERCENT ADJUSTED SHARE.—The term '50-percent adjusted share' means the number equal to the quotient obtained by dividing—

''(A) the number equal to the quotient obtained by dividing—

''(i) the 50-percent base share for the eligible county; by

''(ii) the income adjustment for the eligible county; by

''(B) the number equal to the sum of the quotients obtained under subparagraph (A) and paragraph (1)(A) for all eligible counties.

''(9) 50-PERCENT BASE SHARE.—The term '50-percent base share' means the number equal to the average of—

''(A) the quotient obtained by dividing—

''(i) the number of acres of Federal land described in paragraph (7)(B) in each eligible county; by

''(ii) the total number acres of Federal land in all eligible counties in all eligible States; and

''(B) the quotient obtained by dividing—

''(i) the amount equal to the average of the 3 highest 50-percent payments made to each

eligible county during the eligibility period; by

''(ii) the amount equal to the sum of the amounts calculated under clause (i) and paragraph (2)(B)(i) for all eligible counties in all eligible States during the eligibility period.

''(10) 50-PERCENT PAYMENT.—The term '50-percent payment' means the payment that is the sum of the 50-percent share otherwise paid to a county pursuant to title II of the Act of August 28, 1937 (chapter 876; 50 Stat. 875; 43 U.S.C. 1181f), and the payment made to a county pursuant to the Act of May 24, 1939 (chapter 144; 53 Stat. 753; 43 U.S.C. 1181f–1 et seq.).

''(11) FULL FUNDING AMOUNT.—The term 'full funding amount' means—

''(A) $500,000,000 for fiscal year 2008; and

''(B) for fiscal year 2009 and each fiscal year thereafter, the amount that is equal to 90 percent of the full funding amount for the preceding fiscal year.

''(12) INCOME ADJUSTMENT.—The term 'income adjustment' means the square of the quotient obtained by dividing—

''(A) the per capita personal income for each eligible county; by

''(B) the median per capita personal income of all eligible counties.

''(13) PER CAPITA PERSONAL INCOME.—The term 'per capita personal income' means the most recent per capita personal income data, as determined by the Bureau of Economic Analysis.

''(14) SAFETY NET PAYMENTS.—The term 'safety net payments' means the special payment amounts paid to States and counties required by section 13982 or 13983 of the Omnibus Budget Reconciliation Act of 1993 (Public Law 103–66; 16 U.S.C. 500 note; 43 U.S.C. 1181f note).

''(15) SECRETARY CONCERNED.—The term 'Secretary concerned' means—

''(A) the Secretary of Agriculture or the designee of the Secretary of Agriculture with respect to the Federal land described in paragraph (7)(A); and

''(B) the Secretary of the Interior or the designee of the Secretary of the Interior with respect to the Federal land described in paragraph (7)(B).

''(16) STATE PAYMENT.—The term 'State payment' means the payment for an eligible State calculated under section 101(a).

''(17) 25-PERCENT PAYMENT.—The term '25-percent payment' means the payment to States required by the sixth paragraph under the heading of 'FOREST SERVICE' in the Act of May 23, 1908 (35 Stat. 260; 16 U.S.C. 500), and section 13 of the Act of March 1, 1911 (36 Stat. 963; 16 U.S.C. 500).

TITLE I—SECURE PAYMENTS FOR STATES AND COUNTIES CONTAINING FEDERAL LAND

''SEC. 101. SECURE PAYMENTS FOR STATES CONTAINING FEDERAL LAND.

''(a) STATE PAYMENT.—For each of fiscal years 2008 through 2011, the Secretary of Agriculture shall calculate for each eligible State an amount equal to the sum of the products obtained by multiplying—

''(1) the adjusted share for each eligible county within the eligible State; by

''(2) the full funding amount for the fiscal year.

''(b) COUNTY PAYMENT.—For each of fiscal years 2008 through 2011, the Secretary of the Interior shall calculate for each eligible county that received a 50-percent payment during the eligibility period an amount equal to the product obtained by multiplying—

''(1) the 50-percent adjusted share for the eligible county; by

''(2) the full funding amount for the fiscal year.

''SEC. 102. PAYMENTS TO STATES AND COUNTIES.

''(a) PAYMENT AMOUNTS.—Except as provided in section 103, the Secretary of the Treasury shall pay to—

''(1) a State or territory of the United States an amount equal to the sum of the amounts elected under subsection (b) by each county within the State or territory for—

''(A) if the county is eligible for the 25-percent payment, the share of the 25-percent payment; or

''(B) the share of the State payment of the eligible county; and

''(2) a county an amount equal to the amount elected under subsection (b) by each county for—

''(A) if the county is eligible for the 50-percent payment, the 50-percent payment; or

''(B) the county payment for the eligible county.

''(b) ELECTION TO RECEIVE PAYMENT AMOUNT.—

''(1) ELECTION; SUBMISSION OF RESULTS.—

''(A) IN GENERAL.—The election to receive a share of the State payment, the county payment, a share of the State payment and the county payment, a share of the 25-percent payment, the 50-percent payment, or a share of the 25-percent payment and the 50-percent payment, as applicable, shall be made at the discretion of each affected county by August 1, 2008 (or as soon thereafter as the Secretary concerned determines is practicable), and August 1 of each second fiscal year thereafter, in accordance with paragraph (2), and transmitted to the Secretary concerned by the Governor of each eligible State.

''(B) FAILURE TO TRANSMIT.—If an election for an affected county is not transmitted to the Secretary concerned by the date specified under subparagraph (A), the affected county shall be considered to have elected to receive a share of the State payment, the county payment, or a share of the State payment and the county payment, as applicable.

''(2) DURATION OF ELECTION.—

''(A) IN GENERAL.—A county election to receive a share of the 25–percent payment or 50–percent payment, as applicable, shall be effective for 2 fiscal years.

''(B) FULL FUNDING AMOUNT.—If a county elects to receive a share of the State payment or the county payment, the election shall be effective for all subsequent fiscal years through fiscal year 2011.

''(3) SOURCE OF PAYMENT AMOUNTS.—The payment to an eligible State or eligible county under this section for a fiscal year shall be derived from—

''(A) any amounts that are appropriated to carry out this Act;

''(B) any revenues, fees, penalties, or miscellaneous receipts, exclusive of deposits to any relevant trust fund, special account, or permanent operating funds, received by the Federal Government from activities by the Bureau of Land Management or the Forest Service on the applicable Federal land; and

''(C) to the extent of any shortfall, out of any amounts in the Treasury of the United States not otherwise appropriated.

''(c) DISTRIBUTION AND EXPENDITURE OF PAYMENTS.—

''(1) DISTRIBUTION METHOD.—A State that receives a payment under subsection (a) for Federal land described in section 3(7)(A) shall distribute the appropriate payment amount among the appropriate counties in the State in accordance with—

''(A) the Act of May 23, 1908 (16 U.S.C. 500); and

''(B) section 13 of the Act of March 1, 1911 (36 Stat. 963; 16 U.S.C. 500).

''(2) EXPENDITURE PURPOSES.—Subject to subsection (d), payments received by a State under subsection (a) and distributed to counties in accordance with paragraph (1) shall be expended as required by the laws referred to in paragraph (1).

''(d) EXPENDITURE RULES FOR ELIGIBLE COUNTIES.—

''(1) ALLOCATIONS.—

''(A) USE OF PORTION IN SAME MANNER AS 25-PERCENT PAYMENT OR 50-PERCENT PAYMENT, AS APPLICABLE.— Except as provided in paragraph (3)(B), if an eligible county elects to receive its share of the State payment or the county payment, not less than 80 percent, but not more than 85 percent, of the funds shall be expended in the same manner in which the 25-percent payments or 50-percent payment, as applicable, are required to be expended.

''(B) ELECTION AS TO USE OF BALANCE.—Except as provided in subparagraph (C), an eligible county shall elect to do 1 or more of the following with the balance of any funds not expended pursuant to subparagraph (A):

''(i) Reserve any portion of the balance for projects in accordance with title II.

''(ii) Reserve not more than 7 percent of the total share for the eligible county of the State payment or the county payment for projects in accordance with title III.

''(iii) Return the portion of the balance not reserved under clauses (i) and (ii) to the Treasury of the United States.

''(C) COUNTIES WITH MODEST DISTRIBUTIONS.—In the case of each eligible county to which more than $100,000, but less than $350,000, is distributed for any fiscal year pursuant to either or both of paragraphs (1)(B) and (2)(B) of subsection (a), the eligible county, with respect to the balance of any funds not expended pursuant to subparagraph (A) for that fiscal year, shall—

''(i) reserve any portion of the balance for—

''(I) carrying out projects under title II;

''(II) carrying out projects under title III; or

''(III) a combination of the purposes described in subclauses (I) and (II); or

''(ii) return the portion of the balance not reserved under clause (i) to the Treasury of the United States.

''(2) DISTRIBUTION OF FUNDS.—

''(A) IN GENERAL.—Funds reserved by an eligible county under subparagraph (B)(i) or (C)(i) of paragraph (1) for carrying out projects under title II shall be deposited in a special account in the Treasury of the United States.

''(B) AVAILABILITY.—Amounts deposited under subparagraph (A) shall—

''(i) be available for expenditure by the Secretary concerned, without further appropriation; and

''(ii) remain available until expended in accordance with title II.

''(3) ELECTION.—

''(A) NOTIFICATION.—

''(i) IN GENERAL.—An eligible county shall notify the Secretary concerned of an election by the eligible county under this subsection not later than September 30, 2008 (or as soon thereafter as the Secretary concerned determines is practicable), and each September 30 thereafter for each succeeding fiscal year.

''(ii) FAILURE TO ELECT.—Except as provided in subparagraph (B), if the eligible county fails to make an election by the date specified in clause (i), the eligible county shall—

''(I) be considered to have elected to expend 85 percent of the funds in accordance with paragraph (1)(A); and

''(II) return the balance to the Treasury of the United States.

''(B) COUNTIES WITH MINOR DISTRIBUTIONS.—In the case of each eligible county to which less than $100,000 is distributed for any fiscal year pursuant to either or both of paragraphs (1)(B) and (2)(B) of subsection (a), the

eligible county may elect to expend all the funds in the same manner in which the 25-percent payments or 50-percent payments, as applicable, are required to be expended.

''(e) TIME FOR PAYMENT.—The payments required under this section for a fiscal year shall be made as soon as practicable after the end of that fiscal year.

"SEC. 103. TRANSITION PAYMENTS TO STATES.

''(a) DEFINITIONS.—In this section:

''(1) ADJUSTED AMOUNT.—The term 'adjusted amount' means, with respect to a covered State—

''(A) for fiscal year 2008, 90 percent of—

''(i) the sum of the amounts paid for fiscal year 2006 under section 102(a)(2) (as in effect on September 29, 2006) for the eligible counties in the covered State that have elected under section 102(b) to receive a share of the State payment for fiscal year 2008; and

''(ii) the sum of the amounts paid for fiscal year 2006 under section 103(a)(2) (as in effect on September 29, 2006) for the eligible counties in the State of Oregon that have elected under section 102(b) to receive the county payment for fiscal year 2008;

''(B) for fiscal year 2009, 81 percent of—

''(i) the sum of the amounts paid for fiscal year 2006 under section 102(a)(2) (as in effect on September 29, 2006) for the eligible counties in the covered State that have elected under section 102(b) to receive a share of the State payment for fiscal year 2009; and

''(ii) the sum of the amounts paid for fiscal year 2006 under section 103(a)(2) (as in effect on September 29, 2006) for the eligible counties in the State of Oregon that have elected under section 102(b) to receive the county payment for fiscal year 2009; and

''(C) for fiscal year 2010, 73 percent of—

''(i) the sum of the amounts paid for fiscal year 2006 under section 102(a)(2) (as in effect on September 29, 2006) for the eligible counties in the covered State that have elected under section 102(b) to receive a share of the State payment for fiscal year 2010; and

''(ii) the sum of the amounts paid for fiscal year 2006 under section 103(a)(2) (as in effect on September 29, 2006) for the eligible counties in the State of Oregon that have elected under section 102(b) to receive the county payment for fiscal year 2010.

''(2) COVERED STATE.—The term 'covered State' means each of the States of California, Louisiana, Oregon, Pennsylvania, South Carolina, South Dakota, Texas, and Washington.

''(b) TRANSITION PAYMENTS.—For each of fiscal years 2008 through 2010, in lieu of the payment amounts that otherwise would have been made under paragraphs (1)(B) and (2)(B) of section 102(a), the Secretary of the Treasury shall pay the adjusted amount to each covered State and the eligible counties within the covered State, as applicable.

''(c) DISTRIBUTION OF ADJUSTED AMOUNT.—Except as provided in subsection (d), it is the intent of Congress that the method of distributing the payments under subsection (b) among the counties in the covered States for each of fiscal years 2008 through 2010 be in the same proportion that the payments were distributed to the eligible counties in fiscal year 2006.

''(d) DISTRIBUTION OF PAYMENTS IN CALIFORNIA.—The following payments shall be distributed among the eligible counties in the State of California in the same proportion that payments under section 102(a)(2) (as in effect on September 29, 2006) were distributed to the eligible counties for fiscal year 2006:

''(1) Payments to the State of California under subsection (b).

''(2) The shares of the eligible counties of the State payment for California under section 102 for fiscal year 2011.

''(e) TREATMENT OF PAYMENTS.—For purposes of this Act, any payment made under subsection (b) shall be considered to be a payment made under section 102(a).

''TITLE II—SPECIAL PROJECTS ON FEDERAL LAND

"SEC. 201. DEFINITIONS.

''In this title:

''(1) PARTICIPATING COUNTY.—The term 'participating county' means an eligible county that elects under section 102(d) to expend a portion of the Federal funds received under section 102 in accordance with this title.

''(2) PROJECT FUNDS.—The term 'project funds' means all funds an eligible county elects under section 102(d) to reserve for expenditure in accordance with this title.

''(3) RESOURCE ADVISORY COMMITTEE.—The term 'resource advisory committee' means—

''(A) an advisory committee established by the Secretary concerned under section 205; or

''(B) an advisory committee determined by the Secretary concerned to meet the requirements of section 205.

''(4) RESOURCE MANAGEMENT PLAN.—The term 'resource management plan' means—

''(A) a land use plan prepared by the Bureau of Land Management for units of the Federal land described in section 3(7)(B) pursuant to section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712); or

''(B) a land and resource management plan prepared by the Forest Service for units of the National Forest System pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604).

"SEC. 202. GENERAL LIMITATION ON USE OF PROJECT FUNDS.

''(a) LIMITATION.—Project funds shall be expended solely on projects that meet the requirements of this title.

''(b) AUTHORIZED USES.—Project funds may be used by the Secretary concerned for the purpose of entering into and implementing cooperative agreements with willing Federal agencies, State and local governments, private and nonprofit entities, and landowners for protection, restoration, and enhancement of fish and wildlife habitat, and other resource objectives consistent with the purposes of this Act on Federal land and on non-Federal land where projects would benefit the resources on Federal land.

"SEC. 203. SUBMISSION OF PROJECT PROPOSALS.

''(a) SUBMISSION OF PROJECT PROPOSALS TO SECRETARY CONCERNED.—

''(1) PROJECTS FUNDED USING PROJECT FUNDS.—Not later than September 30 for fiscal year 2008 (or as soon thereafter as the Secretary concerned determines is practicable), and each September 30 thereafter for each succeeding fiscal year through fiscal year 2011, each resource advisory committee shall submit to the Secretary concerned a description of any projects that the resource advisory committee proposes the Secretary undertake using any project funds reserved by eligible counties in the area in which the resource advisory committee has geographic jurisdiction.

''(2) PROJECTS FUNDED USING OTHER FUNDS.—A resource advisory committee may submit to the Secretary concerned a description of any projects that the committee proposes the Secretary undertake using funds from State or local governments, or from the private sector, other than project funds and funds appropriated and otherwise available to do similar work.

''(3) JOINT PROJECTS.—Participating counties or other persons may propose to pool project funds or other funds, described in paragraph (2), and jointly propose a project or group of projects to a resource advisory committee established under section 205.

''(b) REQUIRED DESCRIPTION OF PROJECTS.—In submitting proposed projects to the Secretary concerned under subsection (a), a resource advisory committee shall include in the description of each proposed project the following information:

''(1) The purpose of the project and a description of how the project will meet the purposes of this title.

''(2) The anticipated duration of the project.

''(3) The anticipated cost of the project.

''(4) The proposed source of funding for the project, whether project funds or other funds.

''(5)(A) Expected outcomes, including how the project will meet or exceed desired ecological conditions, maintenance objectives, or stewardship objectives.

''(B) An estimate of the amount of any timber, forage, and other commodities and other economic activity, including jobs generated, if any, anticipated as part of the project.

''(6) A detailed monitoring plan, including funding needs and sources, that—

''(A) tracks and identifies the positive or negative impacts of the project, implementation, and provides for validation monitoring; and

''(B) includes an assessment of the following:

''(i) Whether or not the project met or exceeded desired ecological conditions; created local employment or training opportunities, including summer youth jobs programs such as the Youth Conservation Corps where appropriate.

''(ii) Whether the project improved the use of, or added value to, any products removed from land consistent with the purposes of this title.

''(7) An assessment that the project is to be in the public interest.

''(c) AUTHORIZED PROJECTS.—Projects proposed under subsection (a) shall be consistent with section 2.

"SEC. 204. EVALUATION AND APPROVAL OF PROJECTS BY SECRETARY CONCERNED.

''(a) CONDITIONS FOR APPROVAL OF PROPOSED PROJECT.—The Secretary concerned may make a decision to approve a project submitted by a resource advisory committee under section 203 only if the proposed project satisfies each of the following conditions:

''(1) The project complies with all applicable Federal laws (including regulations).

''(2) The project is consistent with the applicable resource management plan and with any watershed or subsequent plan developed pursuant to the resource management plan and approved by the Secretary concerned.

''(3) The project has been approved by the resource advisory committee in accordance with section 205, including the procedures issued under subsection (e) of that section.

''(4) A project description has been submitted by the resource advisory committee to the Secretary concerned in accordance with section 203.

''(5) The project will improve the maintenance of existing infrastructure, implement stewardship objectives that enhance forest ecosystems, and restore and improve land health and water quality.

''(b) ENVIRONMENTAL REVIEWS.—

''(1) REQUEST FOR PAYMENT BY COUNTY.—The Secretary concerned may request the resource advisory committee submitting a proposed project to agree to the use of project funds to pay for any environmental review, consultation, or compliance with applicable environmental laws required in connection with the project.

''(2) CONDUCT OF ENVIRONMENTAL REVIEW.—If a payment is requested under paragraph (1) and the resource advisory committee

agrees to the expenditure of funds for this purpose, the Secretary concerned shall conduct environmental review, consultation, or other compliance responsibilities in accordance with Federal laws (including regulations).

''(3) EFFECT OF REFUSAL TO PAY.—

''(A) IN GENERAL.—If a resource advisory committee does not agree to the expenditure of funds under paragraph (1), the project shall be deemed withdrawn from further consideration by the Secretary concerned pursuant to this title.

''(B) EFFECT OF WITHDRAWAL.—A withdrawal under subparagraph (A) shall be deemed to be a rejection of the project for purposes of section 207(c).

''(c) DECISIONS OF SECRETARY CONCERNED.—

''(1) REJECTION OF PROJECTS.—

''(A) IN GENERAL.—A decision by the Secretary concerned to reject a proposed project shall be at the sole discretion of the Secretary concerned.

''(B) NO ADMINISTRATIVE APPEAL OR JUDICIAL REVIEW.—Notwithstanding any other provision of law, a decision by the Secretary concerned to reject a proposed project shall not be subject to administrative appeal or judicial review.

''(C) NOTICE OF REJECTION.—Not later than 30 days after the date on which the Secretary concerned makes the rejection decision, the Secretary concerned shall notify in writing the resource advisory committee that submitted the proposed project of the rejection and the reasons for rejection.

''(2) NOTICE OF PROJECT APPROVAL.—The Secretary concerned shall publish in the Federal Register notice of each project approved under subsection (a) if the notice would be required had the project originated with the Secretary.

''(d) SOURCE AND CONDUCT OF PROJECT.—Once the Secretary concerned accepts a project for review under section 203, the acceptance shall be deemed a Federal action for all purposes.

''(e) IMPLEMENTATION OF APPROVED PROJECTS.—

''(1) COOPERATION.—Notwithstanding chapter 63 of title 31, United States Code, using project funds the Secretary concerned may enter into contracts, grants, and cooperative agreements with States and local governments, private and nonprofit entities, and landowners and other persons to assist the Secretary in carrying out an approved project.

''(2) BEST VALUE CONTRACTING.—

''(A) IN GENERAL.—For any project involving a contract authorized by paragraph (1) the Secretary concerned may elect a source for performance of the contract on a best value basis.

''(B) FACTORS.—The Secretary concerned shall determine best value based on such factors as—

''(i) the technical demands and complexity of the work to be done;

''(ii)(I) the ecological objectives of the project; and

''(II) the sensitivity of the resources being treated;

''(iii) the past experience by the contractor with the type of work being done, using the type of equipment proposed for the project, and meeting or exceeding desired ecological conditions; and

''(iv) the commitment of the contractor to hiring highly qualified workers and local residents.

''(3) MERCHANTABLE TIMBER CONTRACTING PILOT PROGRAM.—

''(A) ESTABLISHMENT.—The Secretary concerned shall establish a pilot program to implement a certain percentage of approved projects involving the sale of merchantable timber using separate contracts for—

''(i) the harvesting or collection of merchantable timber; and

''(ii) the sale of the timber.

''(B) ANNUAL PERCENTAGES.—Under the pilot program, the Secretary concerned shall ensure that, on a nationwide basis, not less than the following percentage of all approved projects involving the sale of merchantable timber are implemented using separate contracts:

''(i) For fiscal year 2008, 35 percent.

''(ii) For fiscal year 2009, 45 percent.

''(iii) For each of fiscal years 2010 and 2011, 50 percent.

''(C) INCLUSION IN PILOT PROGRAM.—The decision whether to use separate contracts to implement a project involving the sale of merchantable timber shall be made by the Secretary concerned after the approval of the project under this title.

''(D) ASSISTANCE.—

''(i) IN GENERAL.—The Secretary concerned may use funds from any appropriated account available to the Secretary for the Federal land to assist in the administration of projects conducted under the pilot program.

''(ii) MAXIMUM AMOUNT OF ASSISTANCE.—The total amount obligated under this subparagraph may not exceed $1,000,000 for any fiscal year during which the pilot program is in effect.

''(E) REVIEW AND REPORT.—

''(i) INITIAL REPORT.—Not later than September 30, 2010, the Comptroller General shall submit to the Committees on Agriculture, Nutrition, and Forestry and Energy and Natural Resources of the Senate and the Committees on Agriculture and Natural Resources of the House of Representatives a report assessing the pilot program.

''(ii) ANNUAL REPORT.—The Secretary concerned shall submit to the Committees on Agriculture, Nutrition, and Forestry and Energy and Natural Resources of the Senate and the Committees on Agriculture and Natural Resources of the House of Representatives an annual report describing the results of the pilot program.

''(f) REQUIREMENTS FOR PROJECT FUNDS.—The Secretary shall ensure that at least 50 percent of all project funds be used for projects that are primarily dedicated—

''(1) to road maintenance, decommissioning, or obliteration; or

''(2) to restoration of streams and watersheds.

"SEC. 205. RESOURCE ADVISORY COMMITTEES.

''(a) ESTABLISHMENT AND PURPOSE OF RESOURCE ADVISORY COMMITTEES.—

''(1) ESTABLISHMENT.—The Secretary concerned shall establish and maintain resource advisory committees to perform the duties in subsection (b), except as provided in paragraph (4).

''(2) PURPOSE.—The purpose of a resource advisory committee shall be—

''(A) to improve collaborative relationships; and

''(B) to provide advice and recommendations to the land management agencies consistent with the purposes of this title.

''(3) ACCESS TO RESOURCE ADVISORY COMMITTEES.—To ensure that each unit of Federal land has access to a resource advisory committee, and that there is sufficient interest in participation on a committee to ensure that membership can be balanced in terms of the points of view represented and the functions to be performed, the Secretary concerned may, establish resource advisory committees for part of, or 1 or more, units of Federal land.

''(4) EXISTING ADVISORY COMMITTEES.—

''(A) IN GENERAL.—An advisory committee that meets the requirements of this section, a resource advisory committee established before September 29, 2006, or an advisory committee determined by the Secretary concerned before September 29, 2006, to meet the requirements of this section may be deemed by the Secretary concerned to be a resource advisory committee for the purposes of this title.

''(B) CHARTER—A charter for a committee described in subparagraph (A) that was filed on or before September 29, 2006, shall be considered to be filed for purposes of this Act.

''(C) Bureau of land management advisory committees.—The Secretary of the Interior may deem a resource advisory committee meeting the requirements of subpart 1784 of part 1780 of title 43, Code of Federal Regulations, as a resource advisory committee for the purposes of this title.

''(b) DUTIES.—A resource advisory committee shall—

''(1) review projects proposed under this title by participating counties and other persons;

''(2) propose projects and funding to the Secretary concerned under section 203;

''(3) provide early and continuous coordination with appropriate land management agency officials in recommending projects consistent with purposes of this Act under this title;

''(4) provide frequent opportunities for citizens, organizations, tribes, land management agencies, and other interested parties to participate openly and meaningfully, beginning at the early stages of the project development process under this title;

''(5)(A) monitor projects that have been approved under section 204; and

''(B) advise the designated Federal official on the progress of the monitoring efforts under subparagraph (A); and

''(6) make recommendations to the Secretary concerned for any appropriate changes or adjustments to the projects being monitored by the resource advisory committee.

''(c) APPOINTMENT BY THE SECRETARY.—

''(1) APPOINTMENT AND TERM.—

''(A) IN GENERAL.—The Secretary concerned, shall appoint the members of resource advisory committees for a term of 4 years beginning on the date of appointment.

''(B) REAPPOINTMENT.—The Secretary concerned may reappoint members to subsequent 4-year terms.

''(2) BASIC REQUIREMENTS.—The Secretary concerned shall ensure that each resource advisory committee established meets the requirements of subsection (d).

''(3) INITIAL APPOINTMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary concerned shall make initial appointments to the resource advisory committees.

''(4) VACANCIES.—The Secretary concerned shall make appointments to fill vacancies on any resource advisory committee as soon as practicable after the vacancy has occurred.

''(5) COMPENSATION.—Members of the resource advisory committees shall not receive any compensation.

''(d) COMPOSITION OF ADVISORY COMMITTEE.—

''(1) NUMBER.—Each resource advisory committee shall be comprised of 15 members.

''(2) COMMUNITY INTERESTS REPRESENTED.—Committee members shall be representative of the interests of the following 3 categories:

''(A) 5 persons that—

''(i) represent organized labor or non-timber forest product harvester groups;

''(ii) represent developed outdoor recreation, off highway vehicle users, or commercial recreation activities;

''(iii) represent—

''(I) energy and mineral development interests; or

''(II) commercial or recreational fishing interests;

''(iv) represent the commercial timber industry; or

''(v) hold Federal grazing or other land use permits, or represent nonindustrial private forest land owners, within the area for which the committee is organized.

''(B) 5 persons that represent—

''(i) nationally recognized environmental organizations;

''(ii) regionally or locally recognized environmental organizations;

''(iii) dispersed recreational activities;

''(iv) archaeological and historical interests; or

''(v) nationally or regionally recognized wild horse and burro interest groups, wildlife or hunting organizations, or watershed associations.

''(C) 5 persons that—

''(i) hold State elected office (or a designee);

''(ii) hold county or local elected office;

''(iii) represent American Indian tribes within or adjacent to the area for which the committee is organized;

''(iv) are school officials or teachers; or

''(v) represent the affected public at large.

''(3) BALANCED REPRESENTATION.—In appointing committee members from the 3 categories in paragraph (2), the Secretary concerned shall provide for balanced and broad representation from within each category.

''(4) GEOGRAPHIC DISTRIBUTION.—The members of a resource advisory committee shall reside within the State in which the committee has jurisdiction and, to extent practicable, the Secretary concerned shall ensure local representation in each category in paragraph (2).

''(5) CHAIRPERSON.—A majority on each resource advisory committee shall select the chairperson of the committee.

''(e) APPROVAL PROCEDURES.—

(1) IN GENERAL.—Subject to paragraph (3), each resource advisory committee shall establish procedures for proposing projects to the Secretary concerned under this title.

''(2) QUORUM.—A quorum must be present to constitute an official meeting of the committee.

''(3) APPROVAL BY MAJORITY OF MEMBERS.—A project may be proposed by a resource advisory committee to the Secretary concerned under section 203(a), if the project has been approved by a majority of members of the committee from each of the 3 categories in subsection (d)(2).

''(f) OTHER COMMITTEE AUTHORITIES AND REQUIREMENTS.—

''(1) STAFF ASSISTANCE.—A resource advisory committee may submit to the Secretary concerned a request for periodic staff assistance from Federal employees under the jurisdiction of the Secretary.

''(2) MEETINGS.—All meetings of a resource advisory committee shall be announced at least 1 week in advance in a local newspaper of record and shall be open to the public.

''(3) RECORDS.—A resource advisory committee shall maintain records of the meetings of the committee and make the records available for public inspection.

''SEC. 206. USE OF PROJECT FUNDS.

''(a) AGREEMENT REGARDING SCHEDULE AND COST OF PROJECT.—

''(1) AGREEMENT BETWEEN PARTIES.—The Secretary concerned may carry out a project submitted by a resource advisory committee under section 203(a) using project funds or other funds described in section 203(a)(2), if, as soon as practicable after the issuance of a decision document for the project and the exhaustion of all administrative appeals and judicial review of the project decision, the Secretary concerned and the resource advisory committee enter into an agreement addressing, at a minimum, the following:

''(A) The schedule for completing the project.

''(B) The total cost of the project, including the level of agency overhead to be assessed against the project.

''(C) For a multiyear project, the estimated cost of the project for each of the fiscal years in which it will be carried out.

''(D) The remedies for failure of the Secretary concerned to comply with the terms of the agreement consistent with current Federal law.

''(2) LIMITED USE OF FEDERAL FUNDS.—The Secretary concerned may decide, at the sole discretion of the Secretary concerned, to cover the costs of a portion of an approved project using Federal funds appropriated or otherwise available to the Secretary for the same purposes as the project.

''(b) TRANSFER OF PROJECT FUNDS.—

''(1) INITIAL TRANSFER REQUIRED.—As soon as practicable after the agreement is reached under subsection (a) with regard to a project to be funded in whole or in part using project funds, or other funds described in section 203(a)(2), the Secretary concerned shall transfer to the applicable unit of National Forest System land or Bureau of Land Management District an amount of project funds equal to—

''(A) in the case of a project to be completed in a single fiscal year, the total amount specified in the agreement to be paid using project funds, or other funds described in section 203(a)(2); or

''(B) in the case of a multiyear project, the amount specified in the agreement to be paid using project funds, or other funds described in section 203(a)(2) for the first fiscal year.

''(2) CONDITION ON PROJECT COMMENCEMENT.—The unit of National Forest System land or Bureau of Land Management District concerned, shall not commence a project until the project funds, or other funds described in section 203(a)(2) required to be transferred under paragraph (1) for the project, have been made available by the Secretary concerned.

''(3) SUBSEQUENT TRANSFERS FOR MULTIYEAR PROJECTS.—

''(A) IN GENERAL.—For the second and subsequent fiscal years of a multiyear project to be funded in whole or in part using project funds, the unit of National Forest System land or Bureau of Land Management District concerned shall use the amount of project funds required to continue the project in that fiscal year according to the agreement entered into under subsection (a).

''(B) SUSPENSION OF WORK.—The Secretary concerned shall suspend work on the project if the project funds required by the agreement in the second and subsequent fiscal years are not available.

''SEC. 207. AVAILABILITY OF PROJECT FUNDS.

''(a) SUBMISSION OF PROPOSED PROJECTS TO OBLIGATE FUNDS.—By September 30, 2008 (or as soon thereafter as the Secretary concerned determines is practicable), and each September 30 thereafter for each succeeding fiscal year through fiscal year 2011, a resource advisory committee shall submit to the Secretary concerned pursuant to section 203(a)(1) a sufficient number of project proposals that, if approved, would result in the obligation of at least the full amount of the project funds reserved by the participating county in the preceding fiscal year.

''(b) USE OR TRANSFER OF UNOBLIGATED FUNDS.—Subject to section 208, if a resource advisory committee fails to comply with subsection (a) for a fiscal year, any project funds reserved by the participating county in the preceding fiscal year and remaining unobligated shall be available for use as part of the project submissions in the next fiscal year.

''(c) EFFECT OF REJECTION OF PROJECTS.—Subject to section 208, any project funds reserved by a participating county in the preceding fiscal year that are unobligated at the end of a fiscal year because the Secretary concerned has rejected one or more proposed projects shall be available for use as part of the project submissions in the next fiscal year.

''(d) EFFECT OF COURT ORDERS.—

''(1) IN GENERAL.—If an approved project under this Act is enjoined or prohibited by a Federal court, the Secretary concerned shall return the unobligated project funds related to the project to the participating county or counties that reserved the funds.

''(2) EXPENDITURE OF FUNDS.—The returned funds shall be available for the county to expend in the same manner as the funds reserved by the county under subparagraph (B) or (C)(i) of section 102(d)(1).

''SEC. 208. TERMINATION OF AUTHORITY.

''(a) IN GENERAL.—The authority to initiate projects under this title shall terminate on September 30, 2011.

''(b) DEPOSITS IN TREASURY.—Any project funds not obligated by September 30, 2012, shall be deposited in the Treasury of the United States.

''TITLE III—COUNTY FUNDS

''SEC. 301. DEFINITIONS.

''In this title:

''(1) COUNTY FUNDS.—The term 'county funds' means all funds an eligible county elects under section 102(d) to reserve for expenditure in accordance with this title.

''(2) PARTICIPATING COUNTY.—The term 'participating county' means an eligible county that elects under section 102(d) to expend a portion of the Federal funds received under section 102 in accordance with this title.

''SEC. 302. USE.

''(a) AUTHORIZED USES.—A participating county, including any applicable agencies of the participating county, shall use county funds, in accordance with this title, only—

''(1) to carry out activities under the Firewise Communities program to provide to homeowners in fire-sensitive ecosystems education on, and assistance with implementing, techniques in home siting, home construction, and home landscaping that can increase the protection of people and property from wildfires;

''(2) to reimburse the participating county for search and rescue and other emergency services, including firefighting, that are—

''(A) performed on Federal land after the date on which the use was approved under subsection (b);

''(B) paid for by the participating county; and

''(3) to develop community wildfire protection plans in coordination with the appropriate Secretary concerned.

''(b) PROPOSALS.—A participating county shall use county funds for a use described in subsection (a) only after a 45–day public comment period, at the beginning of which the participating county shall—

''(1) publish in any publications of local record a proposal that describes the proposed use of the county funds; and

''(2) submit the proposal to any resource advisory committee established under section 205 for the participating county.

''SEC. 303. CERTIFICATION.

''(a) IN GENERAL.—Not later than February 1 of the year after the year in which any county funds were expended by a participating county, the appropriate official of the participating county shall submit to the Secretary concerned a certification that the county funds expended in the applicable year have been used for the uses authorized under

section 302(a), including a description of the amounts expended and the uses for which the amounts were expended.

''(b) REVIEW.—The Secretary concerned shall review the certifications submitted under subsection (a) as the Secretary concerned determines to be appropriate.

''SEC. 304. TERMINATION OF AUTHORITY.

''(a) IN GENERAL.—The authority to initiate projects under this title terminates on September 30, 2011.

''(b) AVAILABILITY.—Any county funds not obligated by September 30, 2012, shall be returned to the Treasury of the United States.

''TITLE IV—MISCELLANEOUS PROVISIONS

''SEC. 401. REGULATIONS.

''The Secretary of Agriculture and the Secretary of the Interior shall issue regulations to carry out the purposes of this Act.

''SEC. 402. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated such sums as are necessary to carry out this Act for each of fiscal years 2008 through 2011.

''SEC. 403. TREATMENT OF FUNDS AND REVENUES.

''(a) RELATION TO OTHER APPROPRIATIONS.—Funds made available under section 402 and funds made available to a Secretary concerned under section 206 shall be in addition to any other annual appropriations for the Forest Service and the Bureau of Land Management.

''(b) DEPOSIT OF REVENUES AND OTHER FUNDS.—All revenues generated from projects pursuant to title II, including any interest accrued from the revenues, shall be deposited in the Treasury of the United States.''.

(b) FOREST RECEIPT PAYMENTS TO ELIGIBLE STATES AND COUNTIES.—

(1) Act of May 23, 1908.—The sixth paragraph under the heading ''FOREST SERVICE'' in the Act of May 23, 1908 (16 U.S.C. 500) is amended in the first sentence by striking ''twenty-five percentum'' and all that follows through ''shall be paid'' and inserting the following: ''an amount equal to the annual average of 25 percent of all amounts received for the applicable fiscal year and each of the preceding 6 fiscal years from each national forest shall be paid''.

(2) Weeks Law.—Section 13 of the Act of March 1, 1911 (commonly known as the ''Weeks Law'') (16 U.S.C. 500) is amended in the first sentence by striking ''twenty-five percentum'' and all that follows through ''shall be paid'' and inserting the following: ''an amount equal to the annual average of 25 percent of all amounts received for the applicable fiscal year and each of the preceding 6 fiscal years from each national forest shall be paid''.

(c) PAYMENTS IN LIEU OF TAXES.—

(1) IN GENERAL.—Section 6906 of title 31, United States Code, is amended to read as follows:''6906. Funding

''For each of fiscal years 2008 through 2012—

''(1) each county or other eligible unit of local government shall be entitled to payment under this chapter; and

''(2) sums shall be made available to the Secretary of the Interior for obligation or expenditure in accordance with this chapter.''.

(2) CONFORMING AMENDMENT.—The table of sections for chapter 69 of title 31, United States Code, is amended by striking the item relating to section 6906 and inserting the following:

''6906. Funding.''.

(3) BUDGET SCOREKEEPING.—

(A) IN GENERAL.—Notwithstanding the Budget Scorekeeping Guidelines and the accompanying list of programs and accounts set forth in the joint explanatory statement of the committee of conference accompanying Conference Report 105217, the section in this title regarding Payments in Lieu of Taxes shall be treated in the baseline for purposes of section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985 (as in effect prior to September 30, 2002), and by the Chairmen of the House and Senate Budget Committees, as appropriate, for purposes of budget enforcement in the House and Senate, and under the Congressional Budget Act of 1974 as if Payment in Lieu of Taxes (14–1114–0–1–806) were an account designated as Appropriated Entitlements and Mandatories for Fiscal Year 1997 in the joint explanatory statement of the committee of conference accompanying Conference Report 105–217.

(B) EFFECTIVE DATE.—This paragraph shall remain in effect for the— fiscal years to which the entitlement in section 6906 of title 31, United States Code (as amended by paragraph (1)), applies.

Mr. ARCURI. Mr. Speaker, 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 ayes appeared to have it.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on adoption of the resolution, if ordered, and a motion to suspend the rules with regard to House Concurrent Resolution 255.

The vote was taken by electronic device.

The previous question was ordered. A subsequent voice vote was taken on adoption of the resolution, and a recorded vote was ordered thereon.

Mr. HOYER. Mr. Speaker, is it in order for me to ask unanimous consent that that vote be vacated?

The SPEAKER pro tempore. The gentleman may make such a request.

Mr. HOYER. I ask unanimous consent that the vote that we just took be vacated.

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

Mr. SESSIONS. Mr. Speaker, I reserve the right to object.

Under my reservation, I yield to the gentleman from Maryland.

Mr. HOYER. I thank the gentleman for yielding.

There was a mistake made in the notice that was given to the minority. That was not anybody's intention; it was a mistake. We want to give another opportunity to consider the rule with the minority having the proper information in front of them when we do so.

I have discussed this with the minority, and I think this is the appropriate procedure for us to fairly follow. And I've discussed it with your leadership.

Mr. SESSIONS. I would like to yield to the ranking member of the Rules Committee, Mr. DREIER.

Mr. DREIER. I thank the gentleman for yielding.

Mr. Speaker, I would simply like to inquire of the distinguished majority leader if he might enlighten us as to exactly what that problem is with which the Rules Committee is going to have to contend.

Mr. HOYER. I think it was discussed. There was a figure that was incorrectly given in the bill that you had in your possession that was different from the bill that was on the desk.

Mr. DREIER. If the gentleman would continue to yield.

It's my understanding that there were a couple of items that were put in in handwriting from the Ways and Means Committee that were not reflected in what went forward to the Rules Committee. And I thank my friend for yielding.

Mr. HOYER. Would the gentleman yield?

Mr. SESSIONS. I would yield.

Mr. HOYER. I thank the gentleman for yielding.

Frankly, I have not seen it, and I don't know. What I do know is that Mr. ARCURI informed me, and obviously has asked us—Mr. ARCURI feels very badly that a different version than was at the desk was given to the minority inadvertently; and as a result, the minority did not have the document in front of it. It was at the desk, but nobody's gone up to the desk to compare the items. And as a result, we think, in fairness, we ought to have that document in front of you.

Mr. DREIER. Would the gentleman yield?

Mr. SESSIONS. I would continue to yield to the gentleman.

Mr. DREIER. I thank my friend for yielding.

It's my understanding that there also was a disparity between the bill that was included on the Web site as well as the bill that was submitted to the Rules Committee. So it sounds to me as if there is quite a bit of confusion around this. And I hope very much that this will be an issue that can be addressed.

And I would say, if my friend would continue to yield, that to me this really underscores—and I know that we're in what we hope will be the last week of this session of this Congress—that moving rapidly like this does create the potential for problems. And so it seems to me that there may be a little more to this than appears right now, as I just heard that the Web site had something that was reported differently.

I thank my friend for yielding.

Mr. HOYER. Would the gentleman yield?

Mr. SESSIONS. I would yield to the gentleman.

Mr. HOYER. I thank the gentleman for yielding.

Now, frankly, I don't want to get into moving rapidly. The administration, of

course, came here Thursday and wanted us to pass $700 billion, and they want us to pass this very soon. So ''rapidly'' sometimes is in the eye of the beholder.

The point is, you're correct; there was a discrepancy. We think that was not fair. It was not intentional. But Mr. ARCURI, who gave the information to the minority and the information that was on the Web site, was not correct. We think, under those circumstances, in fairness to all, that we ought to redo this, and that's what we intend to do. And we discussed it with your leadership and we all agreed that that was the right thing to do.

Mr. SESSIONS. Continuing my reservation, I would say to the gentleman that we're not in any hurry over here in doing it right. The Republican Party is not in a rush, and we would wish for us to do very deliberately that which needs to be done.

Mr. HASTINGS of Washington. Would the gentleman yield?

Mr. SESSIONS. I would yield to the gentleman from Washington.

Mr. HASTINGS of Washington. I appreciate the gentleman yielding.

Mr. Speaker, this is really very, very important because we are at the last days of this session and we know there is a rush to try to get things done. And I understand that it was a bookkeeping—it wasn't intentional. I understand all of that, we've been through this before. But the significance of this, and it needs to be understood by this body as we are being asked in the future to make some big decisions, the difference in this little error was $100 million. It wasn't small potatoes, so to speak. And I just want to say that the right thing to do—and I hope this is what's going to happen—is that the Rules Committee goes back upstairs and reports it out correctly so we can have the text. But I think that point needs to be made. And I appreciate the gentleman for yielding.

Mr. HOYER. Would the gentleman yield?

Mr. SESSIONS. I would yield to the gentleman.

Mr. HOYER. I told the gentleman from Washington that's exactly what I'm trying to do, which is why I thought it best to obviate the vote so we can do exactly what you've suggested. I've discussed it with your leadership and they've agreed. I hope we can do that, and I hope there's not an objection.

Mr. SESSIONS. Mr. Speaker, I withdraw my reservation.

The SPEAKER pro tempore. Without objection, the vote on adoption of the resolution is vacated.

There was no objection.

Mr. HOYER. Mr. Speaker, I ask unanimous consent that both the vote on the adoption of the rule and the vote on the previous question be vacated.

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

There was no objection.

Mr. ARCURI. Mr. Speaker, under the rules, I withdraw House Resolution 1501.

The SPEAKER pro tempore. The resolution is withdrawn.

□ 1545

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

UNITED STATES COMMITMENT TO PRESERVATION OF RELIGIOUS AND CULTURAL SITES

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the concurrent resolution, H. Con. Res. 255, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. CROWLEY) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 255, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 414, nays 1, not voting 18, as follows:

[Roll No. 641]

YEAS—414

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
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
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Cazayoux
Chabot
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
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
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fortenberry
Fossella
Foster
Foxx
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 (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hulshof
Hunter
Inglis (SC)
Inslee
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
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 (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
Neal (MA)
Neugebauer
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
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
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
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)
Weller
Westmoreland
Wexler
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wittman (VA)
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NAYS—1

Paul

NOT VOTING—18

Bachus	Everett	Napolitano
Boehner	Frank (MA)	Shuler
Conyers	Hastings (FL)	Souder
Cramer	Hoyer	Udall (CO)
Cubin	Israel	Weldon (FL)
Davis, David	Miller (FL)	Whitfield (KY)

□ 1604

Mrs. BACHMANN changed her vote from ''nay'' to ''yea.''

So (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. BACHUS. Madam Speaker, on September 25, 2008, I missed rollcall vote 641 while attending a meeting at the White House to discuss the Nation's financial crisis. Had I been present, I would have voted "yea" on rollcall 641.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Ms. BALDWIN). 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 today.

BREAST CANCER AND ENVIRONMENTAL RESEARCH ACT OF 2008

Mr. PALLONE. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 1157) to amend the Public Health Service Act to authorize the Director of the National Institute of Environmental Health Sciences to make grants for the development and operation of research centers regarding environmental factors that may be related to the etiology of breast cancer, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1157

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 ''Breast Cancer and Environmental Research Act of 2008''.

SEC. 2. EXPANDING COLLABORATIVE RESEARCH ON BREAST CANCER AND THE ENVIRONMENT.

(a) IN GENERAL.—Subpart 1 of part C of title IV of the Public Health Service Act (42 U.S.C. 285 et seq.) is amended by adding at the end the following:

''SEC. 417F. INTERAGENCY BREAST CANCER AND ENVIRONMENTAL RESEARCH COORDINATING COMMITTEE.

''(a) INTERAGENCY BREAST CANCER AND ENVIRONMENTAL RESEARCH COORDINATING COMMITTEE.—

''(1) ESTABLISHMENT.—Not later than 6 months after the date of the enactment of this section, the Secretary shall establish a committee, to be known as the Interagency Breast Cancer and Environmental Research Coordinating Committee (in this section referred to as the 'Committee').

''(2) DUTIES.—The Committee shall—

''(A) share and coordinate information on existing research activities, and make recommendations to the National Institutes of Health and other Federal agencies regarding how to improve existing research programs, that are related to breast cancer research;

''(B) develop a comprehensive strategy and advise the National Institutes of Health and other Federal agencies in the solicitation of proposals for collaborative, multidisciplinary research, including proposals to evaluate environmental and genomic factors that may be related to the etiology of breast cancer that would—

''(i) result in innovative approaches to study emerging scientific opportunities or eliminate knowledge gaps in research to improve the research portfolio;

''(ii) outline key research questions, methodologies, and knowledge gaps;

''(iii) expand the number of research proposals that involve collaboration between 2 or more national research institutes or national centers, including proposals for Common Fund research described in section 402(b)(7) to improve the research portfolio; and

''(iv) expand the number of collaborative, multidisciplinary, and multi-institutional research grants;

''(C) develop a summary of advances in breast cancer research supported or conducted by Federal agencies relevant to the diagnosis, prevention, and treatment of cancer and other diseases and disorders; and

''(D) not later than 2 years after the date of the establishment of the Committee, make recommendations to the Secretary—

''(i) regarding any appropriate changes to research activities, including recommendations to improve the research portfolio of the National Institutes of Health to ensure that scientifically-based strategic planning is implemented in support of research priorities that impact breast cancer research activities;

''(ii) to ensure that the activities of the National Institutes of Health and other Federal agencies, including the Department of Defense, are free of unnecessary duplication of effort;

''(iii) regarding public participation in decisions relating to breast cancer research to increase the involvement of patient advocacy and community organizations representing a broad geographical area;

''(iv) on how best to disseminate information on breast cancer research progress; and

''(v) on how to expand partnerships between public entities, including Federal agencies, and private entities to expand collaborative, cross-cutting research.

''(3) RULE OF CONSTRUCTION.—For the purposes of the Committee, when focusing on research to evaluate environmental and genomic factors that may be related to the etiology of breast cancer, nothing in this section shall be construed to restrict the Secretary from including other forms of cancer, as appropriate, when doing so may advance research in breast cancer or advance research in other forms of cancer.

''(4) MEMBERSHIP.—

''(A) IN GENERAL.—The Committee shall be composed of the following voting members:

''(i) Not more than 7 voting Federal representatives as follows:

''(I) The Director of the Centers for Disease Control and Prevention.

''(II) The Director of the National Institutes of Health and the directors of such national research institutes and national centers (which may include the National Institute of Environmental Health Sciences) as the Secretary determines appropriate.

''(III) One representative from the National Cancer Institute Board of Scientific Advisors, appointed by the Director of the National Cancer Institute.

''(IV) The heads of such other agencies of the Department of Health and Human Services as the Secretary determines appropriate.

''(V) Representatives of other Federal agencies that conduct or support cancer research, including the Department of Defense.

''(ii) 12 additional voting members appointed under subparagraph (B).

''(B) ADDITIONAL MEMBERS.—The Committee shall include additional voting members appointed by the Secretary as follows:

''(i) 6 members shall be appointed from among scientists, physicians, and other health professionals, who—

''(I) are not officers or employees of the United States;

''(II) represent multiple disciplines, including clinical, basic, and public health sciences;

''(III) represent different geographical regions of the United States;

''(IV) are from practice settings, academia, or other research settings; and

''(V) are experienced in scientific peer review process.

''(ii) 6 members shall be appointed from members of the general public, who represent individuals with breast cancer.

''(C) NONVOTING MEMBERS.—The Committee shall include such nonvoting members as the Secretary determines to be appropriate.

''(5) CHAIRPERSON.—The voting members of the Committee shall select a chairperson from among such members. The selection of a chairperson shall be subject to the approval of the Director of NIH.

''(6) MEETINGS.—The Committee shall meet at the call of the chairperson of the Committee or upon the request of the Director of NIH, but in no case less often than once each year.

''(b) REVIEW.—The Secretary shall review the necessity of the Committee in calendar year 2011 and, thereafter, at least once every 2 years.''.

(b) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out research activities under title IV of the Public Health Service Act, including section 417F of such Act as added by subsection (a), there are authorized to be appropriated $40,000,000 for each of fiscal years 2009 through 2012. Amounts authorized to be appropriated under the preceding sentence shall be in addition to amounts otherwise authorized to be appropriated for such purpose under section 402A of the Public Health Service Act (42 U.S.C. 282a).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Georgia (Mr. DEAL) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

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

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

There was no objection.

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

Madam Speaker, I rise in strong support of H.R. 1157, the Breast Cancer and Environmental Research Act, legislation introduced by Representatives NITA LOWEY and SUE MYRICK.

According to the Centers for Disease Control and Prevention, the CDC, breast cancer is the second most common form of cancer in women. Each

year in America, approximately 182,000 women are diagnosed of breast cancer, of which nearly 41,000 lose their lives.

While improved access to screening and treatment services have helped reduced breast cancer death rates over the past couple of decades, significant challenges still remain. For example, we are still unsure about what causes breast cancer or how to prevent it. While there have been a number of studies that have looked at various risk factors, we have not been able to draw any solid conclusions about what specifically causes breast cancer or what are the linkages between breast cancer and environmental factors.

This legislation would help address, help facilitate and help coordinate research efforts on the links between breast cancer and environmental factors in the hopes that one day we might find a cure.

Let me acknowledge the work of my colleagues, Mrs. LOWEY and Mrs. MYRICK, who have been tireless advocates on behalf of this legislation. They have been working nonstop over the past several months to develop the compromise legislation before us today.

I would also like to commend the chairman of our committee, the Energy and Commerce Committee, Mr. DINGELL, as well as his staff, for their hard work on this legislation. In particular I would like to acknowledge the hard work of Jessica McNiece, a member of the professional staff on the Energy and Commerce Committee, for her efforts to move this bill forward.

I reserve the balance of my time.

Mr. DEAL of Georgia. Madam Speaker, I too rise in support of this legislation and would like to yield such time as she may consume to one of the original sponsors of this legislation, the gentlewoman from North Carolina (Mrs. MYRICK).

Mrs. MYRICK. Thank you, Mr. DEAL, for yielding.

I am very pleased to speak on behalf of this bill and excited that it has come this far, because it is going to further progress breast cancer research as it relates to the environmental factors.

NITA LOWEY has worked on this for I think 10 years. I have been at it for at least 7 years. I don't know how long it has been, NITA, but it has been a long, long time. We are both happy to be at this point, because I think it will breathe new life into the effort of what we are doing at the NIH for the potential triggers of breast cancer.

Lots of thought has gone into this, a tremendous amount of work on both sides of the aisle. I want to commend Mrs. LOWEY for all of her work, Chairman DINGELL and Chairman BARTON, and all the staff members who made this compromise possible, because this has been a long time coming. We are just grateful we are at this point today.

Mr. PALLONE. Madam Speaker, I yield 2 minutes to the sponsor of the bill, the gentlewoman from New York (Mrs. LOWEY), who, as everyone has said, has worked so hard and tirelessly on behalf of this legislation.

Mrs. LOWEY. Madam Speaker, I rise in support of H.R. 1157, the Breast Cancer and Environmental Research Act. The bill is the product of bipartisan, bicameral negotiations, and in my judgment truly represents a fair compromise that will lead to meaningful changes in how breast cancer research is conducted throughout the Federal Government.

The bill passed by voice vote in the Energy and Commerce Committee. It will improve the caliber of breast cancer research, improve transparency for breast cancer research dollars and vastly increase the role of advocates in determining research priorities.

I would like to thank a few key individuals who have been an integral part of advancing this legislation. First of all, my partner on this bill, Congresswoman SUE MYRICK. She has done a yeoman job, and we have worked together for a very, very long time. Congratulations. Of course, her staff, Sarah Hale; the Senate sponsor of this bill, Majority Leader HARRY REID and his staff, Carolyn Gluck; Ranking Member BARTON and his staff, Ryan Long; Minority Whip ROY BLUNT and his staff, Cheryl Jaeger; Health Subcommittee Chairman, my good friend Congressman PALLONE, we came to the Congress together, and his staff, Bobby Clark; and, of course, Chairman DINGELL and his staff, in particular Jessica McNiece and Greg Rothschild, who have spent countless hours on this bill. Without their commitment to advancing a bipartisan product, frankly, we wouldn't be here today.

The bill is a really good one, and I urge my colleagues to support it.

Mr. DEAL of Georgia. Madam Speaker, I think one of the better things that is contained in this legislation is that it does create an interagency coordinating committee to coordinate the activities on breast cancer research that are being conducted by the Department of Health and Human Services, the Defense Department and other agencies that are actively engaged in cancer research. By removing the barriers which restrict cross-institutional information sharing, we will be able to bring America's best scientists together to collaborate and work together in pursuit of a cure.

The bill also increases the overall authorization of the NIH by $40 million to further aid their mission in this research.

I think it is a good step in the right direction, and I am glad to see the House taking the legislation up today.

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

Mr. PALLONE. Madam Speaker, I have no further requests for time. I would ask that we all support this very important legislation. I know that it constantly comes up in my State about possible links between breast cancer and various cancers and environmental risk, so I know how important this is. I ask that everyone support it.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 1157, 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.

FIRST LIEUTENANT NOAH HARRIS ELLIJAY POST OFFICE BUILDING

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill, H.R. 6847.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. TOWNS) that the House suspend the rules and pass the bill, H.R. 6847.

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.

STEPHANIE TUBBS JONES ORGAN TRANSPLANT AUTHORIZATION ACT OF 2008

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill, H.R. 6469, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 6469, 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.

□ 1615

METH FREE FAMILIES AND COMMUNITIES ACT

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill, H.R. 6901.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 6901.

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.

TOM LANTOS PULMONARY HYPERTENSION RESEARCH AND EDUCATION ACT OF 2008

Mr. PALLONE. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 6568) to direct the Secretary of Health and Human Services to encourage research and carry out an educational campaign with respect to pulmonary hypertension, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6568

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 ''Tom Lantos Pulmonary Hypertension Research and Education Act of 2008''.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.
TITLE I—RESEARCH ON PULMONARY HYPERTENSION
Sec. 101. Expansion and intensification of activities.
TITLE II—INCREASING AWARENESS OF PULMONARY HYPERTENSION
Sec. 201. Promoting public awareness.
Sec. 202. Promoting awareness among health care professionals.

TITLE I—RESEARCH ON PULMONARY HYPERTENSION

SEC. 101. EXPANSION AND INTENSIFICATION OF ACTIVITIES.

(a) SENSE OF CONGRESS.—It is the sense of the Congress that—

(1) the Secretary of Health and Human Services (in this Act referred to as the ''Secretary''), acting through the Director of the National Institutes of Health and the Director of the National Heart, Lung, and Blood Institute (in this title referred to as the ''Institute''), should continue aggressive work on pulmonary hypertension;

(2) as part of such work, the Director of the Institute should continue research to expand the understanding of the causes of, and to find a cure for, pulmonary hypertension; and

(3) activities under paragraph (1) may include conducting and supporting—

(A) basic research concerning the etiology and causes of pulmonary hypertension;

(B) basic research on the relationship between scleroderma, sickle cell anemia (and other conditions identified by the Director of the Institute that can lead to a secondary diagnosis of pulmonary hypertension), and pulmonary hypertension;

(C) clinical research for the development and evaluation of new treatments for pulmonary hypertension, including the establishment of a ''Pulmonary Hypertension Clinical Research Network'';

(D) support for the training of new clinicians and investigators with expertise in the pulmonary hypertension; and

(E) information and education programs for the general public.

(b) BIENNIAL REPORTS.—As part of the biennial report made under section 403 of the Public Health Service Act (42 U.S.C. 283), the Secretary shall include information on the status of pulmonary hypertension research at the National Institutes of Health.

TITLE II—INCREASING AWARENESS OF PULMONARY HYPERTENSION

SEC. 201. PROMOTING PUBLIC AWARENESS.

(a) IN GENERAL.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention, shall carry out an educational campaign to increase public awareness of pulmonary hypertension. Print, video, and Web-based materials distributed under this program may include—

(1) basic information on pulmonary hypertension and its symptoms; and

(2) information on—

(A) the incidence and prevalence of pulmonary hypertension;

(B) diseases and conditions that can lead to pulmonary hypertension as a secondary diagnosis;

(C) the importance of early diagnosis; and

(D) the availability, as medically appropriate, of a range of treatment options and pulmonary hypertension.

(b) DISSEMINATION OF INFORMATION.—The Secretary is encouraged to disseminate information under subsection (a) through a cooperative agreement with a national nonprofit entity with expertise in pulmonary hypertension.

(c) REPORT TO CONGRESS.—Not later than September 30, 2009, the Secretary shall report to the Committee on Energy and Commerce of the House of Representatives, the Committee on Health, Education, Labor, and Pensions of the Senate, and the Committee on Appropriations of the House of Representatives and the Senate on the status of activities under this section.

(d) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there is authorized to be appropriated $2,500,000 for each of fiscal years 2009, 2010, and 2011.

SEC. 202. PROMOTING AWARENESS AMONG HEALTH CARE PROFESSIONALS.

(a) IN GENERAL.—The Secretary, acting through the Administrator of the Health Resources and Services Administration and the Director of the Centers for Disease Control and Prevention, shall carry out an educational campaign to increase awareness of pulmonary hypertension among health care providers. Print, video, and Web-based materials distributed under this program may include information on—

(1) the symptoms of pulmonary hypertension;

(2) the importance of early diagnosis;

(3) current diagnostic criteria; and

(4) Food and Drug Administration-approved therapies for the disease.

(b) TARGETED HEALTH CARE PROVIDERS.—Health care providers targeted through the campaign under subsection (a) shall include, but not be limited to, cardiologists, pulmonologists, rheumatologists, primary care physicians, pediatricians, and nurse practitioners

(c) DISSEMINATION OF INFORMATION.—The Secretary is encouraged to disseminate information under subsection (a) through a cooperative agreement with a national nonprofit entity with expertise in pulmonary hypertension.

(d) REPORT TO CONGRESS.—Not later than September 30, 2009, the Secretary shall report to the Committee on Energy and Commerce of the House of Representatives, the Committee on Health, Education, Labor, and Pensions of the Senate, and the Committee on Appropriations of the House of Representatives and the Senate on the status of activities under this section.

(e) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there is authorized to be appropriated $2,500,000 for each of fiscal years 2009, 2010, and 2011.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Georgia (Mr. DEAL) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

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

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

There was no objection.

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

Madam Speaker, I rise in strong support of H.R. 6568, the Tom Lantos Pulmonary Hypertension Research and Education Act of 2008, as introduced by representative KEVIN BRADY and my good friend and the Health Subcommittee's vice chair, LOIS CAPPS.

Pulmonary hypertension is a rare lung disorder in which the blood pressure in the pulmonary artery rises far above normal levels, usually with no apparent reason. Symptoms include chronic fatigue, shortness of breath, chest pains, palpitations, and fainting. According to the Centers for Disease Control and Prevention, in 2002 there were 15,668 deaths and 260,000 hospital visits among persons with pulmonary hypertension.

The number of hospitalizations related to pulmonary hypertension has been increasing in recent years, especially among women. This measure would help improve current research efforts on pulmonary hypertension, as well as increased public awareness.

I want to thank my colleagues, Mr. BRADY and Mrs. CAPPS for their work on this legislation.

I also want to recognize my colleague, Mr. Lantos, who passed away earlier this year. Passage of today's bill is a fitting tribute to Representative Lantos and his work in raising awareness about pulmonary hypertension and thousands of patients who suffer from it.

I urge my colleagues on both sides of the aisle to offer their support for this very important bill, and I reserve the balance of my time.

Mr. DEAL of Georgia. Madam Speaker, I too rise in support of this legislation and want to commend the work of Mrs. CAPPS and also Mr. KEVIN BRADY.

I would, at this time, yield to Mr. BRADY as much time as he might consume in support of this legislation, of which he was one of the original sponsors.

Mr. BRADY of Texas. Let me first thank Mr. DEAL for his remarkable leadership in shepherding this bill to the floor. Without him championing it through the Energy and Commerce Committee along with Mrs. CAPPS, this simply would not be happening. I want to thank Mr. DEAL for his leadership on behalf of many, many, many patients.

I would also like to take a brief moment to reflect on the loss of my friend and one of pulmonary hypertension's

most important voices in Congress, Tom Lantos. I know I speak for each one of us here when I say that we have dearly missed Tom's passion for his work and for the House of Representatives.

As chairman of the House Foreign Relations Committee, Tom was regularly confronting some of the most pressing challenges facing our country in the world today. Nevertheless, it was his work on PH that he routinely cited the most important thing he was doing in Congress.

As many of us know, Tom's granddaughter, Charity, was diagnosed with pulmonary hypertension several years ago. Ever since he had been a tireless advocates on behalf of PH patients and, in my opinion, a large part of why we have made so much progress over the last decade.

Like Tom, my involvement with PH is very personal. It is now more than a decade since the daughter of my very good friend, Jack Stibbs, was diagnosed with PH. Jack's daughter, Emily, was only 5 when her parents noticed at a community parade that she was struggling to bicycle fast enough to keep up with her friends. She always seemed out of breath and struggled to climb stairs. Doctors eventually diagnosed her with pulmonary hypertension.

PH is a serious and often-fatal condition where the blood pressure in the lungs rises to dangerously high levels. In PH patients, the walls of the arteries that take blood from the right side of the heart to the lungs, thicken and constrict. As a result, the right side of the heart has to pump harder and harder to move blood into the lungs, causing it to enlarge and ultimately fail.

PH can occur without a known cause or be secondary to other conditions, such as scleroderma, lupus, HIV, sickle cell, and liver disease. Patients develop symptoms that include shortness of breath, fatigue, chest pain, dizziness and fainting.

Unfortunately, these symptoms are frequently misdiagnosed, leaving patients with the false impression that they have a minor pulmonary or cardiovascular condition. By the time many patients receive an accurate diagnosis, the disease has progressed to a late stage, making it impossible to receive a necessary heart or lung transplant.

When Emily Stibbs was first diagnosed in 1977, the average survival rate for PH patients was just 2½ years. There was only one FDA-approved therapy at the time, and the best that doctors could do was to make patients comfortable as their condition deteriorated. To make matters worse, there is very little research on PH being supported by the National Institutes of Health.

Fortunately we have come a very long way in a relatively short period of time. There are now six FDA-approved therapies for PH with many, many more in the pipeline. People are living longer with a better quality of life than ever before. Our Federal health care agencies, including the National Institutes of Health, Centers for Disease Control and Food and Drug Administration are actively and aggressively engaged in the fight against PH.

Those of us here on Capitol Hill are more aware of this disease than ever before. The 247 Representatives who cosponsored our PH bill in the last Congress are testament to that fact. But there is still more work that can and must be done as pulmonary hypertension afflicts over 100,000 Americans and continues to strike women of child-bearing age in growing numbers.

Representative LOIS CAPPS has joined me in introducing the bill before us today, the Tom Lantos Pulmonary Hypertension Research and Education Act. This bill builds on what we have already accomplished and further emphasizes the need for more research, more training and more awareness.

Specifically, it urges the NIH to aggressively pursue collaborative research into better treatments and provides funding to increase physician and public awareness of the disease to ensure early and accurate diagnoses. I am proud of what we have done together and believe that a cure for PH is just around the corner, so long as we continue to keep the National Institutes of Health and medical community focused.

On behalf of pulmonary hypertension patients everywhere, I would like to thank Representative LOIS CAPPS for her leadership of this bill, Energy and Commerce Chairman DINGELL, Ranking Member JOE BARTON, Health Subcommittee Chairman FRANK Pallone, and, as I mentioned before, my dear friend, NATHAN DEAL, again, whose leadership was remarkable.

I conclude with this, over the last 10 years, we have decided that if I did nothing else in Congress, I would find a cure for this incurable disease.

I appreciate so much the Pulmonary Hypertension Association, which has raised, over the years, $10 million for research and education; the chairman of the association, Carl Hicks; its great president, Rino Aldrighetti; Katie Kroner and Gavin Lindberg, who have spent many years advocating on behalf of our patients in the association; Dr. Elizabeth Nabel, director of the National Heart, Lung and Blood Institute, who helped start the first Centers of Excellence for PH at the National Institutes of Health; and finally the staff of the Energy and Commerce Committee, including Jessica McNiece, Aarti Shaw, Brandon Clark, and Ryan Long.

It takes a collaborative effort to tackle a disease like this. We are making progress, and I am eternally grateful for their support.

Mr. PALLONE. Madam Speaker, I yield 2 minutes to the sponsor of the legislation, the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. I thank the chairman of our Health subcommittee for recognizing me.

Madam Speaker, I rise in support of H.R. 6568, for which I am proud to be the lead Democratic sponsor.

I want to commend Congressman KEVIN BRADY for his tireless work on behalf of pulmonary hypertension awareness over the last several years. As the name of this legislation indicates, our dear friend and former colleague, Tom Lantos, was a champion of working against this disease because of a very personal connection, his lovely granddaughter, Charity.

I am so proud that we could help the Lantos family fulfill their goal of seeing this bill acted on during the 110th Congress. I am sure that many of us will remember forever the day that Charity testified, that was in December of 2005.

She testified before the Energy and Commerce Committee. She so eloquently relayed to us the challenges of getting properly diagnosed and then adjusting to her daily complex routine in order to cope with her illness at the same time she pursued her musical career.

Pulmonary hypertension is a very rare disease, which is marked by increased blood pressure in the pulmonary artery, as has been described. There are very few treatments available, and this legislation is aimed at improving research and awareness about the disease so that we can find more effective treatments and, one day, a cure.

I want to thank the Energy and Commerce majority and minority staff for working hard to bring this bill up today, for the ranking member of the minority Health committee for insisting that it come before us today, and for the lead sponsor, again, KEVIN BRADY, for his efforts on behalf of the pulmonary hypertension community.

Of course, we thank the Lantos family for their advocacy on behalf of pulmonary hypertension, and the efforts to ensure this bill's passage in Tom Lantos' memory.

Mr. DEAL of Georgia. Madam Speaker, I had the honor of chairing that hearing that Mrs. CAPPS just referred to back in 2005 in the Energy and Commerce Committee, Health Subcommittee, in which we had the first hearing on pulmonary hypertension. The Honorable Tom Lantos' granddaughter, Charity, did testify. She was a compelling witness, and I think it is altogether fitting that this legislation be named in honor of her grandfather.

I want to thank Mrs. CAPPS and Mr. BRADY and all the others who have worked so hard on this legislation. As Mr. BRADY pointed out, this is an excellent example of citizen advocates who have taken this issue to heart and who have literally pushed this all the way. Without their support, we probably would not have been able to get this legislation to the floor. I commend all those who have had a hand in it.

Madam Speaker, I yield back the balance my time.

Mr. PALLONE. Madam Speaker, I have no further requests for time. I

would ask that everyone support this legislation, not only because of the issue of pulmonary hypertension and research and the need for it, but also as a tribute to Representative Lantos.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 6568, 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.

ALS REGISTRY ACT

Mr. PALLONE. Madam Speaker, I move to suspend the rules and pass the Senate bill (S. 1382) to amend the Public Health Service Act to provide for the establishment of an Amyotrophic Lateral Sclerosis Registry.

The Clerk read the title of the Senate bill.

The text of the Senate bill is as follows:

S. 1382

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 ''ALS Registry Act''.

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

Part P of title III of the Public Health Service Act (42 U.S.C. 280g et seq.) is amended by adding at the end the following:

''SEC. 399R. AMYOTROPHIC LATERAL SCLEROSIS REGISTRY.

''(a) ESTABLISHMENT.—

''(1) IN GENERAL.—Not later than 1 year after the receipt of the report described in subsection (b)(2)(A), the Secretary, acting through the Director of the Centers for Disease Control and Prevention, may, if scientifically advisable—

''(A) develop a system to collect data on amyotrophic lateral sclerosis (referred to in this section as 'ALS') and other motor neuron disorders that can be confused with ALS, misdiagnosed as ALS, and in some cases progress to ALS, including information with respect to the incidence and prevalence of the disease in the United States; and

''(B) establish a national registry for the collection and storage of such data to develop a population-based registry of cases in the United States of ALS and other motor neuron disorders that can be confused with ALS, misdiagnosed as ALS, and in some cases progress to ALS.

''(2) PURPOSE.—It is the purpose of the registry established under paragraph (1)(B) to—

''(A) better describe the incidence and prevalence of ALS in the United States;

''(B) examine appropriate factors, such as environmental and occupational, that may be associated with the disease;

''(C) better outline key demographic factors (such as age, race or ethnicity, gender, and family history of individuals who are diagnosed with the disease) associated with the disease;

''(D) better examine the connection between ALS and other motor neuron disorders that can be confused with ALS, misdiagnosed as ALS, and in some cases progress to ALS; and

''(E) other matters as recommended by the Advisory Committee established under subsection (b).

''(b) ADVISORY COMMITTEE.—

''(1) ESTABLISHMENT.—Not later than 180 days after the date of the enactment of this section, the Secretary, acting through the Director of the Centers for Disease Control and Prevention, may establish a committee to be known as the Advisory Committee on the National ALS Registry (referred to in this section as the 'Advisory Committee'). The Advisory Committee shall be composed of not more than 27 members to be appointed by the Secretary, acting through the Centers for Disease Control and Prevention, of which—

''(A) two-thirds of such members shall represent governmental agencies—

''(i) including at least one member representing—

''(I) the National Institutes of Health, to include, upon the recommendation of the Director of the National Institutes of Health, representatives from the National Institute of Neurological Disorders and Stroke and the National Institute of Environmental Health Sciences;

''(II) the Department of Veterans Affairs;

''(III) the Agency for Toxic Substances and Disease Registry; and

''(IV) the Centers for Disease Control and Prevention; and

''(ii) of which at least one such member shall be a clinician with expertise on ALS and related diseases, an epidemiologist with experience in data registries, a statistician, an ethicist, and a privacy expert (relating to the privacy regulations under the Health Insurance Portability and Accountability Act of 1996); and

''(B) one-third of such members shall be public members, including at least one member representing—

''(i) national and voluntary health associations;

''(ii) patients with ALS or their family members;

''(iii) clinicians with expertise on ALS and related diseases;

''(iv) epidemiologists with experience in data registries;

''(v) geneticists or experts in genetics who have experience with the genetics of ALS or other neurological diseases and

''(vi) other individuals with an interest in developing and maintaining the National ALS Registry.

''(2) DUTIES.—The Advisory Committee may review information and make recommendations to the Secretary concerning—

''(A) the development and maintenance of the National ALS Registry;

''(B) the type of information to be collected and stored in the Registry;

''(C) the manner in which such data is to be collected;

''(D) the use and availability of such data including guidelines for such use; and

''(E) the collection of information about diseases and disorders that primarily affect motor neurons that are considered essential to furthering the study and cure of ALS.

''(3) REPORT.—Not later than 270 days after the date on which the Advisory Committee is established, the Advisory Committee may submit a report to the Secretary concerning the review conducted under paragraph (2) that contains the recommendations of the Advisory Committee with respect to the results of such review.

''(c) GRANTS.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention, may award grants to, and enter into contracts and cooperative agreements with, public or private nonprofit entities for the collection, analysis, and reporting of data on ALS and other motor neuron disorders that can be confused with ALS, misdiagnosed as ALS, and in some cases progress to ALS after receiving the report under subsection (b)(3).

''(d) COORDINATION WITH STATE, LOCAL, AND FEDERAL REGISTRIES.—

''(1) IN GENERAL.—In establishing the National ALS Registry under subsection (a), the Secretary, acting through the Director of the Centers for Disease Control and Prevention, may—

''(A) identify, build upon, expand, and coordinate among existing data and surveillance systems, surveys, registries, and other Federal public health and environmental infrastructure wherever possible, which may include—

''(i) any registry pilot projects previously supported by the Centers for Disease Control and Prevention;

''(ii) the Department of Veterans Affairs ALS Registry;

''(iii) the DNA and Cell Line Repository of the National Institute of Neurological Disorders and Stroke Human Genetics Resource Center at the National Institutes of Health;

''(iv) Agency for Toxic Substances and Disease Registry studies, including studies conducted in Illinois, Missouri, El Paso and San Antonio, Texas, and Massachusetts;

''(v) State-based ALS registries;

''(vi) the National Vital Statistics System; and

''(vii) any other existing or relevant databases that collect or maintain information on those motor neuron diseases recommended by the Advisory Committee established in subsection (b); and

''(B) provide for research access to ALS data as recommended by the Advisory Committee established in subsection (b) to the extent permitted by applicable statutes and regulations and in a manner that protects personal privacy consistent with applicable privacy statutes and regulations.

''(2) COORDINATION WITH NIH AND DEPARTMENT OF VETERANS AFFAIRS.—Consistent with applicable privacy statutes and regulations, the Secretary may ensure that epidemiological and other types of information obtained under subsection (a) is made available to the National Institutes of Health and the Department of Veterans Affairs.

''(e) DEFINITION.—For the purposes of this section, the term 'national voluntary health association' means a national non-profit organization with chapters or other affiliated organizations in States throughout the United States with experience serving the population of individuals with ALS and have demonstrated experience in ALS research, care, and patient services.''.

SEC. 3. REPORT ON REGISTRIES.

Not later than 18 months after the date of enactment of this Act, the Secretary of Health and Human Services may submit to the appropriate committees of Congress a report outlining—

(1) the registries currently under way;

(2) future planned registries;

(3) the criteria involved in determining what registries to conduct, defer, or suspend; and

(4) the scope of those registries.

The report may also include a description of the activities the Secretary undertakes to establish partnerships with research and patient advocacy communities to expand registries.

□ 1630

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from

New Jersey (Mr. PALLONE) and the gentleman from Nebraska (Mr. TERRY) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

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

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

There was no objection.

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

Madam Speaker, I rise in support of S. 1382, the ALS Registry Act. ALS, more commonly known as Lou Gehrig's disease, is a fatal, progressive neurodegenerative disease affecting approximately 5,600 Americans each year. It is estimated that as many as 30,000 Americans have ALS at any given time, with an average life expectancy of 2 to 5 years from time of diagnosis.

Today, no single national patient registry collects and stores information on the prevalence and incidence of ALS.

The ALS Registry Act would create a nationwide registry at the Centers for Disease Control and Prevention for ALS and other related motor neuron disorders. The patient registry would collect data which is urgently needed for ALS research, disease management, and the development of standards of care. This will allow us to make real progress in better understanding ALS, and to develop measures for prevention, treatment, and eventually a cure for this dreaded disease.

I would like to thank my dear friend and colleague on the Energy and Commerce Committee Representative ELIOT ENGEL for his dedication to bringing this bill before us today. ELIOT and I, along with NITA LOWEY, started the same time in Congress, which is about 20 years now. I remember when we had the hearing on this. Mr. ENGEL is from New York and talked a little about Lou Gehrig. I had actually been to a Yankees' game just a few days before, and I saw so many people wearing Lou Gehrig shirts, and I was amazed after so many years that that would still be the case.

On October 16 of last year, we overwhelmingly passed the House companion to S. 1382, and I strongly urge us to pass this bill by the same margin. Please join me in enacting this important legislation.

I reserve the balance of my time.

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

Madam Speaker, as one of the coauthors of this bill, I rise in support of Senate 1382, or at least the House version of this ALS Registry Act.

ALS, sometimes called Lou Gehrig's disease, is a rapidly progressive and invariably fatal neurological disease that attacks the nerve cells responsible for controlling voluntary muscles. The disease belongs to a group of disorders known as motor neuron diseases, which are characterized by the gradual degeneration and death of motor neurons.

As many as 20,000 Americans have ALS, and an estimated 5,000 people in the United States are diagnosed with the disease each year. ALS is one of the most common neuromuscular diseases worldwide, and people of all races and ethnic backgrounds are affected. ALS most commonly strikes people between 40 and 60 years of age, but younger and older people also can develop the disease.

Constituents suffering from what used to be called Lou Gehrig's disease have been visiting Congress and asking for help for years. The disease is brutal, and I believe that establishing a registry will help researchers cure ALS. An ALS registry will serve as an excellent resource for scientists.

I thank Mr. ENGEL and others like Mr. DEAL who helped shepherd this through our subcommittee and committee and in making sure that it got here today.

Madam Speaker, I urge all Members to support this legislation.

I reserve the balance of my time.

Mr. PALLONE. Madam Speaker, I yield 4 minutes to the sponsor of the bill, the gentleman from New York (Mr. ENGEL).

Mr. ENGEL. I thank my good friend, the gentleman from New Jersey (Mr. PALLONE), with whom I have worked so closely during these past 20 years on so many things, and he is doing a wonderful job as chairman of our Health Subcommittee on the Energy and Commerce Committee.

Madam Speaker, I am so proud that through hard work and compromise with the Senate, that today we will take up a final version of the ALS Registry Act. The House has passed this bill before. It was stuck in the Senate. We finally have it shaken loose and it is back with the Senate version which we are proud to all support. Thanks to this legislation, we will provide for the creation and maintenance of a single, nationwide ALS registry at the Centers for Disease Control and Prevention.

Amyotrophic lateral sclerosis, ALS, also known as Lou Gehrig's disease, is a fatal, progressive neurodegenerative disease that affects motor nerve cells in the brain and spinal cord. Approximately 5,600 people in the U.S. are diagnosed with ALS each year, and it is estimated that as many as 30,000 Americans have the disease at any given time. The average life expectancy for a person with ALS is 2 to 5 years from the time of diagnosis. The causes of ALS are not well understood, and there is no known cure.

I first became aware of this disease through my grandmother. My father's mother was diagnosed with this disease. I was only 2½ when she passed away. As Mr. PALLONE mentioned, the most famous person with this disease is Lou Gehrig. I come from the Bronx where the Yankees play, and Yankee Stadium just had its last game on Sunday evening. The clips that we saw were from that famous speech that Lou Gehrig made at Yankee Stadium. You could hear the echoes reverberating, saying that he felt he was the luckiest man on the face of the Earth. And it is fitting that today we pass this bill, just a few days after Yankee Stadium where Lou Gehrig toiled for so many years is closing. This is a fitting tribute to Lou Gehrig.

A single national patient registry which collects and stores information on the prevalence and incidence of ALS does not exist in the United States today, believe it or not, and that is what this bill is going to change.

The establishment of a national registry will help identify the incidence and prevalence of ALS and other motor neuron disorders in the United States and collect data which is urgently needed for ALS research, disease management and the development of standards of care in order to significantly enhance the Nation's efforts to find a treatment and cure for ALS.

I would like to thank Steve Gibson and Pat Wildman of the ALS Association for their partnership on this bill. We have worked with them for so many years, as well as William Garner of Chairman DINGELL's staff for his work on this bill. I would also like to thank John Ford, formerly of Chairman DINGELL's staff and Katherine Martin, formerly of Ranking Member BARTON's staff who worked so diligently on this bill prior to its original House passage in 2007.

I thank all my colleagues for it and urge them to pass this bill. It has been a long time coming, but it is finally here.

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

Mr. PALLONE. Madam Speaker, I would just urge passage of this important legislation relevant to ALS, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the Senate bill, S. 1382.

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

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

The point of no quorum is considered withdrawn.

PRENATALLY AND POSTNATALLY DIAGNOSED CONDITIONS AWARENESS ACT

Mr. PALLONE. Madam Speaker, I move to suspend the rules and pass the Senate bill (S. 1810) to amend the Public Health Service Act to increase the provision of scientifically sound information and support services to patients receiving a positive test diagnosis for Down's syndrome or other prenatally and postnatally diagnosed conditions.

The Clerk read the title of the Senate bill.

The text of the Senate bill is as follows:

S. 1810

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 ''Prenatally and Postnatally Diagnosed Conditions Awareness Act''.

SEC. 2. PURPOSES.

It is the purpose of this Act to—

(1) increase patient referrals to providers of key support services for women who have received a positive diagnosis for Down syndrome, or other prenatally or postnatally diagnosed conditions, as well as to provide up-to-date information on the range of outcomes for individuals living with the diagnosed condition, including physical, developmental, educational, and psychosocial outcomes;

(2) strengthen existing networks of support through the Centers for Disease Control and Prevention, the Health Resources and Services Administration, and other patient and provider outreach programs; and

(3) ensure that patients receive up-to-date, evidence-based information about the accuracy of the test.

SEC. 3. AMENDMENT TO THE PUBLIC HEALTH SERVICE ACT.

Part P of title III of the Public Health Service Act (42 U.S.C. 280g et seq.) is amended by adding at the end the following:

''SEC. 399R. SUPPORT FOR PATIENTS RECEIVING A POSITIVE DIAGNOSIS OF DOWN SYNDROME OR OTHER PRENATALLY OR POSTNATALLY DIAGNOSED CONDITIONS.

''(a) DEFINITIONS.—In this section:

''(1) DOWN SYNDROME.—The term 'Down syndrome' refers to a chromosomal disorder caused by an error in cell division that results in the presence of an extra whole or partial copy of chromosome 21.

''(2) HEALTH CARE PROVIDER.—The term 'health care provider' means any person or entity required by State or Federal law or regulation to be licensed, registered, or certified to provide health care services, and who is so licensed, registered, or certified.

''(3) POSTNATALLY DIAGNOSED CONDITION.—The term 'postnatally diagnosed condition' means any health condition identified during the 12-month period beginning at birth.

''(4) PRENATALLY DIAGNOSED CONDITION.—The term 'prenatally diagnosed condition' means any fetal health condition identified by prenatal genetic testing or prenatal screening procedures.

''(5) PRENATAL TEST.—The term 'prenatal test' means diagnostic or screening tests offered to pregnant women seeking routine prenatal care that are administered on a required or recommended basis by a health care provider based on medical history, family background, ethnic background, previous test results, or other risk factors.

''(b) INFORMATION AND SUPPORT SERVICES.—

''(1) IN GENERAL.—The Secretary, acting through the Director of the National Institutes of Health, the Director of the Centers for Disease Control and Prevention, or the Administrator of the Health Resources and Services Administration, may authorize and oversee certain activities, including the awarding of grants, contracts or cooperative agreements to eligible entities, to—

''(A) collect, synthesize, and disseminate current evidence-based information relating to Down syndrome or other prenatally or postnatally diagnosed conditions; and

''(B) coordinate the provision of, and access to, new or existing supportive services for patients receiving a positive diagnosis for Down syndrome or other prenatally or postnatally diagnosed conditions, including—

''(i) the establishment of a resource telephone hotline accessible to patients receiving a positive test result or to the parents of newly diagnosed infants with Down syndrome and other diagnosed conditions;

''(ii) the expansion and further development of the National Dissemination Center for Children with Disabilities, so that such Center can more effectively conduct outreach to new and expecting parents and provide them with up-to-date information on the range of outcomes for individuals living with the diagnosed condition, including physical, developmental, educational, and psychosocial outcomes;

''(iii) the expansion and further development of national and local peer-support programs, so that such programs can more effectively serve women who receive a positive diagnosis for Down syndrome or other prenatal conditions or parents of infants with a postnatally diagnosed condition;

''(iv) the establishment of a national registry, or network of local registries, of families willing to adopt newborns with Down syndrome or other prenatally or postnatally diagnosed conditions, and links to adoption agencies willing to place babies with Down syndrome or other prenatally or postnatally diagnosed conditions, with families willing to adopt; and

''(v) the establishment of awareness and education programs for health care providers who provide, interpret, or inform parents of the results of prenatal tests for Down syndrome or other prenatally or postnatally diagnosed conditions, to patients, consistent with the purpose described in section 2(b)(1) of the Prenatally and Postnatally Diagnosed Conditions Awareness Act.

''(2) ELIGIBLE ENTITY.—In this subsection, the term 'eligible entity' means—

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

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

''(C) a territory;

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

''(E) any other entity with appropriate expertise in prenatally and postnatally diagnosed conditions (including nationally recognized disability groups), as determined by the Secretary.

''(3) DISTRIBUTION.—In distributing funds under this subsection, the Secretary shall place an emphasis on funding partnerships between health care professional groups and disability advocacy organizations.

''(c) PROVISION OF INFORMATION TO PROVIDERS.—

''(1) IN GENERAL.—A grantee under this section shall make available to health care providers of parents who receive a prenatal or postnatal diagnosis the following:

''(A) Up-to-date, evidence-based, written information concerning the range of outcomes for individuals living with the diagnosed condition, including physical, developmental, educational, and psychosocial outcomes.

''(B) Contact information regarding support services, including information hotlines specific to Down syndrome or other prenatally or postnatally diagnosed conditions, resource centers or clearinghouses, national and local peer support groups, and other education and support programs as described in subsection (b)(2).

''(2) INFORMATIONAL REQUIREMENTS.—Information provided under this subsection shall be—

''(A) culturally and linguistically appropriate as needed by women receiving a positive prenatal diagnosis or the family of infants receiving a postnatal diagnosis; and

''(B) approved by the Secretary.

''(d) REPORT.—Not later than 2 years after the date of enactment of this section, the Government Accountability Office shall submit a report to Congress concerning the effectiveness of current healthcare and family support programs serving as resources for the families of children with disabilities.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Georgia (Mr. DEAL) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

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

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

There was no objection.

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

Madam Speaker, I rise in support of S. 1810, the Prenatally and Postnatally Diagnosed Condition Awareness Act, legislation introduced by Senator BROWNBACK.

Madam Speaker, this legislation would ensure that pregnant women or mothers of newborns with a prenatally or postnatally diagnosed condition have timely access to updated, scientific information about the life expectancy, intellectual and functional development and treatment options for their child.

In addition, this legislation would provide families with referrals to support services; improve our Nation's epidemiological understanding of prenatally and postnatally diagnosed conditions; and support health care providers to provide the results of prenatal or postnatal tests to patients.

I would like to once again thank all of my colleagues, especially Mr. SENSENBRENNER, the sponsor of the House companion legislation, for all of their hard work. I urge my colleagues on both sides of the aisle to support its passage.

I reserve the balance of my time.

Mr. DEAL of Georgia. Madam Speaker, at this time I would like to yield such time she may consume to Representative MCMORRIS RODGERS.

Mrs. MCMORRIS RODGERS. Madam Speaker, I rise in strong support of Senate bill 1810, the Prenatally and Postnatally Diagnosed Conditions Awareness Act. I believe that this bill is a positive step forward in helping new and expecting parents of children with special needs get accurate information on the real potential of their children. This sort of information is critical at the time of diagnosis.

This legislation is very important to me because I am the proud mother of an amazing baby boy, Cole McMorris Rodgers. Two years ago my life changed when I found out I was expecting my first child, and it changed even more dramatically when Cole was born a month early and he was diagnosed with Down syndrome. Cole turned a year old in April; and looking back on the last year, I can't imagine life without him.

Everywhere I go, I have met people who share their stories of being touched by a loved one with special needs. They always share with me the positive impacts that this person has had in their life. It has helped me see just a glimpse of the amazing impact that my son is going to have on our lives as well as this world.

The bill we are considering today will help parents who either receive news that their child may be born with a genetic disorder or some other abnormality, or a child that has been diagnosed from birth up until 12 months of age, with current and reliable information about the many services and support networks available.

When new and expecting parents are told that their child will have some kind of genetic disorder, it is a very difficult and sometimes an overwhelming experience. And yet a study by Louis Harris and Associates found that medical professionals are more likely than any other group to underestimate the quality of life experienced by people with disabilities.

This situation is not due to a lack of will by parent support groups or disability advocacy groups. These organizations have tried countless ways to reach out to parents who have received a prenatal diagnosis. Unfortunately, many geneticists and OB–GYNs believe that parents of children with these conditions and adults living with these conditions are biased.

Specifically, this bill provides for the establishment of a resource telephone hotline, a Web site, and the expansion of the leading information clearinghouse on disabilities so that it can more effectively provide parents with accurate and up-to-date information on their child's condition, along with the available resources and services.

I applaud the work of Senators BROWNBACK and KENNEDY for their great work on this important bill. Their commitment to the disability community is commendable, and I urge colleagues on both sides of the aisle to join me in support of S. 1810.

Madam Speaker, I rise today in strong support for S. 1810, the Prenatally and Postnatally Diagnosed Conditions Awareness Act. I believe this bill is a positive step forward in helping new and expecting parents of children with special needs get accurate information on the real potential of their children. This sort of information is critical at the time of diagnosis.

This legislation is very important to me because I am the proud mother of an amazing baby boy—Cole McMorris Rodgers. Two years ago, my life changed when I found out I was expecting my first child. It changed even more drastically when Cole was born a month early and was diagnosed with Down syndrome. Cole turned 1 year old at the end of April, and looking back on the last year, I can't imagine my life without him.

Everywhere I go, I've met people who share their stories about a loved one who has special needs and they always share with me the positive impact that this person had in their life. It has helped me see a glimpse of the amazing impact my son is going to have on our lives and in this world.

Because of my personal experiences with my son Cole, I have made it my personal goal to increase awareness of the capabilities, value, and worth of people with disabilities. I am committed to helping families and individuals with disabilities have an opportunity to lead full, happy and productive lives.

Today, because of the advances in technology, we offer diagnosis for Down syndrome prenatally and soon we will be able to diagnose other genetic disorders and diseases prenatally. The question is every person in America is, "what are we going to do with this information and help parents when they receive the news of a diagnosis?"

The bill we are considering today will help parents who either receive the news that their child may be born with a disability, or their child has been diagnosed from birth up until 12 months of age, with current and reliable information about the many services and support networks available. This is a distressing and confusing time for parents of special children and it is so important for them to know that they are not alone, others have struggled with the same questions, and answers are available.

When new or expecting parents are told that their child will have a disability it is a very difficult and sometimes overwhelming experience. And yet, a study by Louis Harris and Associates found that medical professionals are more likely than any other group to underestimate the quality of life experienced by people with disabilities.

This situation is not due to a lack of will by the parent support groups and disability advocacy groups. These organizations have tried countless ways to reach out to parents who have received prenatal diagnoses of various conditions. Unfortunately, many geneticists and OB–GYNs believe that the parents of children with these conditions and the adults living with these conditions are biased.

Specifically, this bill provides for the establishment of a resource telephone hotline, a Web site, and the expansion of the leading information clearinghouse on disability, so that it can more effectively provide parents with accurate, up-to-date information on their child's condition along with available resources and services. S. 1810 also provides for the expansion and development of national and local parent support programs, so that they can more effectively reach out to new parents. In addition, this bill establishes a national registry of parents willing to adopt children with these disabilities. Finally, it establishes awareness and education programs for health care providers who give parents the results of these tests.

I applaud the work of Senators BROWNBACK and KENNEDY for their great work on this important bill. Their commitment to the disability community is commendable. I urge my colleagues on both sides of the aisle to join me in support of passage of S. 1810, the Prenatally and Postnatally Diagnosed Conditions Awareness Act. I hope that this bill will provide these parents with the information and support they so desperately need during a critical time.

Mr. PALLONE. Madam Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. RYAN).

Mr. RYAN of Ohio. I thank the gentleman for the opportunity.

I am proud to have joined as the lead Democratic cosponsor with the gentleman from Wisconsin (Mr. SENSENBRENNER) on the House version of this legislation. I would like to thank Mr. SENSENBRENNER, Senator BROWNBACK, and Senator KENNEDY for their leadership in moving this bill.

Last year, Congresswoman DELAURO and I introduced legislation called Reducing the Need for Abortions and Supporting Parents Act which contains a provision similar to what is in this bill before us now.

What this bill does is make a commitment to new and expectant mothers whose child receives a diagnosis for Down syndrome or other prenatally or postnatally diagnosed conditions. Society will be there, and it tells them that society will be there to support you. We will bring every resource to bear to ensure that you are able to raise a beautiful baby.

Never should a pregnant woman feel that her options are limited by a lack of public support for the types of social services that could help her, her family, and her baby.

□ 1645

The sad reality, Madam Speaker, is that over 90 percent of pregnancies with a diagnosis of Down Syndrome are aborted. This should not and need not be the case. We have not done enough to help these women and their families. We must do more to get them the support they need, the support they deserve, and this bill is a crucial step in that direction.

Lastly, I would like to thank Speaker PELOSI, Minority Leader BOEHNER and my friends on the other side of the aisle for working together to get this common ground legislation passed.

Mr. DEAL of Georgia. Madam Speaker, I am pleased to yield to one of the leaders on this subject matter here in the House, the gentleman from Wisconsin (Mr. SENSENBRENNER).

Mr. SENSENBRENNER. Madam Speaker, I'm pleased that the House is considering Senate 1810, the Prenatally and Postnatally Diagnosed Conditions Awareness Act. This bill would ensure

that families who receive a diagnosis of Down Syndrome or any other condition, prenatally or up to a year after birth, receive information, referrals and support in a number of ways.

I first introduced the House companion bill in 2005. Research has indicated that when parents are confronted with a complex prenatal test result indicating their child may be born with a level of disability, they're not receiving comprehensive information regarding the accuracy of the test, nor are they receiving up-to-date information regarding life expectancy, developmental potential or quality of life of individuals with these disabilities.

Mothers of children born with Down Syndrome have reported that doctors did not tell them about the potential of people with Down Syndrome, nor did they feel like they received contact information for parent support groups. This is unfortunate, particularly in light of mothers reporting that the shortcomings were happening at an emotional time.

This Act will require health care providers who deliver a positive test diagnosis to also deliver referrals to key support services in the community, as well as up-to-date science-based information about the life expectancy, developmental potential and treatment options for individuals with prenatally diagnosable conditions. The accuracy and integrity of this information is of the utmost importance.

Patients would be provided with support through the Centers for Disease Control patient and provider outreach programs. A hot line and Web site for newly diagnosed patients would be established, and peer support groups and network would be formed to provide personal support.

My wife, Cheryl, has a sister living with Down Syndrome. I have witnessed firsthand what a wonderful and capable woman my sister-in-law has become. Tara Rae Warren completed her high school education, is financially independent, and lectures to students of special education on the challenges of the disability. Cheryl's family has always been there for her, and we have worked through the challenges by having a positive support structure.

My hope is that all families with diagnosed children can gain access to positive current information and the network of supportive families. Informed decision-making is better for everyone involved.

I urge my colleagues to join me in support of this important bill.

Mr. PALLONE. Madam Speaker, I have no further speakers, and I yield back the balance of my time and ask that everyone support this legislation.

Mr. DEAL of Georgia. Madam Speaker, I urge my colleagues to join us in taking this very first important step of dealing with the care and the quality of care for individuals who suffer from Down Syndrome and for their families. I urge the adoption of this legislation.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the Senate bill, S. 1810.

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.

POISON CENTER SUPPORT, ENHANCEMENT, AND AWARENESS ACT OF 2008

Mr. PALLONE. Madam Speaker, I move to suspend the rules and pass the Senate bill (S. 2932) to amend the Public Health Service Act to reauthorize the poison center national toll-free number, national media campaign, and grant program to provide assistance for poison prevention, sustain the funding of poison centers, and enhance the public health of people of the United States.

The Clerk read the title of the Senate bill.

The text of the Senate bill is as follows:

S. 2932

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 ''Poison Center Support, Enhancement, and Awareness Act of 2008''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Poison control centers are the primary defense of the United States against injury and deaths from poisoning. Twenty-four hours a day, the general public as well as health care practitioners contact their local poison control centers for help in diagnosing and treating victims of poisoning. In 2007, more than 4,000,000 calls were managed by poison control centers providing ready and direct access for all people of the United States, including many underserved populations in the United States, with vital emergency public health information and response.

(2) Poisoning is the second most common form of unintentional death in the United States. In any given year, there will be between 3,000,000 and 5,000,000 poison exposures. Sixty percent of these exposures will involve children under the age of 6 who are exposed to toxins in their home. Poisoning accounts for 285,000 hospitalizations, 1,200,000 days of acute hospital care, and more than 26,000 fatalities in 2005.

(3) In 2008, the Harvard Injury Control Research Center reported that poisonings from accidents and unknown circumstances more than tripled in rate since 1990. In 2005, the last year for which data are available, 26,858 people died from accidental or unknown poisonings. This represents an increase of 20,000 since 1990 and an increase of 2,400 between 2004 and 2005. Fatalities from poisoning are increasing in the United States in near epidemic proportions. The funding of programs to reverse this trend is needed now more than ever.

(4) In 2004, The Institute of Medicine of the National Academy of Sciences recommended that ''Congress should amend the current Poison Control Center Enhancement and Awareness Act Amendments of 2003 to provide sufficient funding to support the proposed Poison Prevention and Control System with its national network of poison centers. Support for the core activities at the current level of service is estimated to require more than $100 million annually.''.

(5) Sustaining the funding structure and increasing accessibility to poison control centers will promote the utilization of poison control centers and reduce the inappropriate use of emergency medical services and other more costly health care services. The 2004 Institute of Medicine Report to Congress determined that for every $1 invested in the Nation's poison control centers $7 of health care costs are saved. In 2005, direct Federal health care program savings totaled in excess of $525,000,000 as the result of poison control center public health services.

(6) More than 30 percent of the cost savings and financial benefits of the Nation's network of poison control centers are realized annually by Federal health care programs (estimated to be more than $1,000,000,000), yet Federal funding support (as demonstrated by the annual authorization of $30,100,000 in Public Law 108–194) comprises less than 11 percent of the annual network expenditures of poison centers.

(7) Real-time data collected from the Nation's certified poison control centers can be an important source of information for the detection, monitoring, and response for contamination of the air, water, pharmaceutical, or food supply.

(8) In the event of a terrorist event, poison control centers will be relied upon as a critical source for accurate medical information and public health emergency response concerning the treatment of patients who have had an exposure to a chemical, radiological, or biological agent.

SEC. 3. REAUTHORIZATION OF POISON CONTROL CENTERS NATIONAL TOLL-FREE NUMBER.

Section 1271 of the Public Health Service Act (42 U.S.C. 300d–71) is amended to read as follows:

''SEC. 1271. MAINTENANCE OF THE NATIONAL TOLL-FREE NUMBER.

''(a) IN GENERAL.—The Secretary shall provide coordination and assistance to poison control centers for the establishment of a nationwide toll-free phone number, and the maintenance of such number, to be used to access such centers.

''(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $2,000,000 for fiscal year 2009 to carry out this section, and $700,000 for each of fiscal years 2010 through 2014 for the maintenance of the nationwide toll free phone number under subsection (a).''.

SEC. 4. REAUTHORIZATION OF NATIONWIDE MEDIA CAMPAIGN TO PROMOTE POISON CONTROL CENTER UTILIZATION.

(a) IN GENERAL.—Section 1272 of the Public Health Service Act (42 U.S.C. 300d–72) is amended to read as follows:

''SEC. 1272. NATIONWIDE MEDIA CAMPAIGN TO PROMOTE POISON CONTROL CENTER UTILIZATION.

''(a) IN GENERAL.—The Secretary shall carry out, and expand upon, a national media campaign to educate the public and health care providers about poison prevention and the availability of poison control center resources in local communities and to conduct advertising campaigns concerning the nationwide toll-free number established under section 1271(a).

''(b) CONTRACT WITH ENTITY.—The Secretary may carry out subsection (a) by entering into contracts with one or more public or private entities, including nationally recognized organizations in the field of poison control and national media firms, for the

development and implementation of a nationwide poison prevention and poison control center awareness campaign, which may include—

''(1) the development and distribution of poison prevention and poison control center awareness materials;

''(2) television, radio, Internet, and newspaper public service announcements; and

''(3) other activities to provide for public and professional awareness and education.

''(c) EVALUATION.—The Secretary shall—

''(1) establish baseline measures and benchmarks to quantitatively evaluate the impact of the nationwide media campaign carried out under this section; and

''(2) on an annual basis, prepare and submit to the appropriate committees of Congress, an evaluation of the nationwide media campaign.

''(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, such sums as may be necessary for fiscal year 2009, and $800,000 for each of fiscal years 2010 through 2014.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall be effective on the date of the enactment of this Act and shall apply to contracts entered into on or after January 1, 2009.

SEC. 5. REAUTHORIZATION OF THE POISON CONTROL CENTER GRANT PROGRAM.

(a) IN GENERAL.—Section 1273 of the Public Health Service Act (42 U.S.C. 300d–73) is amended to read as follows:

''SEC. 1273. MAINTENANCE OF THE POISON CONTROL CENTER GRANT PROGRAM.

''(a) AUTHORIZATION OF PROGRAM.—The Secretary shall award grants to poison control centers certified under subsection (c) (or granted a waiver under subsection (d)) and professional organizations in the field of poison control for the purposes of preventing, and providing treatment recommendations for, poisonings and complying with the operational requirements needed to sustain the certification of the center under subsection (c).

''(b) ADDITIONAL USES OF FUNDS.—In addition to the purposes described in subsection (a), a poison center or professional organization awarded a grant, contract, or cooperative agreement under such subsection may also use amounts received under such grant, contract, or cooperative agreement—

''(1) to establish and evaluate best practices in the United States for poison prevention, poison control center outreach, and emergency and preparedness programs;

''(2) to research, develop, implement, revise, and communicate standard patient management guidelines for commonly encountered toxic exposures;

''(3) to improve national toxic exposure surveillance by enhancing cooperative activities between poison control centers in the United States and the Centers for Disease Control and Prevention;

''(4) to develop, support, and enhance technology and capabilities of professional organizations in the field of poison control to collect national poisoning, toxic occurrence, and related public health data;

''(5) to develop initiatives to foster the enhanced public health utilization of national poison data collected by organizations described in paragraph (4);

''(6) to support and expand the toxicologic expertise within poison control centers; and

''(7) to improve the capacity of poison control centers to answer high volumes of calls and respond during times of national crisis or other public health emergencies.

''(c) CERTIFICATION.—Except as provided in subsection (d), the Secretary may award a grant to a poison control center under subsection (a) only if—

''(1) the center has been certified by a professional organization in the field of poison control, and the Secretary has approved the organization as having in effect standards for certification that reasonably provide for the protection of the public health with respect to poisoning; or

''(2) the center has been certified by a State government, and the Secretary has approved the State government as having in effect standards for certification that reasonably provide for the protection of the public health with respect to poisoning.

''(d) WAIVER OF CERTIFICATION REQUIREMENTS.—

''(1) IN GENERAL.—The Secretary may grant a waiver of the certification requirements of subsection (c) with respect to a noncertified poison control center that applies for a grant under this section if such center can reasonably demonstrate that the center will obtain such a certification within a reasonable period of time as determined appropriate by the Secretary.

''(2) RENEWAL.—The Secretary may renew a waiver under paragraph (1).

''(3) LIMITATION.—In no case may the sum of the number of years for a waiver under paragraph (1) and a renewal under paragraph (2) exceed 5 years. The preceding sentence shall take effect as of the date of the enactment of the Poison Center Support, Enhancement, and Awareness Act of 2008.

''(e) SUPPLEMENT NOT SUPPLANT.—Amounts made available to a poison control center under this section shall be used to supplement and not supplant other Federal, State or local funds provided for such center.

''(f) MAINTENANCE OF EFFORT.—A poison control center, in utilizing the proceeds of a grant under this section, shall maintain the expenditures of the center for activities of the center at a level that is not less than the level of expenditures maintained by the center for the fiscal year preceding the fiscal year for which the grant is received.

''(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $27,500,000 for fiscal year 2009, and $28,600,000 for each of fiscal years 2010 through 2014. The Secretary may utilize not to exceed 8 percent of the amount appropriated under this preceding sentence in each fiscal year for coordination, dissemination, technical assistance, program evaluation, data activities, and other program administration functions that do not include grants, contracts, or cooperative agreements under subsections (a) and (b), which are determined by the Secretary to be appropriate for carrying out the program under this section.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall be effective as of the date of the enactment of this Act and shall apply to grants made on or after January 1, 2009.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Nebraska (Mr. TERRY) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

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

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

There was no objection.

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

Madam Speaker, I rise in strong support of S. 2932, the Poison Control Center Support Enhancement and Awareness Act sponsored by Senator PATTY MURRAY of Washington.

I also want to thank my colleagues on the Energy and Commerce Committee, Mr. TOWNS and Mr. TERRY, who have worked very hard on the House companion legislation which they have cosponsored.

Madam Speaker, Poison Control Centers are our Nation's primary defense against injury and deaths from poisoning. These centers are on call 24 hours a day to help providers and the public with possible exposures to poison.

In addition, poison centers provide essential follow-up care, professional health care provider education, nationwide data collection on poisoning, as well as a number of other services.

Madam Speaker, these centers are of tremendous value to our communities. The bill would provide our Nation's Poison Control Centers with the necessary funding to continue their important mission.

I urge my colleagues on both sides of the aisle to offer their support.

I reserve the balance of my time.

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

As the coauthor of the House version of the Poison Center Support Enhancement and Awareness Act, I rise in support of Senate 2932.

I'd also like to commend Senator MURRAY and my fellow coauthor, Congressman TOWNS, for their work on this bill.

The Poison Center Support Enhancement and Awareness Act of 2008 reauthorizes the Poison Control Center program for an additional 5 years. Poison Control Centers are medical facilities that provide immediate, free and expert treatment advice and assistance in case of exposure to poisonous or hazardous substances.

As a parent of a young child, in fact, three young children, I recognize how important it is to be able to have the entity like Poison Control Centers to call in times of distress. I'm glad to see that this program can continue offering its much needed services in our local communities.

Madam Speaker, I urge all of my colleagues to support this legislation.

I reserve the balance of my time.

Mr. PALLONE. Madam Speaker, I yield 2 minutes to the sponsor of the legislation, the gentleman from New York (Mr. TOWNS).

Mr. TOWNS. Thank you very much, Chairman PALLONE, and, of course, Congressman TERRY and Chairman DINGELL and Ranking Member BARTON and DEAL for their leadership on the Poison Control Center measure.

Congressman LEE TERRY and I introduced H.R. 5669, the Poison Center Support Enhancement and Awareness Act

of 2008, which passed by greater than 300 votes on the House floor. The Senate modified the measure slightly, and we now must pass the Senate version and quickly get it to the President.

I again ask my colleagues to vote in support of S. 2932. This bill saves many lives. Especially children and seniors have been saved by the Poison Control Centers. Therefore, I encourage my colleagues to support this life-saving amendment.

Mr. TERRY. Having no further speakers, Madam Speaker, I yield back the balance of our time.

Mr. PALLONE. Madam Speaker, I have no further requests. I urge support of the bill, and yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the Senate bill, S. 2932.

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

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

The point of no quorum is considered withdrawn.

SUPPORTING THE GOALS AND IDEALS OF TAY-SACHS AWARENESS MONTH

Mr. PALLONE. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1333) supporting the goals and ideals of Tay-Sachs Awareness Month, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1333

Whereas Tay-Sachs disease is a rare, genetic disorder that causes destruction of nerve cells in the brain and spinal cord due to the poor functioning of an enzyme called beta-hexosaminidase A;

Whereas there is no proven treatment or cure for Tay-Sachs disease, which is always fatal in children;

Whereas the disorder was named after Warren Tay, an ophthalmologist from the United Kingdom, and Bernard Sachs, a neurologist from the United States, both of whom contributed to the discovery of the disease in 1881 and 1887, respectively;

Whereas Tay-Sachs disease often affects families with no prior history of the disease;

Whereas approximately 1 in 27 Ashkenazi Jews, 1 in 30 Louisianan Cajuns, 1 in 30 French Canadians, 1 in 50 Irish Americans, and 1 in every 250 people are carriers of Tay-Sachs disease;

Whereas approximately 1,200,000 Americans are carriers of Tay-Sachs disease;

Whereas these unaffected carriers of the disease possess the recessive gene that can trigger the disease in future generations;

Whereas if both parents of a child are carriers of Tay-Sachs disease, there is a 1 in 4 chance that the child will develop Tay-Sachs disease;

Whereas a blood test can determine if an individual is a carrier of Tay-Sachs disease, and those citizens who are members of high-risk populations should consider being screened; and

Whereas heightened awareness and continued research efforts are the best ways to find a treatment for this horrific disease: Now, therefore, be it

Resolved, That the House of Representatives supports the goals and ideals of Tay-Sachs Awareness Month and encourages and supports education and research efforts with respect to Tay-Sachs disease.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Georgia (Mr. DEAL) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

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

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

There was no objection.

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

Madam Speaker, I rise in support of H. Res. 1333, Supporting the Goals and Ideals of Tay-Sachs Awareness Month.

Tay-Sachs is a rare genetic disorder that causes destruction of nerve cells in the brain and spinal cord. It usually develops in infants and leads to blindness and paralysis before ultimately giving way to death. Unfortunately, there is presently no treatment or cure for this disease.

The resolution before us today supports education and continued research efforts to combat Tay-Sachs disease so that one day we may find a cure.

I want to thank my colleague, Representative ARCURI from New York, for his work in raising this important issue. I know this issue is close to his heart and I want to express my gratitude to him.

I urge my colleagues to support this important resolution.

I reserve the balance of my time.

Mr. DEAL of Georgia. Madam Speaker, I too rise in support of this legislation. Presently, there is no treatment for Tay-Sachs disease. But I would like to thank the National Institute of Neurological Disorders and Stroke for their efforts to reduce the burden of neurological disease. They are part of the National Institutes of Health, and they conduct research on this particular disease in laboratories at NIH, and also support additional research through grants to major medical institutions across the country.

It is important for us to understand and to become more aware of this particular problem, and that's what this legislation seeks to do. I would urge its support.

I yield back the balance of my time.

Mr. PALLONE. Madam Speaker, I yield 2 minutes to the gentleman from New York (Mr. ARCURI).

Mr. ARCURI. Madam Speaker, I rise today in strong support of House Resolution 1333, which recognizes this September 2008 as Tay-Sachs Disease Awareness Month. I am proud to cosponsor this resolution, and I commend my friend from Ohio, Senator BROWN, for spearheading a companion resolution in the Senate.

Tay-Sachs Disease is a progressive neurological disorder for which there is no treatment or cure. The most common form of it affects infants who appear healthy at birth and seem to develop normally at first; but at around 6 months, symptoms of the disease begin to appear. The baby gradually begins to regress, losing the ability to crawl, turn over, sit or reach out. Eventually, as paralysis sets in, the child becomes blind, deaf and unable to swallow. Tragically, few infants born with Tay-Sachs live past the age of 5.

This terrible disease appears most often in families with no prior history because the Tay-Sachs gene can be carried through many generations without being expressed. However, when two carriers of the gene become parents, there is a 1-in-4 chance that any child they have may be born with the disease.

While about 1.2 million Americans are carriers of the Tay-Sachs gene, certain populations are at much higher risk. About 1 in 30 American Jews, 1 in 50 Irish Americans is a carrier. French Canadians, Louisiana Cajuns, Pennsylvania Dutch are high risk populations, but all populations are at risk.

It's easy to reduce this terrible disease like Tay-Sachs to statistics, but there are real human stories behind these statistics that must not be overlooked. My wife's son, Joey Deon, was born a happy, healthy and all around pleasant baby. There was no warning he would be afflicted by this terrible disease. But at the age of 1 he began to show symptoms. His mother, like many other parents of children with Tay-Sachs, was forced to watch a once active, healthy baby slowly lose his bodily functions.

□ 1700

God came to claim his angel in his sleep one day before his 5th birthday. Thankfully, he did not suffer as many with this disease do suffer.

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

Mr. PALLONE. I yield the gentleman an additional 2 minutes.

Mr. ARCURI. He did not suffer, but very often children afflicted with this disease suffer badly before death.

Madam Speaker, a simple blood test can identify carriers of the Tay-Sachs gene before they have children. But very few people, including those in high-risk populations, are aware of its

availability. This critical test can identify carrier couples before a tragedy occurs. Raising awareness of this terrible disease is important, but it is critical that we also put the words into actions.

Millions of Americans who suffer from rare diseases like Tay-Sachs and more common diseases like cancer stand to benefit from an expanded Federal commitment to stem cell research. We must also continue to increase funding for the National Institutes of Health. Federal support for cutting-edge biomedical research will make treatments and cures for diseases like Tay-Sachs a reality.

I urge my colleagues to support House Resolution 1333 and Tay-Sachs Awareness Month.

Mr. PALLONE. Madam Speaker, I have no further speakers, and I would urge support of the legislation.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and agree to the resolution, H. Res. 1333, as amended.

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

A motion to reconsider was laid on the table.

HEALTH CARE SAFETY NET ACT OF 2008

Mr. PALLONE. Madam Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 1343) to amend the Public Health Service Act to provide additional authorizations of appropriations for the health centers program under section 330 of such Act, and for other purposes.

The Clerk read the title of the bill.

The text of the Senate amendment is as follows:

Senate amendment:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Health Care Safety Net Act of 2008''.

SEC. 2. COMMUNITY HEALTH CENTERS PROGRAM OF THE PUBLIC HEALTH SERVICE ACT.

(a) ADDITIONAL AUTHORIZATIONS OF APPROPRIATIONS FOR THE HEALTH CENTERS PROGRAM OF PUBLIC HEALTH SERVICE ACT.—Section 330(r) of the Public Health Service Act (42 U.S.C. 254b(r)) is amended by amending paragraph (1) to read as follows:

''(1) IN GENERAL.—For the purpose of carrying out this section, in addition to the amounts authorized to be appropriated under subsection (d), there are authorized to be appropriated—

''(A) $2,065,000,000 for fiscal year 2008;

''(B) $2,313,000,000 for fiscal year 2009;

''(C) $2,602,000,000 for fiscal year 2010;

''(D) $2,940,000,000 for fiscal year 2011; and

''(E) $3,337,000,000 for fiscal year 2012.''.

(b) STUDIES RELATING TO COMMUNITY HEALTH CENTERS.—

(1) DEFINITIONS.—For purposes of this subsection—

(A) the term ''community health center'' means a health center receiving assistance under section 330 of the Public Health Service Act (42 U.S.C. 254b); and

(B) the term ''medically underserved population'' has the meaning given that term in such section 330.

(2) SCHOOL-BASED HEALTH CENTER STUDY.—

(A) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall issue a study of the economic costs and benefits of school-based health centers and the impact on the health of students of these centers.

(B) CONTENT.—In conducting the study under subparagraph (A), the Comptroller General of the United States shall analyze—

(i) the impact that Federal funding could have on the operation of school-based health centers;

(ii) any cost savings to other Federal programs derived from providing health services in school-based health centers;

(iii) the effect on the Federal Budget and the health of students of providing Federal funds to school-based health centers and clinics, including the result of providing disease prevention and nutrition information;

(iv) the impact of access to health care from school-based health centers in rural or underserved areas; and

(v) other sources of Federal funding for school-based health centers.

(3) HEALTH CARE QUALITY STUDY.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services (referred to in this Act as the ''Secretary''), acting through the Administrator of the Health Resources and Services Administration, and in collaboration with the Agency for Healthcare Research and Quality, shall prepare and submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives a report that describes agency efforts to expand and accelerate quality improvement activities in community health centers.

(B) CONTENT.—The report under subparagraph (A) shall focus on—

(i) Federal efforts, as of the date of enactment of this Act, regarding health care quality in community health centers, including quality data collection, analysis, and reporting requirements;

(ii) identification of effective models for quality improvement in community health centers, which may include models that—

(I) incorporate care coordination, disease management, and other services demonstrated to improve care;

(II) are designed to address multiple, co-occurring diseases and conditions;

(III) improve access to providers through non-traditional means, such as the use of remote monitoring equipment;

(IV) target various medically underserved populations, including uninsured patient populations;

(V) increase access to specialty care, including referrals and diagnostic testing; and

(VI) enhance the use of electronic health records to improve quality;

(iii) efforts to determine how effective quality improvement models may be adapted for implementation by community health centers that vary by size, budget, staffing, services offered, populations served, and other characteristics determined appropriate by the Secretary;

(iv) types of technical assistance and resources provided to community health centers that may facilitate the implementation of quality improvement interventions;

(v) proposed or adopted methodologies for community health center evaluations of quality improvement interventions, including any development of new measures that are tailored to safety-net, community-based providers;

(vi) successful strategies for sustaining quality improvement interventions in the long-term; and

(vii) partnerships with other Federal agencies and private organizations or networks as appropriate, to enhance health care quality in community health centers.

(C) DISSEMINATION.—The Administrator of the Health Resources and Services Administration shall establish a formal mechanism or mechanisms for the ongoing dissemination of agency initiatives, best practices, and other information that may assist health care quality improvement efforts in community health centers.

(4) GAO STUDY ON INTEGRATED HEALTH SYSTEMS MODEL FOR THE DELIVERY OF HEALTH CARE SERVICES TO MEDICALLY UNDERSERVED AND UNINSURED POPULATIONS.—

(A) STUDY.—The Comptroller General of the United States shall conduct a study on integrated health system models of at least 15 sites for the delivery of health care services to medically underserved and uninsured populations. The study shall include an examination of—

(i) health care delivery models sponsored by public or private non-profit entities that—

(I) integrate primary, specialty, and acute care; and

(II) serve medically underserved and uninsured populations; and

(ii) such models in rural and urban areas.

(B) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on the study conducted under subparagraph (A). The report shall include—

(i) an evaluation of the models, as described in subparagraph (A), in—

(I) expanding access to primary, preventive, and specialty services for medically underserved and uninsured populations; and

(II) improving care coordination and health outcomes;

(III) increasing efficiency in the delivery of quality health care; and

(IV) conducting some combination of the following services—

(aa) outreach activities;

(bb) case management and patient navigation services;

(cc) chronic care management;

(dd) transportation to health care facilities;

(ee) development of provider networks and other innovative models to engage local physicians and other providers to serve the medically underserved within a community;

(ff) recruitment, training, and compensation of necessary personnel;

(gg) acquisition of technology for the purpose of coordinating care;

(hh) improvements to provider communication, including implementation of shared information systems or shared clinical systems;

(ii) determination of eligibility for Federal, State, and local programs that provide, or financially support the provision of, medical, social, housing, educational, or other related services;

(jj) development of prevention and disease management tools and processes;

(kk) translation services;

(ll) development and implementation of evaluation measures and processes to assess patient outcomes;

(mm) integration of primary care and mental health services; and

(nn) carrying out other activities that may be appropriate to a community and that would increase access by the uninsured to health care, such as access initiatives for which private entities provide non-Federal contributions to supplement the Federal funds provided through the grants for the initiatives; and

(ii) an assessment of—

(I) challenges, including barriers to Federal programs, encountered by such entities in providing care to medically underserved and uninsured populations; and

(II) advantages and disadvantages of such models compared to other models of care delivery for medically underserved and uninsured populations, including—

(aa) quality measurement and quality outcomes;

(bb) administrative efficiencies; and

(cc) geographic distribution of federally-supported clinics compared to geographic distribution of integrated health systems.

(5) GAO STUDY ON VOLUNTEER ENHANCEMENT.—

(A) IN GENERAL.—Not later than 6 months after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study, and submit a report to Congress, concerning the implications of extending Federal Tort Claims Act (chapter 171 of title 28, United States Code) coverage to health care professionals who volunteer to furnish care to patients of health centers.

(B) CONTENT.—In conducting the study under subparagraph (A), the Comptroller General of the United States shall analyze—

(i) the potential financial implications for the Federal Government of such an extension, including any increased funding needed for current health center Federal Tort Claims Act coverage;

(ii) an estimate of the increase in the number of health care professionals at health centers, and what types of such professionals would most likely volunteer given the extension of Federal Tort Claims Act coverage;

(iii) the increase in services provided by health centers as a result of such an increase in health care professionals, and in particular the effect of such action on the ability of health centers to secure specialty and diagnostic services needed by their uninsured and other patients;

(iv) the volume of patient workload at health centers and how volunteer health care professionals may help address the patient volume;

(v) the most appropriate manner of extending such coverage to volunteer health care professionals at health centers, including any potential difference from the mechanism currently used for health care professional volunteers at free clinics;

(vi) State laws that have been shown to encourage physicians and other health care providers to provide charity care as an agent of the State; and

(vii) other policies, including legislative or regulatory changes, that have the potential to increase the number of volunteer health care staff at health centers and the financial implications of such policies, including the cost savings associated with the ability to provide more services in health centers rather than more expensive sites of care.

(c) RECOGNITION OF HIGH POVERTY.—

(1) IN GENERAL.—Section 330(c) of the Public Health Service Act (42 U.S.C. 254b(c)) is amended by adding at the end the following new paragraph:

''(3) RECOGNITION OF HIGH POVERTY.—

''(A) IN GENERAL.—In making grants under this subsection, the Secretary may recognize the unique needs of high poverty areas.

''(B) HIGH POVERTY AREA DEFINED.—For purposes of subparagraph (A), the term 'high poverty area' means a catchment area which is established in a manner that is consistent with the factors in subsection (k)(3)(J), and the poverty rate of which is greater than the national average poverty rate as determined by the Bureau of the Census.''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply to grants made on or after January 1, 2009.

SEC. 3. NATIONAL HEALTH SERVICE CORPS.

(a) FUNDING.—

(1) REAUTHORIZATION OF NATIONAL HEALTH SERVICE CORPS PROGRAM.—Section 338(a) of the Public Health Service Act (42 U.S.C. 254k(a)) is amended by striking ''2002 through 2006'' and inserting ''2008 through 2012''.

(2) SCHOLARSHIP AND LOAN REPAYMENT PROGRAMS.—Subsection (a) of section 338H of such Act (42 U.S.C. 254q) is amended by striking ''appropriated $146,250,000'' and all that follows through the period and inserting the following: ''appropriated—

''(1) for fiscal year 2008, $131,500,000;

''(2) for fiscal year 2009, $143,335,000;

''(3) for fiscal year 2010, $156,235,150;

''(4) for fiscal year 2011, $170,296,310; and

''(5) for fiscal year 2012, $185,622,980.''.

(b) ELIMINATION OF 6-YEAR DEMONSTRATION REQUIREMENT.—Section 332(a)(1) of the Public Health Service Act (42 U.S.C. 254e(a)(1)) is amended by striking ''Not earlier than 6 years'' and all that follows through ''purposes of this section.''.

(c) ASSIGNMENT TO SHORTAGE AREA.—Section 333(a)(1)(D)(ii) of the Public Health Service Act (42 U.S.C. 254f(a)(1)(D)(ii)) is amended—

(1) in subclause (IV), by striking ''and'';

(2) in subclause (V), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(VI) the entity demonstrates willingness to support or facilitate mentorship, professional development, and training opportunities for Corps members.''.

(d) PROFESSIONAL DEVELOPMENT AND TRAINING.—Subsection (d) of section 336 of the Public Health Service Act (42 U.S.C. 254h–1) is amended to read as follows:

''(d) PROFESSIONAL DEVELOPMENT AND TRAINING.—

''(1) IN GENERAL.—The Secretary shall assist Corps members in establishing and maintaining professional relationships and development opportunities, including by—

''(A) establishing appropriate professional relationships between the Corps member involved and the health professions community of the geographic area with respect to which the member is assigned;

''(B) establishing professional development, training, and mentorship linkages between the Corps member involved and the larger health professions community, including through distance learning, direct mentorship, and development and implementation of training modules designed to meet the educational needs of offsite Corps members;

''(C) establishing professional networks among Corps members; or

''(D) engaging in other professional development, mentorship, and training activities for Corps members, at the discretion of the Secretary.

''(2) ASSISTANCE IN ESTABLISHING PROFESSIONAL RELATIONSHIPS.—In providing such assistance under paragraph (1), the Secretary shall focus on establishing relationships with hospitals, with academic medical centers and health professions schools, with area health education centers under section 751, with health education and training centers under section 752, and with border health education and training centers under such section 752. Such assistance shall include assistance in obtaining faculty appointments at health professions schools.

''(3) SUPPLEMENT NOT SUPPLANT.—Such efforts under this subsection shall supplement, not supplant, non-government efforts by professional health provider societies to establish and maintain professional relationships and development opportunities.''.

(e) ELIGIBILITY OF THE DISTRICT OF COLUMBIA AND TERRITORIES FOR THE STATE LOAN REPAYMENT PROGRAM.—

(1) IN GENERAL.—Section 338I(h) of the Public Health Service Act (42 U.S.C. 254q–1(h)) is amended by striking ''several States'' and inserting ''50 States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, Palau, the Marshall Islands, and the Commonwealth of the Northern Mariana Islands''.

(2) AUTHORIZATION OF APPROPRIATIONS.—Section 338I(i)(1) of such Act (42 U.S.C. 254q–1(i)(1)) is amended by striking ''2002'' and all that follows through the period and inserting ''2008, and such sums as may be necessary for each of fiscal years 2009 through 2012.''.

SEC. 4. REAUTHORIZATION OF RURAL HEALTH CARE PROGRAMS.

Section 330A(j) of the Public Health Service Act (42 U.S.C. 254c(j)) is amended by striking ''$40,000,000'' and all that follows through the period and inserting ''$45,000,000 for each of fiscal years 2008 through 2012.''.

SEC. 5. REAUTHORIZATION OF PRIMARY DENTAL HEALTH WORKFORCE PROGRAMS.

Section 340G(f) of the Public Health Service Act (42 U.S.C. 256g(f)) is amended—

(1) by striking ''$50,000,000'' and inserting ''$25,000,000''; and

(2) by striking ''2002'' and inserting ''2008''.

SEC. 6. EMERGENCY RESPONSE COORDINATION OF PRIMARY CARE PROVIDERS.

(a) IN GENERAL.—Subtitle B of title XXVIII of the Public Health Service Act (42 U.S.C. 300hh–10 et seq.) is amended by adding at the end the following:

''SEC. 2815. EMERGENCY RESPONSE COORDINATION OF PRIMARY CARE PROVIDERS.

''The Secretary, acting through Administrator of the Health Resources and Services Administration, and in coordination with the Assistant Secretary for Preparedness and Response, shall

''(1) provide guidance and technical assistance to health centers funded under section 330 and to State and local health departments and emergency managers to integrate health centers into State and local emergency response plans and to better meet the primary care needs of populations served by health centers during public health emergencies; and

''(2) encourage employees at health centers funded under section 330 to participate in emergency medical response programs including the National Disaster Medical System authorized in section 2812, the Volunteer Medical Reserve Corps authorized in section 2813, and the Emergency System for Advance Registration of Health Professions Volunteers authorized in section 319I.''.

(b) SENSE OF THE CONGRESS.—It is the Sense of Congress that the Secretary of Health and Human Services, to the extent permitted by law, utilize the existing authority provided under the Federal Tort Claims Act for health centers funded under section 330 of the Public Health Service Act (42 U.S.C. 254b) in order to establish expedited procedures under which such health centers and their health care professionals that have been deemed eligible for Federal Tort Claims Act coverage are able to respond promptly in a coordinated manner and on a temporary basis to public health emergencies outside their traditional service area and sites, and across State lines, as necessary and appropriate.

SEC. 7. REVISION OF THE TIMEFRAME FOR THE RECOGNITION OF CERTAIN DESIGNATIONS IN CERTIFYING RURAL HEALTH CLINICS UNDER THE MEDICARE PROGRAM.

(a) IN GENERAL.—The second sentence of section 1861(aa)(2) of the Social Security Act (42 U.S.C. 1395x(aa)(2)) is amended by striking ''3-year period'' and inserting ''4-year period'' in the matter in clause (i) preceding subclause (I).

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Georgia (Mr. DEAL) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

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

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

There was no objection.

Mr. PALLONE. Madam Speaker, I yield 3 minutes to the gentleman from Texas (Mr. GENE GREEN).

Mr. GENE GREEN of Texas. Madam Speaker, I want to thank the chairman of our Health Subcommittee of the Energy and Commerce for his patience with me over the last year and a half, and I think I sometimes wear out my welcome on hearings and on moving this bill. I rise in strong support of H.R. 1343, the Health Centers Renewal Act of 2008.

I would first like to thank Senator KENNEDY and Senator HATCH for sponsoring and moving this reauthorization through the Senate, and also our fellow Energy and Commerce Committee member CHIP PICKERING for his work on this bill and his service to both his State of Mississippi and our country.

The Community Health Centers Program is one of the great health care successes of our country. Forty years after the program was first enacted at the urging of President Lyndon Johnson, health centers are located in 6,000 sites in all 50 States and serve as the medical home and family physician to 17 million people in medically underserved areas nationally.

Community health centers have helped fill the medical void for low-income and uninsured individuals and in 2006, community health centers provided care for over 700,000 Texans. But communities like my district in Houston are in dire need of more community health centers. Houston has approximately 1 million uninsured, but only 10 federally qualified health centers and is desperately in need of more community health centers.

We are not the only district in the country facing a medical crisis with the uninsured and underinsured.

The Health Centers Renewal Act of 2008 will reauthorize the Health Centers Program and provide over $2 billion a year for health community centers throughout the United States. This increased funding will allow more medically underserved communities to build new health centers, expand their health centers, and provide more services like dental and mental health care. In fact, this bill would allow health centers to expand their services to over 22 million patients in the next 5 years, which is almost 50 percent more than they serve today. That's exactly why every Member of this House should support this bill.

Community health centers have demonstrated time and again that if properly funded by Congress, they can meet the Nation's tremendous need for quality, affordable health care. Community health centers are a vital safety net for the uninsured and underinsured in the country. With nearly 40 million uninsured and a health care crisis in our country right now, it would almost be irresponsible for anyone to vote against this bill.

I thank you for this time.

Mr. DEAL of Georgia. Madam Speaker, I, too, rise in support of this legislation and would like to yield such time as he may consume to the gentleman from Pennsylvania (Mr. TIM MURPHY) who was one of the active members of the Subcommittee on Health and Commerce from which this bill originally came.

Mr. TIM MURPHY of Pennsylvania. I thank Ranking Member DEAL, also Chairman PALLONE and Ranking Member BARTON and Chairman DINGELL for their work on this bill, but particularly to Representative GENE GREEN, the cosponsor of this legislation, for his hard work and commitment and also really for the teamwork that he engineered with the committee to work on this.

There are about 1,100 community health centers that employ about 6,000 physicians. They provide critically affordable primary care to more than 16 million people nationwide. It is important to note when people toss about numbers of the number of uninsured in America, and many of those uninsured are extra covered by Medicaid, many by their private plans; but these 16 million people we agree really are uninsured folks in America, and the community health centers are a place where they can have a quality health care home.

When we note that what happens with community health centers, what they provide in terms of primary care, dental care, podiatry, mental health care, and so many other areas that provide care, particularly in prenatal, it is of great concern that there simply are not enough physicians and other health care providers to give that care.

The greatest vacancy rates are in rural and inner city health centers where their vacancy rates range between 19 and 29 percent of the current workforce. These are shortages of physicians, nurse practitioners, physicians assistants, midwives, dentists; and all of those are open because the community health centers simply do not have the money to pay for all of those employees.

What I'm disappointed about in this bill—and I know Congressman GREEN worked very hard, as did Congressman DEAL to keep this in here—is the idea that we cannot let physicians volunteer at these centers. I know we're all jointly disappointed because the community health centers, if they were able to have physicians volunteer at these centers, they could be covered by the Federal Torts Claim Act. Otherwise, they have to rely on paying their own malpractice insurance, which could run tens of thousands, if not well over $100,000, and community health centers cannot afford to cover that cost. The legislation I offered would have allowed Good Samaritan doctors to volunteer their time helping those in need.

We have to come back to this next year because in the meantime, many people without health insurance, or who are underinsured, rely upon community health centers for a whole host of their care. I look forward to working with my House and Senate colleagues in the future to ensure that legislation allowing doctors, nurses, psychologists, and other specialists to volunteer their time at community health centers. We must make that a law in order to provide care for so many people who need it at, I might add, a very, very low cost.

Again, I thank Chairman DINGELL, Ranking Member BARTON, Chairman PALLONE, Ranking Member DEAL, and Representative GREEN for their hard work on this bill. Their impassioned teamwork to help provide care to those most in need is to be applauded.

Mr. PALLONE. Madam Speaker, I will reserve my time.

Mr. DEAL of Georgia. Madam Speaker, I have a speaker who will appear shortly. He was here just a second ago.

In the meantime, I would use the time to simply thank Mr. GREEN as the lead sponsor of this legislation. He's done an excellent job. He did work across party lines, and I thought we had a good product that came out of our Health Subcommittee and our entire committee and came from the floor of this House. I think it's important that we do that on bills of this nature.

I would like to also thank, in addition to Mr. MURPHY who's spoken on the Volunteer Doctors provision, Ms. DEGETTE who was interested in that as well. Unfortunately, that provision, along with a provision that Congressman BURGESS and Congressman STUPAK had for some alternative ways of providing additional care under the community health center model, which we had included in our bill on the House side, was not agreed to by our colleagues across the way.

However, the legislation before us today does require three GAO studies to look at all of the issues which we had originally addressed in the legislation that came from the House. Hopefully those GAO studies will confirm the wisdom of the House of including those provisions in the initial bill, and I look forward to seeing the results of those studies and perhaps our ability to revisit this issue of community health centers because I, too, believe that one of the ways we can accomplish greater access is to provide volunteer doctors with Federal tort claims protections so that they can use their services and their talents in community health centers which have a very difficult time attracting doctors in many of the rural areas, in particular.

I rise today in support of H.R. 1343, the "Health Centers Renewal Act," a critical piece

of legislation which will reauthorize Community Health Centers and the National Health Service Corps. Community Health Centers provide a fundamental element of our healthcare delivery system in our nation, providing much needed care for uninsured or under-insured individuals seeking very low cost healthcare services. These centers have, and continue to, impact communities across our country and provide a critical safety net for care for thousands of Americans every year. With nearly 47 million Americans living without health insurance, traditional pay-for services have become prohibitively expensive for many. With no remaining option for even the most basic healthcare services, our emergency rooms are being overwhelmed. Community Health Centers step in to fill that gap, relieving the strain on hospital emergency rooms which cost exorbitantly more to operate and are pressed beyond capacity.

H.R. 1343 reauthorizes Community Health Centers for five years while seeking to improve the access to, and quality of, services available under this program throughout the nation. This legislation requires the Government Accountability Office to conduct three studies, all of which will evaluate mechanisms through which the health center program can do more for our communities. First, GAO will evaluate the incorporation of integrated health systems as a model for improving the access to care for medically underserved populations. Second, GAO will also study the effects of implementing policies which would establish school-based health centers. Finally, this legislation will evaluate the potential benefits which could be achieved by extending federal liability protections to healthcare practitioners to encourage participation in Community Health Centers, both in their community as well as additional areas ravaged by hurricanes, earthquakes, floods, or other disaster situations. In light of the devastation in the Gulf Coast region just a few years ago, our healthcare delivery system was put to the ultimate test. Thousands upon thousands of victims were affected. While physicians and other healthcare professionals were ready and willing to answer the call to serve, concerns regarding medical liability turned them away from their call to service. This is an apparent problem an Congress must address this issue to avoid a repeat of this unfortunate situation in the future.

I believe this legislation represents a reasonable compromise, reflecting the priorities of the House, Senate, and healthcare industry, and provides much-needed reauthorization to this critical component of our nation's healthcare infrastructure. I would also like to express my appreciation to the National Association of Community Health Centers for working so well with House and Senate staff in order to craft this legislation before us today. Again, I am pleased to see this legislation on the floor today, and I encourage all of my colleagues to support this critical reauthorization of Community Health Centers.

At this time, I would like to yield to the gentleman from Mississippi, who is a member of this committee, who also has worked on this legislation, for such time as he may consume, Mr. PICKERING.

Mr. PICKERING. Thank you, Mr. DEAL, the gentleman from Georgia. I want to thank him for his leadership of the subcommittee as the ranking member and previously as the chairman of the subcommittee. I want to thank Congressman GENE GREEN for his work as we did work together in a bipartisan fashion, all the committee staff.

As I come close to the end of my service in Congress, I can think of no better thing to go out on as the reauthorization, the expansion, and the funding, and modernization of the community health centers for what they do to create healthy communities and strong communities and to help the families most in need in our States and districts back home and in small towns and cities.

I know from Mississippi, community health centers have made a tremendous difference after Katrina and getting those who were evacuated after a disaster the help, but more importantly, every day those mothers and the elderly and the low income who otherwise would not have the best care and affordable, accessible means. Community health centers have played a vital role to my home State of Mississippi, and I'm very proud to be a part of this reauthorization and to see it done before we leave this session.

I want to thank Mary Martha Henson for her tremendous work on this, as well as the other staff.

Mr. DEAL of Georgia. I have no further speakers on the floor, and I yield back the balance of my time.

Mr. PALLONE. Madam Speaker, I yield 30 seconds to the gentleman from Texas.

Mr. GENE GREEN of Texas. Madam Speaker, I'm glad that we have a member of our Energy and Commerce Committee in the chair, and this is a great example of working together. I know my colleagues, both from Mississippi but also from Pennsylvania, we worked on other issues in this bill, and I would be more than happy to see what we can do next Congress.

But this way, we have a reauthorization of the community health centers, and we can always improve on them and look forward to working with them again, bipartisan, across the aisle, because all of us look forward to expanding health centers for our community.

Mr. PALLONE. Madam Speaker, I have no further requests for time. I would urge my colleagues on both sides of the aisle to support this critically important measure that will help ensure that all Americans have access to quality health care.

Mr. SHAYS. Madam Speaker, I strongly support the Health Centers Renewal Act, which will reauthorize the community health center program for five years and increase the program's funding. This continues the strong commitment we have shown to these centers over the past five years.

During the last reauthorization, this Administration has sought to double the amount of people receiving care through community health centers, from 10 million to 20 million.

Already, over 17 million individuals are receiving quality care, and half of these individuals are uninsured. So of our 46 million uninsured, nearly 8 million are receiving care from these centers.

By preventing costly hospitalizations and reducing the use of emergency care for routine services, it is estimated community clinics save the health care system over $6 billion annually.

I strongly support passage of this legislation so community health centers can continue providing high-quality, cost-effective care. I urge my colleagues to vote for this bill.

Mr. PALLONE. I yield back my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 1343.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the Senate amendment was concurred in.

A motion to reconsider was laid on the table.

MAKING A TECHNICAL CORRECTION IN THE NET 911 IMPROVEMENT ACT OF 2008

Mr. PALLONE. Madam Speaker, I ask unanimous consent that the Committee on Energy and Commerce be discharged from further consideration of the bill (H.R. 6946) to make a technical correction in the NET 911 Improvement Act of 2008, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

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

There was no objection.

The text of the bill is as follows:

H.R. 6946

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

SECTION 1. TECHNICAL CORRECTION.

(a) AMENDMENT.—Section 6(c)(1)(C) of the Wireless Communications and Public Safety Act of 1999 (47 U.S.C. 615a–1(c)(1)(C)) is amended by striking ''paragraph (2)'' and inserting ''paragraph (3)''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect as of July 23, 2008, immediately after the enactment of the NET 911 Improvement Act of 2008 (Public Law 110–283).

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

□ 1715

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 1014, de novo;

H.R. 6950, de novo;

H. Res. 1421, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

HEART FOR WOMEN ACT

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill, H.R. 1014, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 1014, 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.

RECORDED VOTE

Mr. DEAL of Georgia. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 418, noes 4, not voting 11, as follows:

[Roll No. 642]

AYES—418

Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
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
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
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 (TX)
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Forbes
Fortenberry
Fossella
Foster
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
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
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
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)
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 (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)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
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
Shuster
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Tsongas
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield (KY)
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wittman (VA)
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOES—4

Broun (GA)
Flake
Gingrey
Paul

NOT VOTING—11

Abercrombie
Brown, Corrine
Cannon
Cubin
Davis, David
Edwards (MD)
Frank (MA)
Lewis (KY)
Miller (FL)
Shuler
Simpson

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members have 1½ minutes remaining in this vote.

□ 1742

Mr. GINGREY changed his vote from ''aye'' to ''no.''

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.

STEPHANIE TUBBS JONES GIFT OF LIFE MEDAL ACT OF 2008

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill, H.R. 6950.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Wisconsin (Ms. MOORE) that the House suspend the rules and pass the bill, H.R. 6950.

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. HASTINGS of Florida. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 420, nays 1, not voting 12, as follows:

[Roll No. 643]

YEAS—420

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Calvert
Camp (MI)
Campbell (CA)
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
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
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 (TX)
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fortenberry
Fossella
Foster
Foxx
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
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
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)
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 (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)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
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
Shuster
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Tsongas
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
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—1

Paul

NOT VOTING—12

Brown, Corrine
Buyer
Cannon
Cubin
Davis, David
Edwards (MD)
Frank (MA)
Lewis (KY)
Miller (FL)
Shuler
Simpson
Walsh (NY)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1750

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.

PERSONAL EXPLANATION

Ms. CORRINE BROWN of Florida. Madam Speaker, on rollcall No. 642, had I been present, I would have voted "aye." On rollcall No. 643, I would have voted "yea."

PERSONAL EXPLANATION

Ms. EDWARDS of Maryland. Madam Speaker, on rollcall No. 642, had I been present, I would have voted "aye." On rollcall No. 643, I would have voted "yea."

SOLEMNLY COMMEMORATING THE 25TH ANNIVERSARY OF THE TRAGIC OCTOBER 1983 TERRORIST BOMBING OF THE UNITED STATES MARINE CORPS BARRACKS IN BEIRUT, LEBANON

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 1421, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Kansas (Mrs. BOYDA) that the House suspend the rules and agree to the resolution, H. Res. 1421, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 414, nays 0, not voting 19, as follows:

[Roll No. 644]

YEAS—414

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cantor
Capito
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
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
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
Fossella
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee
Levin
Lewis (CA)
Lewis (GA)
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 (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
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
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
Shuster
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher

Taylor	Visclosky	Weller
Terry	Walberg	Westmoreland
Thompson (CA)	Walden (OR)	Wexler
Thompson (MS)	Walz (MN)	Whitfield (KY)
Thornberry	Wamp	Wilson (NM)
Tiahrt	Wasserman Schultz	Wilson (OH)
Tiberi	Waters	Wilson (SC)
Towns	Watson	Wittman (VA)
Tsongas	Watt	Wolf
Turner	Waxman	Woolsey
Udall (CO)	Weiner	Wu
Udall (NM)	Welch (VT)	Yarmuth
Upton	Weldon (FL)	Young (AK)
Van Hollen		Young (FL)

NOT VOTING—19

Cannon	Hensarling	Speier
Capps	Hobson	Stark
Cubin	Klein (FL)	Tierney
Davis, David	Lewis (KY)	Velázquez
Dicks	Miller (FL)	Walsh (NY)
Gingrey	Shuler	
Gutierrez	Simpson	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1801

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

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 additional 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 tomorrow.

TRAVEL PROMOTION ACT OF 2008

Mr. RUSH. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3232) to establish a non-profit corporation to communicate United States entry policies and otherwise promote tourist, business, and scholarly travel to the United States, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3232

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 ''Travel Promotion Act of 2008''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. The Corporation for Travel Promotion.
Sec. 3. Accountability measures.
Sec. 4. Matching public and private funding.
Sec. 5. Travel Promotion Fund fees.
Sec. 6. Investment of Funds.
Sec. 7. Prohibition on use of funds.
Sec. 8. Amendments to the International Travel Act of 1961.
Sec. 9. Definitions.
Sec. 10. G.A.O. study

SEC. 2. THE CORPORATION FOR TRAVEL PROMOTION.

(a) ESTABLISHMENT.—The Corporation for Travel Promotion is established as a nonprofit corporation. The Corporation shall not be an agency or establishment of the United States Government. The Corporation shall be subject to the provisions of the District of Columbia Nonprofit Corporation Act (sec. 29–301.01 et seq., D.C. Official Code), to the extent that such provisions are consistent with this section, and shall have the powers conferred upon a nonprofit corporation by that Act to carry out its purposes and activities.

(b) BOARD OF DIRECTORS.—

(1) IN GENERAL.—The Corporation shall have a board of directors of 15 members, appointed by the Secretary of Commerce, but not before consultation with the Secretaries of Homeland Security, State, and Education, as appropriate, each of whom is a United States citizen, and of whom—

(A) one shall have appropriate expertise and experience in the hotel accommodations sector;

(B) one shall have appropriate expertise and experience in the restaurant sector;

(C) one shall have appropriate expertise and experience in the retail sector, or in associations representing that sector;

(D) one shall have appropriate expertise and experience in the small business sector, or in associations representing that sector;

(E) one shall have appropriate expertise and experience in the advertising sector;

(F) one shall have appropriate expertise and experience in the attractions sector;

(G) one shall have appropriate expertise and experience in the recreation sector;

(H) one shall have appropriate expertise and experience in the research, development, or manufacturing sector;

(I) one shall have appropriate expertise and experience in the financial services sector;

(J) one shall have appropriate expertise and experience in the passenger air sector;

(K) one shall have appropriate expertise and experience in the car rental sector;

(L) one shall have appropriate expertise and experience as an official at the state and municipal level, or in associations of such officials;

(M) one shall have appropriate expertise and experience in the higher education sector and in coordinating international scholarly conferences in the United States;

(N) one shall have appropriate expertise and experience in immigration law and policy, including visa requirements and United States entry procedures; and

(O) one shall have appropriate expertise in matters relating to homeland security policy, including border and travel security and facilitation programs.

(2) INCORPORATION.—The members of the initial board of directors shall serve as incorporators and shall take whatever actions are necessary to establish the Corporation under the District of Columbia Nonprofit Corporation Act (sec. 29–301.01 et seq.).

(3) TERM OF OFFICE.—The term of office of each member of the board appointed by the Secretary shall be 3 years, except that, of the members first appointed—

(A) 3 shall be appointed for terms of 1 year;

(B) 4 shall be appointed for terms of 2 years; and

(C) 4 shall be appointed for terms of 3 years.

(4) VACANCIES.—Any vacancy in the board shall not affect its power, but shall be filled in the manner required by this section. Any member whose term has expired may serve until the member's successor has taken office, or until the end of the calendar year in which the member's term has expired, whichever is earlier. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which that member's predecessor was appointed shall be appointed for the remainder of the predecessor's term. No member of the board shall be eligible to serve more than 2 consecutive full terms.

(5) ELECTION OF CHAIRMAN AND VICE CHAIRMAN.—Members of the board shall annually elect one of their members to be chairman and elect 1 or more of their members as a vice chairman or vice chairmen.

(6) STATUS AS FEDERAL EMPLOYEES.—Notwithstanding any provision of law to the contrary, no member of the board may be considered to be a Federal employee of the United States by virtue of his or her service as a member of the board.

(7) COMPENSATION; EXPENSES.—No member of the board shall receive any compensation from the Federal Government or the Corporation by virtue of his or her service as a member of the board. Each member of the board shall be paid actual travel expenses and per diem in lieu of subsistence expenses when away from his or her usual place of residence, in accordance with section 5703 of title 5, United States Code.

(c) OFFICERS AND EMPLOYEES.—

(1) IN GENERAL.—The Corporation shall have a President, and such other officers as may be named and appointed by the board for terms and at rates of compensation fixed by the board. No individual other than a citizen of the United States may be an officer of the Corporation. The corporation may hire and fix the compensation of such employees as may be necessary to carry out its purposes. No officer or employee of the Corporation may receive any salary or other compensation (except for compensation for services on boards of directors of other organizations that do not receive funds from the Corporation, on committees of such boards, and in similar activities for such organizations) from any sources other than the Corporation for services rendered during the period of his or her employment by the Corporation. Service by any officer on boards of directors of other organizations, on committees of such boards, and in similar activities for such organizations shall be subject to annual advance approval by the board and subject to the provisions of the Corporation's Statement of Ethical Conduct. All officers and employees shall serve at the pleasure of the board.

(2) NONPOLITICAL NATURE OF APPOINTMENT.—No political test or qualification shall be used in selecting, appointing, promoting, or taking other personnel actions with respect to officers, agents, or employees of the Corporation.

(d) NONPROFIT AND NONPOLITICAL NATURE OF CORPORATION.—

(1) STOCK.—The Corporation shall have no power to issue any shares of stock, or to declare or pay any dividends.

(2) PROFIT.—No part of the income or assets of the Corporation shall inure to the benefit of any director, officer, employee, or any other individual except as salary or reasonable compensation for services.

(3) POLITICS.—The Corporation may not contribute to or otherwise support any political party or candidate for elective public office.

(4) SENSE OF CONGRESS REGARDING LOBBYING ACTIVITIES.—It is the sense of Congress that the Corporation established under this Act should not engage in any lobbying activities with any employee or branch of the Federal Government in favor of or in opposition to any political issue.

(e) DUTIES AND POWERS.—

(1) IN GENERAL.—The Corporation shall develop and execute a plan to—

(A) provide useful information to foreign tourists, business people, students, scholars, scientists and others interested in traveling

to the United States, including the distribution of material provided by the Federal Government concerning entry requirements, required documentation, fees, and processes, to prospective travelers, travel agents, tour operators, meeting planners, foreign governments, travel media and other international stakeholders;

(B) identify and address perceptions in other countries regarding United States entry policies that tend to limit attempts to travel to the United States;

(C) maximize the economic and diplomatic benefits of travel to the United States by promoting the United States of America to world travelers through the use of, but not limited to, all forms of advertising, outreach to trade shows, and other appropriate promotional activities; and

(D) identify opportunities and strategies to promote tourism to rural and urban areas equally.

(2) SPECIFIC POWERS.—In order to carry out the purposes of this section, the Corporation may—

(A) obtain grants from and make contracts with individuals and private companies, State, and Federal agencies, organizations, and institutions;

(B) hire or accept the voluntary services of consultants, experts, advisory boards, and panels to aid the Corporation in carrying out its purposes; and

(C) take such other actions as may be necessary to accomplish the purposes set forth in this section.

(f) OPEN MEETINGS.—Meetings of the board of directors of the Corporation, including any committee of the board, shall be open to the public. The board may, by majority vote, close any such meeting only for the time necessary to preserve the confidentiality of commercial or financial information that is privileged or confidential, to discuss personnel matters, or to discuss legal matters affecting the Corporation, including pending or potential litigation.

(g) MAJOR CAMPAIGNS.—The board may not authorize the Corporation to obligate or expend more than $25,000,000 on any advertising campaign, promotion, or related effort unless—

(1) the obligation or expenditure is approved by an affirmative vote of at least ⅔ of the members of the board present at the meeting;

(2) at least 8 members of the board are present at the meeting at which it is approved; and

(3) each member of the board has been given at least 3 days advance notice of the meeting at which the vote is to be taken and the matters to be voted upon at that meeting.

(h) FISCAL ACCOUNTABILITY.—

(1) FISCAL YEAR.—The Corporation shall establish as its fiscal year the 12-month period beginning on October 1.

(2) BUDGET.—The Corporation shall adopt a budget for each fiscal year.

(3) ANNUAL AUDITS.—The Corporation shall engage an independent accounting firm to conduct an annual financial audit of the Corporation's operations and shall publish the results of the audit.

SEC. 3. ACCOUNTABILITY MEASURES.

(a) OBJECTIVES.—The Board shall establish annual objectives for the Corporation for each fiscal year subject to approval by the Secretary, in consultation with the Secretary of Homeland Security and the Secretary of State. The Corporation shall establish a marketing plan for each fiscal year not less than 60 days before the beginning of that year and provide a copy of the plan, and any revisions thereof, to the Secretary.

(b) BUDGET.—The board shall transmit a copy of the Corporation's budget for the forthcoming fiscal year to the Secretary not less than 60 days before the beginning of each fiscal year, together with an explanation of any expenditure provided for by the budget in excess of $5,000,000 for the fiscal year. The Corporation shall make a copy of the budget and the explanation available to the public and shall provide public access to the budget and explanation on the Corporation's website.

(c) ANNUAL REPORT TO CONGRESS.—The Corporation shall submit an annual report for the preceding fiscal year to the Secretary of Commerce and the Secretary of Homeland Security for transmittal to Congress on or before the 15th day of May of each year. The report shall include—

(1) a comprehensive and detailed report of the Corporation's operations, activities, financial condition, and accomplishments under this Act;

(2) a comprehensive and detailed inventory of amounts obligated or expended by the Corporation during the preceding fiscal year;

(3) a detailed description of each in-kind contribution, its fair market value, the individual or organization responsible for contributing, its specific use, and a justification for its use within the context of the Corporation's mission;

(4) an objective and quantifiable measurement of its progress, on an objective-by-objective basis, in meeting the objectives established by the board;

(5) an explanation of the reason for any failure to achieve an objective established by the board, and any revisions or alterations to the Corporation's objectives under subsection (a);

(6) a comprehensive and detailed report of the Corporation's operations and activities to promote tourism in rural and urban areas; and

(7) such recommendations as the Corporation deems appropriate.

SEC. 4. MATCHING PUBLIC AND PRIVATE FUNDING.

(a) ESTABLISHMENT OF TRAVEL PROMOTION FUND.—There is hereby established in the Treasury a fund which shall be known as the ''Travel Promotion Fund''.

(b) FUNDING.—

(1) FIRST YEAR.—For fiscal year 2009, the Secretary of the Treasury, not earlier than October 1, 2008, and not before the Secretary has appointed all members of the Corporation's board of directors, may transfer to the Corporation such sums as may be necessary, but not to exceed $10,000,000, subject to the availability of appropriations to carry out this section to cover its initial expenses and activities under this Act. At the earliest practicable date, the Corporation shall reimburse the Treasury any such amounts borrowed from the Treasury, with at least 50 percent reimbursed before October 1, 2011, and the remainder reimbursed before October 1, 2013. Reimbursement shall include interest at a rate determined by the Treasury taking into consideration current market yields on outstanding Treasury securities of comparable maturities and including any additional charges determined by the Secretary of the Treasury to cover any probable losses and reasonable administrative costs. The Secretary of the Treasury shall determine and assess penalties to be applied for late payments of principal or interest and other Federal credit terms designed to minimize Federal exposure to loss, consistent with the Federal Credit Reform Act and other applicable Federal credit policies.

(2) SUBSEQUENT YEARS.—For each of fiscal years 2010 through 2013, from amounts deposited in the general fund of the Treasury during the preceding fiscal year from fees under section 5, the Secretary of the Treasury shall transfer not more than $100,000,000 to the Fund, which shall be made available to the Corporation, subject to subsections (c), (d), and (e), to carry out its functions under this Act. Transfers shall be made by the Secretary of the Treasury at least quarterly on the basis of estimates by the Secretary of the Treasury, determined in consultation with the Board, of contributions made to the Corporation by non-Federal sources, and proper adjustments shall be made in amounts subsequently transferred to the extent prior estimates were in excess or less than actual contributions from non-Federal sources.

(c) MATCHING REQUIREMENT.—

(1) IN GENERAL.—The Secretary of the Treasury shall make available to the Corporation from amounts available in the Travel Promotion Fund—

(A) for fiscal year 2010, twice the amount that will be collected from non-Federal sources by the Corporation pursuant to section 4(b)(2) of this Act and not to exceed $100,000,000; and

(B) for subsequent fiscal years, an amount equal to the amount that will be collected from non-Federal sources by the Corporation pursuant to section 4(b)(2) of this Act and not to exceed $100,000,000.

(2) GOODS AND SERVICES.—For the purpose of determining the amount of matching funds, other than money, available to the Corporation—

(A) the fair market value, as determined by the Corporation, of goods and services (including advertising) contributed to the Corporation for use under this Act may be included in the determination; but

(B) the fair market value of such goods and services may not account for more than 65 percent of the matching requirement for the Corporation in any fiscal year.

(3) RIGHT OF REFUSAL.—The Corporation may decline to accept any contribution in kind that it determines to be inappropriate, not useful, or commercially worthless.

(d) GRANT OFFSET.—For a given fiscal year, the Secretary of the Treasury shall reduce the total amount of funding to be transferred to the Corporation from the Travel Promotion Fund by the amount of grants received by the Corporation pursuant to section 2(e)(2)(A) to be used during that fiscal year.

(e) LIMITATION.—The Corporation shall not expend funds or obligate to expend funds that will exceed total amounts received by the Corporation for a given fiscal year.

SEC. 5. TRAVEL PROMOTION FUND FEES.

Section 217(h)(3)(B) of the Immigration and Nationality Act (8 U.S.C. 1187(h)(3)(B)) is amended—

(1) in clause (i), by striking ''; and'' and inserting a semicolon;

(2) in clause (ii), by striking the period and inserting ''; and''; and

(3) by adding at the end the following:

''(iii) set for an amount that includes an additional amount of not less than $10 above the amount set under clause (i).

The additional amount required under clause (iii) shall be transferred to the Treasury for the purpose of offsetting appropriations made to the Corporation for Travel Promotion established in section 2 of the Travel Promotion Act of 2008, according to the requirements of section 4 of such Act. Such additional amount may be reduced if the secretary of the Treasury determines that the additional amount is not necessary to ensure that the Corporation is fully funded.''.

SEC. 6. INVESTMENT OF FUNDS.

Pending disbursement pursuant to a program, plan, or project, the Corporation may invest funds received by the Corporation only in obligations of the United States or any agency thereof, in general obligations of

any State or any political subdivision thereof, in any interest-bearing account or certificate of deposit of a bank that is a member of the Federal Reserve System, or in obligations fully guaranteed as to principal and interest by the United States. The Secretary of the Treasury shall reduce the total amount of funding for a given fiscal year to be transferred from the Travel Promotion Fund to the Corporation by the amount of interest earned by the Corporation as a result of its investments pursuant to this section for the preceding fiscal year.

SEC. 7. PROHIBITION ON USE OF FUNDS.

No funds raised by the Treasury Department's Travel Promotion Fund or the Corporation for Travel Promotion may be used to directly promote or advertise a specific corporation.

SEC. 8. AMENDMENTS TO THE INTERNATIONAL TRAVEL ACT OF 1961.

(a) POWERS AND DUTIES OF SECRETARY OF COMMERCE.—Section 201 of the International Travel Act of 1961 (22 U.S.C. 2122) is amended—

(1) in the first sentence of the matter preceding paragraph (1)—

(A) by striking ''and by the United States National Tourism Organization Act of 1996''; and

(B) by striking ''United States National Tourism Organization'' and inserting ''Corporation for Travel Promotion (established by section 3 of the Travel Promotion Act of 2008)'';

(2) in paragraph (4), by striking ''United States National Tourism Organization'' and inserting ''Corporation for Travel Promotion''; and

(3) by adding at the end the following:

''Such plan may not include a comprehensive international advertising campaign relating to critical tourism functions.''.

(b) TOURISM POLICY COUNCIL.—

(1) MEMBERSHIP.—Subsection (b) of section 301 of the International Travel Act of 1961 (22 U.S.C. 2124) is amended—

(A) by striking paragraphs (8) through (10);

(B) by redesignating paragraph (11) as paragraph (13);

(C) by inserting after paragraph (7) the following new paragraphs:

''(8) The Secretary of Homeland Security.

''(9) The Commissioner of U.S. Customs and Border Protection of the Department of Homeland Security.

''(10) The Assistant Secretary of U.S. Customs and Immigration Enforcement of the Department of Homeland Security.

''(11) The Secretary of Education.''; and

(D) in paragraph (13) (as redesignated by subparagraph (B) of this paragraph), by inserting '', in consultation with other members of the Council'' at the end before the period.

(2) MEETINGS.—Subsection (d) of such section is amended to read as follows:

''(d) The Council shall meet not less than 2 times a year. For the purposes of conducting business, each member of the Council may appoint a designee to represent such member during one or more meetings of the Council.''.

(3) INVOLVEMENT OF FEDERAL AGENCIES AND DEPARTMENTS.—Subsection (e) of such section is amended by adding at the end the following new paragraph:

''(4) Members of the Council shall provide the Corporation for Travel Promotion with timely information regarding documentation and procedures required for admission to the United States and regarding strategies planned by any Federal department or agency to promote travel to the United States for tourism, business, study, scholarship, scientific exchange, or other purposes, so that the Corporation for Travel Promotion may better conduct its communications and promotion activities.''.

(4) ANNUAL REPORT.—Subsection (g)(3) of such section is amended by striking ''United States National Tourism Organization'' and inserting ''Corporation for Travel Promotion''.

(5) APPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.—Subsection (h) of such section is amended by striking ''President of the United States National Tourism Organization'' and inserting ''President of the Corporation for Travel Promotion''.

(c) REPEAL OF AUTHORITIES RELATING TO THE UNITED STATES TRAVEL AND TOURISM PROMOTION ADVISORY BOARD.—Section 210 of the Department of Commerce and Related Agencies Appropriations Act, 2003 (contained in title II of division B of Public Law 108–7; 117 Stat. 78–79; 22 U.S.C. 2122 note) is amended—

(1) by striking subsections (b) through (d); and

(2) by redesignating subsection (e) as subsection (b).

SEC. 9. DEFINITIONS.

In this Act, the following definitions apply:

(1) BOARD.—The term ''Board'' means the board of directors of the Corporation.

(2) CORPORATION.—The term ''Corporation'' means the Corporation for Travel Promotion established by section 2.

(3) FUND.—The term ''Fund'' means the Travel Promotion Fund established by section 4.

(4) SECRETARY.—Except as otherwise expressly provided, the term ''Secretary'' means the Secretary of Commerce.

SEC. 10. G.A.O. STUDY.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Government Accountability Office shall initiate a study to assess barriers to entry into the United States by foreign travelers. The GAO shall consult with the Department of Homeland Security, including U.S. Immigration and Customs Enforcement and Customs and Border Protection, the Department of Commerce, and the Department of the Treasury, as necessary.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the GAO shall report the findings to the appropriate Congressional committees. The report shall include—

(1) the GAO's findings on specific barriers to entry into the United States by foreign travelers; and

(2) recommendations for initiatives that may reduce those barriers.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. RUSH) and the gentleman from Nebraska (Mr. TERRY) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

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

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

There was no objection.

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

Madam Speaker, H.R. 3232, the Travel Promotion Act, was introduced by Mr. DELAHUNT and Mr. BLUNT and will help spur the tourism industry in the United States by creating a Corporation For Travel Promotion within the Department of Commerce. This corporation will be funded by private sector money and special user fees.

Madam Speaker, I urge the bill's adoption.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I rise in support of H.R. 3232, the Travel Promotion Act of 2008. This legislation would establish the Corporation for Travel Promotion as a nonprofit corporation. The core mission would be to promote tourism in the United States and provide travel information to people around the world.

I am a cosponsor of the bill and support promoting the country's tourism industry. Spending by international travelers while in this country is defined as a U.S. export, and many have said that it is strong U.S. export numbers that have kept the economy growing over the last few quarters, despite a slowdown in other parts of the economy and the huge problems that have presented themselves in the financial markets.

Streamlining travel and tourism promotion through a not-for-profit corporation that does not require taxpayer funds will go a long way to help these industries and our economy.

Madam Speaker, I reserve the balance of my time.

Mr. RUSH. Madam Speaker, I am pleased to yield 2 minutes to the gentleman from Massachusetts (Mr. DELAHUNT).

Mr. DELAHUNT. Madam Speaker, I thank the gentleman for yielding. Let me express my gratitude to the Chair of the subcommittee for his leadership, as well as to the ranking member, Mr. WHITFIELD, for his efforts, as well as the Chair and ranking member of the full committee, Messrs. DINGELL and BARTON.

I am pleased to join with the minority whip, my friend ROY BLUNT, and 244 bipartisan House cosponsors to encourage support for the Travel Promotion Act of 2008. This bill will reverse the decline in the number of overseas visitors coming to the United States.

In a global economy, the world travel market is important. It means jobs and new business opportunities. This is a market that is growing, it is expanding, but our share of it keeps getting smaller. Overseas tourists, scientists, businessmen and students are going elsewhere, put off by the red tape and confusing guidelines for entry into the United States. Even the weak dollar is not enticing enough visitors to reverse this trend.

This drop is not only impacting our economy negatively, but we are missing an important opportunity to improve our image in the world. Data clearly demonstrates that it will help improve our image across the globe by connecting visitors with the most effective ambassadors that we have, the American people.

Once here, foreign visitors get to know us, who we are as a people and our values. This promotes respect for America and for Americans. It helps make the world a safer place for all of us, and it is the most cost-effective public diplomacy initiative we could ever undertake, at no cost to the American taxpayers.

I want to thank my colleagues on both sides of the aisle for the strong bipartisan support for the legislation, and close my remarks by urging the entire House to vote for its passage.

I would be remiss not to acknowledge the effort and the time that was put into this particular proposal by the minority whip, Mr. BLUNT. We all are in his debt.

Madam Speaker, Once in awhile, this House gets it just right. And when that happens, it's usually because we're working well together, across the aisle., Today I'm very pleased to join with the Minority Whip, my friend ROY BLUNT and with 244 bipartisan House cosponsors—in bringing to the floor the Travel Promotion Act of 2008. Without the support of so many on both sides of the aisle, as Well as their staffers, this day would not be possible.

The bill addresses the sharp decline in the number of overseas visitors to the United States. The world travel market is expanding but our share is getting smaller. Overseas tourists and businessmen and students are going elsewhere—even though the weak dollar should make the U.S. a cheap vacation. This drop has been felt in every sector of our economy, and more importantly—in our relationship with the rest of the world.

The reason is painfully simple. We don't make a coherent effort to tell America's story, to say to foreign visitors that they are welcome. Or to explain the confusing and sometimes intimidating rules and delays and even indignities that have become part of our visa and border entry process for foreigners since September 11, 2001.

Let me make clear that most of these rules are absolutely critical to our national security. And that we're constantly working to improve them.

The problem is most overseas visitors don't know that. And that what they do know comes from the echo chamber of the foreign press, which is often all too happy to exploit the horror stories about Fortress America—stories which then get repeated over and over again.

A constituent of mine on Cape Cod—where travel and tourism is literally the lifeblood of our local economy—described it as trying to entice a patron to a restaurant. First, he said, you detain and search the customer. Maybe pull his credit record and ask about past parking tickets and other legal transgressions. Then you hope he'll wander in for an expensive meal.

Even official visitors are not immune. Not too long ago the leader of a delegation from the Russian Duma visiting Capitol Hill concluded our inter-parliamentary meetings by saying he had thoroughly enjoyed our time together—and that he was never, under any circumstances, returning to the United States again. All because of the way he was treated during the entry process.

We are one of the only nations in the world that leaves the foreign travel marketplace to chance, with no official strategy to compel foreigners to visit the United States. The economic impact is staggering. The drop in foreign travel to the U.S. since 9/11 translates into a loss of $94 billion in visitor spending. A loss of $16 billion in tax revenue. And the loss of 200,000 American jobs in nearly every congressional district in this nation. No city in the United States has been hit harder than Boston.

In that spirit, I believe that this proposal will inject much needed capital into the American economy. Travel and tourism, when the sector is doing well, drives economic growth and creates opportunity at every level of the economy: from the airlines, to the hotel staff, to the cooks and dishwashers, to the tourguides. This bill will drive growth and create jobs here at home.

Even worse, is the effect on the already-tarnished face of the United States around the globe. If we're really worried about the distortions about us learned in madrassas, the best antidote is to encourage a first-hand look at our country and our people.

The Foreign Affairs Subcommittee on Oversight, which I chair, recently concluded a series of hearings on America's declining image in the world. The conclusions were overwhelming and deeply alarming.

Zogby International found that ''Arabs who know Americans, Arabs who visited America . . . they tend to like our people, our culture, our products and our values more.''

The same poll found that people who say ''yes'' when asked, ''Have you been to the United States, or would you like to come to the United States?'' are 25–30 points more favorable than those who say ''no''. The survey also found that students who visit the United States have more positive views about us than non-visitors by a factor of 10 percent—and that this favorable reaction was also shared by their family and friends.

One of the key recommendations for Congress from the bipartisan U.S.-Muslim Engagement Project, is to expand exchange programs ''with a smarter targeting of visa restrictions to enable Muslims who pose a low security risk, especially journalists, business people, and religious leaders, to enter the U.S. more easily.''

Travel nearly always changes lives and attitudes for the better. Both the visitor and host open their minds and hearts to new ideas—and to each other. We all know that the best ambassadors for our fundamental values are ordinary Americans. Once here, foreign visitors get to know us and our good intentions. When they return home, they tell family and friends about our cities and towns, our beaches and mountains, our ballparks and skyscrapers and farms and museums. This is an idealistic vision, but it is one that is supported by reams of studies and data.

To discourage travel to the U.S. is to squander our best resource in the war of ideas: the American people. And as a consequence, an entire generation of future world leaders will grow up knowing as little about us as we do about them. There is one thing that is certain—if we continue down this road, we will live in a safer and less secure world.

To promote America, we must promote travel. That's Public Diplomacy 101. Toward that end, H.R. 3232 would establish the non-profit Corporation for Travel Promotion, at no expense to the taxpayer and with enormous economic benefits in red and blue congressional districts across the Nation.

That's why H.R. 3232 enjoys the support of the U.S. Conference of Mayors, U.S. Chamber of Commerce, U.S. Olympic Committee, National Association of Manufacturers and 50 State tourism directors and thousands of mom-and-pop business that benefit from overseas travelers.

As Senator DICK LUGAR remarked recently, we as a Nation have become ''inhospitable''. And I'm pleased to report that Senator LUGAR signed on last week as the 50th cosponsor of the Senate companion of H.R. 3232. Followed yesterday by Senator CASEY as number 51—yet more evidence of the bipartisan nature of this legislation.

In that spirit, I again want to express my appreciation for the leadership of Congressman BLUNT, and that of Chairman DINGELL and Subcommittee Chairman RUSH, as well as our colleagues on the Judiciary and Homeland Security Committees and their respective staffs, in working so cooperatively to move the bill to the floor. As one constructive element of those discussions, I would like to specifically note my expectation that the program to market America abroad will create business opportunities for marketing and advertising professionals for minority—and women-owned businesses.

I urge my colleagues to vote for this legislation, and look forward to joining with our colleagues in the Senate to enact it into law in the very near future.

Mr. TERRY. Madam Speaker, I yield such time as he may consume to the gentleman who represents probably the biggest destination of domestic tourists and foreign tourists, the gentleman from Orlando, Florida (Mr. KELLER).

Mr. KELLER of Florida. I thank the gentleman for yielding.

I rise today as a proud supporter and cosponsor of H.R. 3232, the Travel Promotion Act. I would like to tell you why I support it, how it works and what the benefits are.

Why I support it, I represent the world's number one vacation destination, Orlando, Florida. We have 49 million tourists a year, mainly because my fine city is home to Disney World, Universal Studios, Sea World and many other exciting theme parks.

Forty-nine million tourists a year represents 46 million tourists domestically, but only 3 million internationally. You would think that Orlando and the other tourist destinations throughout the United States would be a good value now for European travelers, particularly with the weak American dollar. But we are not seeing that. In fact, our international tourism numbers are down to levels lower than they were before 9/11. Even though domestic travel is up 13 percent, international travel is down 6 percent.

Other countries spend millions of dollars to promote international tourism. We don't. Unfortunately, a lot of travelers in Europe and other continents mistakenly think that the process of entry and visas and security is a lot more complicated than it really is.

So, how would this legislation work? This legislation provides $200 million

to promote international tourism through marketing overseas and communicating U.S. security and entry policies. It spends this $200 million without one penny being charged to taxpayers. Half of the money comes from the private sector, the other half is paid for by foreign travelers.

Now, what is the benefit of this legislation? It will create thousands of jobs. One of my employers alone provides 60,000 jobs. One out of four people in my area is employed in the tourism industry.

Expert studies show that this legislation will generate up to $1 billion a year in an additional tax revenues. This is legislation that is key to stimulating the economy, at a time when we need the economy stimulated the most.

I want to close by pointing out the broad bipartisan support that this legislation has. We have 243 cosponsors. I want to especially congratulate the lead sponsors of this legislation, Mr. DELAHUNT of Massachusetts and the minority whip, Mr. BLUNT of Missouri. They have worked on this legislation for many years and pushed very hard to finally get us a floor vote. I am proud to join them today as a cosponsor and proud of their hard work.

I want to urge all of my colleagues on both sides of the aisle to vote yes on H.R. 3232. Let's be in favor of the Travel Promotion Act, and let's create some jobs at a time when we need them the most.

Mr. RUSH. Madam Speaker, I am pleased to yield 2 minutes to my friend, the gentleman from California (Mr. FARR), a fellow Eva Cassidy fan.

Mr. FARR. Thank you very much, Mr. Chairman, for yielding. I rise in strong support of this bill.

Myself and my colleague on the other side of the aisle, JON PORTER, formed the Congressional Tourism and Travel Caucus. JON PORTER is an outstanding cochair of that Tourism and Travel Caucus, and we have worked very closely with the authors, because this is a totally bipartisan bill, with Mr. DELAHUNT and Mr. BLUNT. It has been a work in progress for about the last 10 years, something the industry has really needed and America has really needed, particularly after 9/11, to try to expedite travelers coming to this country from especially those countries where we already have the Visa Waiver Program.

There is no taxpayer money in this. It is a congressionally created nonprofit corporation based here in Washington, D.C. It will have a 15-member directorate. They are not civil employees; they are not government employees. Those 15 members represent all aspects of American business, travel and rural areas as well, because, frankly, to boost the travel economy in this country boosts jobs in everybody's community. So this is one of those economic stimulus plans for America that has long been sought.

As you turn on the television and listen to these ads from other countries trying to woo Americans to travel overseas to their countries, to Australia, New Zealand, Europe and so on, we are going to be able to compete with that kind of travel promotion and really do what I think is so wonderful about promoting America, not a particular commercial destination, but just America as a country and a place to visit and see the wonderful people here. We will live that American Dream, with people seeing what an incredible country and what wonderful people make up this country.

So I am very excited about the opportunity to really boost tourism in America, to boost world understanding of American culture and Americans, and really I think this is a big step towards global peace, and it is good for business in this country as well.

Madam Speaker, I urge a strong bipartisan vote for this bill.

Mr. EMANUEL. Madam Speaker, I rise today in strong support of H.R. 3232, the Travel Promotion Act of 2007. I want to thank my friend from Massachusetts, Congressman DELAHUNT, for his hard work on this bill, which would create American jobs, help boost our economy, and improve our image abroad through international goodwill.

The Travel Promotion Act would create a nonprofit entity funded by private companies to promote tourism in the United States, an industry which is vital to our economy and helps improve America's image abroad. For example, last year, Chicago alone welcomed an additional 1.15 million overseas visitors, an increase of 8 percent from 2006. Illinois saw tourism revenue from international visitors rise 15.6 percent to $1.98 billion in 2007.

In addition to tourism being a key component of the American economy, the best way to improve our standing abroad is for people from other countries to come meet Americans and see our cities and sights.

To that end, the Travel Promotion Act can aid in our efforts to bring the 2016 Olympic and Paralympic Games to Chicago. Encouraging the world to visit Chicago for the Olympics would help showcase us as one of America's greatest cities, helping to build support for the 2016 Games in Chicago. Chicago was the 9th most popular U.S. city for overseas visitors last year, and the more people that visit our city and meet Chicagoans, the more goodwill we will build for our bid for Chicago to be the host city in 2016.

Madam Speaker, millions of Americans came away with a new understanding of China thanks to the Beijing Games this past summer. The Travel Promotion Act can help promote America to people all over the world, and as more people come to Chicago, I am confident that they will know what we know—Chicago is a first class city ready to host the world in 2016.

Mr. BLUNT. Madam Speaker, I rise today in strong support of H.R. 3232, the Travel Promotion Act of 2008. As I've stated this month during committee consideration of this bill, I believe this is a good bill that will allow our public and private sectors to cooperate on a strategy to encourage foreign visitors to come to the United States.

I also want to extend, once again, my thanks to my friend and colleague, BILL DELAHUNT, whose primary sponsorship and work on behalf of this legislation has gotten us to where we are today. And to all the other cosponsors and supporters of this bill, let me also offer my appreciation.

This legislation is a response to the opportunity costs borne by the travel and tourism industries following reforms that Congress implemented in the wake of the 9/11 attacks. Security was tightened at our ports of entry and we have made progress in better coordinating our national security apparatus to be aware of who is coming in and out of the country. Those reforms, though not always perfect, were important and we should be grateful that our country has been made safer as a result of them.

But the cost of those reforms has impacted some segments of our economy that were already directly impacted by the 9/11 attacks. Foreign visitors who, for a period of time, were unwilling to get on airplanes due to uncertainty about their safety after 9/11 are now unwilling to get on the same airplanes due to the bureaucratic obstacles to getting into the United States. Multiple agencies have heeded our call for greater security and barriers to entry, but the resulting layers of bureaucratic tape mean that legitimate visitors are often treated in a way none of us should be proud of, simply because they don't possess a United States passport. Millions of foreign travelers who want to visit our country for all the right reasons have received this message loud and clear: KEEP OUT. It isn't worth it to come here. The United States does not welcome you.

I've seen some estimates that show the results. Between 2004 and 2005, the United States experienced a decline of 10 percent in business travel. At the same time, Europe experienced an 8-percent increase. In 2005, we lost an estimated $43 billion in visitor spending alone.

Increasing unwillingness by foreign visitors to come to the United States since 9/11 translates into a loss of $94 billion in visitor spending; a loss of $16 billion in tax revenue to Federal, state and local governments; and the loss of 200,000 American jobs.

Travel and tourism affects every congressional district in America. In my home district in Missouri, tourism in the city of Branson alone produced approximately $1.8 billion for the local economy. Every one of my colleagues have places in their districts that foreign travelers benefit from visiting. We need to encourage that. Getting people to visit our country brings incredible benefits for things that are important to our country. Three specific things come to mind:

First, tourists spend and that helps local and regional economies. We all know our nation faces economic challenges today. Support for local businesses and the goods and services they offer is good for our tax base. Those revenues are benefits that our constituents don't have to pay in taxes themselves. And that's a good thing.

Second, tourism helps create jobs. Local businesses in support of tourist economies generate and sustain employment at all levels of the economy. At a time of economic challenge for many American families and their communities, these jobs are critical.

Finally, people who visit the United States tend to like Americans more. At a time when polling shows that fewer people understand Americans, it shouldn't surprise us that there

is waning support for our policies throughout the world. We know that when people visit us here in our country, they almost always like Americans more and are likely to consider American foreign policy more favorably than those who don't visit us. Members of Congress know better than anyone in the country that our best ambassadors are our constituents, when given the opportunity.

The Travel Promotion Act of 2008 is an effort to encourage all of those things, and reverse the dangerous notion that America is an unwelcoming place, not even worth the trouble of visiting. It creates a partnership that combines the resources and willpower of the private sector and the government to generate renewed interest in visiting America. We also took a hard look at what's already on the books and streamlined parts of the government that are supposed to be doing this work but aren't doing it effectively.

One area where I wish we'd spent some more time and effort was on updating the language relating to the Electronic System for Traveler Authorization (ESTA). When we originally crafted this bill, the ESTA had not yet been created, so our language included a reference to this on the condition it was authorized. The ESTA was authorized as part of the 9/11 bill that Congress passed last year. Unfortunately that legislation did not provide a mandate for the administration to collect the very fee that will provide the federal matching funds for the Corporation. I had hoped that as a result of the negotiations that got us here today, we would have found a way to create that mandate. I've been told that the Department of Homeland Security intends to create a fee in order to implement the ESTA in the near future. I would encourage the Department to do that and help get this program established.

The bill we have in front of us is an amended version of the bill that Mr. DELAHUNT and I introduced last year. I appreciate the hard work that Chairman DINGELL and Ranking Member BARTON have put into these amendments, as well as the work that Mr. RUSH and Mr. STEARNS put into the amendments that cleared the subcommittee last week. I think most of these changes enhance the bill and make it a better product.

I'd also like to thank Chairman BENNIE THOMPSON and Ranking Member PETER KING from the Homeland Security Committee, and Chairman JOHN CONYERS and Ranking Member LAMAR SMITH from the Judiciary Committee. Without the hard work of these members and their staffs, we wouldn't have this bill up on the floor today.

I'm looking forward to passage of the Travel Promotion Act. I'm looking forward to working with the industry experts who eventually will serve on the board of the Corporation for Travel Promotion and with the Department of Commerce to develop a strategy to ensure our country is an attractive market for international travelers. And, of course, I'm looking forward to welcoming as many of those travelers as possible to Branson, Missouri.

Mr. DINGELL. Madam Speaker, I submit two letters for the RECORD regarding H.R. 3232.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington, DC, September 24, 2008.

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

DEAR MR. CHAIRMAN: I am writing to you regarding H.R. 3232, the Travel Promotion Act of 2007, introduced by Mr. Delahunt on July 31, 2007, which upon introduction was referred to the Committee on Energy and Commerce, and in addition to the Committees on the Judiciary and Homeland Security.

H.R. 3232 was marked up and ordered reported by the Committee on Energy and Commerce on September 23, 2008. I recognize and appreciate your desire to bring this bill before the House in an expeditious manner, and, accordingly, I will waive further consideration of this bill in Committee. However, agreeing to waive consideration of this bill should not be construed as the Committee on Homeland Security waiving, altering, or otherwise affecting its jurisdiction over H.R. 3232.

Further, I request your support for the appointment of Committee on Homeland Security conferees during any House-Senate conference convened on this or similar legislation. Finally, I request that a copy of this letter be included in the Congressional Record during floor consideration of H.R. 3232. I look forward to working with you on this legislation and other matters of great importance to this nation.

Sincerely,

BENNIE G. THOMPSON,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, September 25, 2008.

Hon. BENNIE G. THOMPSON,
Chairman, Committee on Homeland Security, Washington, DC.

DEAR CHAIRMAN THOMPSON: Thank you for your letter regarding H.R. 3232, the Travel Promotion Act of 2008.

The letter expresses the jurisdictional interest of the Committee on Homeland Security in the bill. The Committee on Energy and Commerce recognizes that your Committee has received a referral on H.R. 3232. I appreciate your decision to forgo a markup of the bill, and I agree with you that the decision does not in any way prejudice the Committee on Homeland Security with respect to its jurisdictional prerogatives, including the appointment of conferees, on this bill or similar legislation in the future. If a House-Senate conference is convened on H.R. 3232, I would support a request by the Committee on Homeland Security for an appropriate number of conferees with respect to provisions within its jurisdiction.

I will include our letters in the Congressional Record during consideration of the bill on the House floor. I appreciate the collaboration between our committees in crafting H.R. 3232, and I look forward to continuing to work with you to pass this important legislation.

Sincerely,

JOHN D. DINGELL,
Chairman.

Mr. DINGELL. Madam Speaker, I rise in support of H.R. 3232, the ''Travel Promotion Act of 2008.'' This legislation is the bipartisan product of negotiations between three committees. I commend several of my colleagues who contributed to this bill's improvement. In particular, my good friend and the chairman of the Subcommittee on Commerce, Trade, and Consumer Protection, BOBBY RUSH, deserves recognition for his efforts. I also extend my personal thanks to the chairmen and ranking members of the Committees on Homeland Security and the Judiciary, Representatives THOMPSON, KING, CONYERS, and SMITH, respectively. Lastly, I offer my gratitude and congratulations to my friend from Massachusetts, Representative DELAHUNT, the distinguished Republican Whip, Representative BLUNT, and Representative LOFGREN of California.

The amendments made to H.R. 3232 by the Committee on Energy and Commerce in consultation with the other Committees have measurably strengthened the accountability standards to which the Corporation for Travel Promotion, which this bill charters, will be held. I support the goal of encouraging more foreign tourists traveling to the United States, and would urge my colleagues to adopt the ''Travel Promotion Act of 2008.''

Mr. TERRY. Madam Speaker, we have no further speakers, and I yield back my time.

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

The SPEAKER pro tempore (Mrs. BOYDA of Kansas). The question is on the motion offered by the gentleman from Illinois (Mr. RUSH) that the House suspend the rules and pass the bill, H.R. 3232, 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.

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. 2851. An act to amend the Employee Retirement Income Security Act of 1974, the Public Health Service Act, and the Internal Revenue Code of 1986 to ensure that dependent students who take a medically necessary leave of absence do not lose health insurance coverage, and for other purposes.

The message also announced that the Senate has passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 5057. An act to reauthorize the Debbie Smith DNA Backlog Grant Program, and for other purposes.

The message also announced that the Senate has passed bills of the following titles in which the concurrence of the House is requested:

S. 1276. An act to facilitate the creation of methamphetamine precursor electronic logbook systems, and for other purposes.

S. 3296. An act to extend the authority of the United States Supreme Court Police to protect court officials off the Supreme Court Grounds and change the title of the Administrative Assistant to the Chief Justice.

S. 3560. An act to amend title XIX of the Social Security Act to provide additional funds for the qualifying individual (QI) program, and for other purposes.

□ 1815

CALLING CARD CONSUMER PROTECTION ACT

Mr. RUSH. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3402) to require accurate and reasonable disclosure of the terms and conditions of prepaid telephone calling cards and services, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3402

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 ''Calling Card Consumer Protection Act''.

SEC. 2. DEFINITIONS.

For purposes of this Act, the following definitions apply:

(1) The term ''Commission'' means the Federal Trade Commission.

(2) The term ''prepaid calling card'' has the meaning given the term ''prepaid calling card'' by section 64.5000(a) of the Federal Communications Commission's regulations (47 C.F.R. 64.5000(a)). Such term shall also include calling cards that use VoIP service or a successor protocol. Such term shall also include an electronic or other mechanism that allows users to pay in advance for a specified amount of calling. Such term shall not include—

(A) calling cards or other rights of use that are provided for free or at no additional cost as a promotional item accompanying a product or service purchased by a consumer;

(B) any card, device, or other right of use, the purchase of which establishes a customer-carrier relationship with a provider of wireless telecommunications service or wireless hybrid service, or that provides access to a wireless telecommunications service or wireless hybrid service account wherein the purchaser has a pre-existing relationship with the wireless service provider; or

(C) payphone service, as that term is defined in section 276(d) of the Communications Act of 1934 (47 U.S.C. 276(d)).

(3) The term ''prepaid calling card provider'' has the meaning given the term ''prepaid calling card provider'' by section 64.5000(b) of the Federal Communications Commission's regulations (47 C.F.R. 64.5000(b)). Such term shall also include—

(A) a provider of a prepaid calling card that uses VoIP service or a successor protocol; and

(B) a provider of a prepaid calling card that allows users to pay in advance for a specified amount of minutes through an electronic or other mechanism.

(4) The term ''prepaid calling card distributor'' means any entity or person that purchases prepaid calling cards from a prepaid calling card provider or another prepaid calling card distributor and sells, re-sells, issues, or distributes such cards to one or more distributors of such cards or to one or more retail sellers of such cards.

(5) The term ''wireless hybrid service'' is defined as a service that integrates both commercial mobile radio service (as defined by section 20.3 of the Federal Communications Commission's regulations (47 C.F.R. 20.3)) and VoIP service.

(6) The term ''VoIP service'' has the meaning given the term ''interconnected Voice over Internet protocol service'' by section 9.3 of the Federal Communications Commission's regulations (47 C.F.R. 9.3). Such term shall include any voice calling service that utilizes a voice over Internet protocol or any successor protocol in the transmission of the call.

(7) The term ''fees'' includes all charges, fees, taxes, or surcharges applicable to a prepaid calling card that are—

(A) required by Federal law or regulation or order of the Federal Communications Commission or by the laws and regulations of any State or political subdivision of a State; or

(B) expressly permitted to be assessed under Federal law or regulation or order of the Federal Communications Commission or under the laws and regulations of any State or political subdivision of a State.

(8) The term ''additional charge'' means any charge assessed by a prepaid calling card provider or prepaid calling card distributor for the use of a prepaid calling card, other than a fee or rate.

(9) The term ''international preferred destination'' means one or more specific international destinations named on a prepaid calling card or on the packaging material accompanying a prepaid calling card.

SEC. 3. REQUIRED DISCLOSURES OF PREPAID CALLING CARDS.

(a) REQUIRED DISCLOSURE.—Any prepaid calling card provider or prepaid calling card distributor shall disclose clearly and conspicuously the following information relating to the terms and conditions of the prepaid calling card:

(1) The name of the prepaid calling card provider and such provider's customer service telephone number and hours of service.

(2)(A) The number of domestic interstate minutes available from the prepaid calling card and the number of available minutes for all international preferred destinations served by the prepaid calling card at the time of purchase; or

(B) the dollar value of the prepaid calling card, the domestic interstate rate per minute provided by such card, and the applicable per minute rates for all international preferred destinations served by the prepaid calling card at the time of purchase.

(3)(A) The applicable per minute rate for all individual international destinations served by the card at the time of purchase; or

(B) a toll-free customer service number and website (if the provider maintains a website) where a consumer may obtain the information described in subparagraph (A) and a statement that such information may be obtained through such toll-free customer service number and website.

(4) The following terms and conditions pertaining to, or associated with, the use of the prepaid calling card:

(A) Any applicable fees associated with the use of the prepaid calling card.

(B) A description of any additional charges associated with the use of the prepaid calling card and the amount of such charges.

(C) Any limitation on the use or period of time for which the promoted or advertised minutes or rates will be available.

(D) Applicable policies relating to refund, recharge, and any predetermined decrease in value of such card over a period of time.

(E) Any expiration date applicable to the prepaid calling card or the minutes available with such calling card.

(b) LOCATION OF DISCLOSURE AND LANGUAGE REQUIREMENT.—

(1) CLEAR AND CONSPICUOUS.—

(A) CARDS.—The disclosures required under subsection (a) shall be printed in plain English language (except as provided in paragraph (2)) in a clear and conspicuous manner and location on the prepaid calling card. If the card is enclosed in packaging that obscures the disclosures on the card, such disclosures also shall be printed on the outside packaging of the card.

(B) ONLINE SERVICES.—In addition to the requirements under subparagraph (A), in the case of a prepaid calling card that consumers purchase via the Internet, the disclosures required under subsection (a) shall be displayed in plain English language (except as provided in paragraph (2)) in a clear and conspicuous manner and location on the Internet website that the consumer must access prior to purchasing such card.

(C) ADVERTISING AND OTHER PROMOTIONAL MATERIAL.—Any advertising for a prepaid calling card that contains any representation, expressly or by implication, regarding the dollar value, the per minute rate, or the number of minutes provided by the card shall include in a clear and conspicuous manner and location all the disclosures described in subsection (a).

(2) FOREIGN LANGUAGES.—If a language other than English is prominently used on a prepaid calling card, its packaging, or in point-of-sale advertising, Internet advertising, or promotional material for such card, the disclosures required by this section shall be disclosed in that language on such card, packaging, advertisement, or promotional material.

(c) MINUTES ANNOUNCED, PROMOTED, OR ADVERTISED THROUGH VOICE PROMPTS.—Any information provided to a consumer by any voice prompt given to the consumer at the time the consumer uses the prepaid calling card relating to the remaining value of the calling card or the number of minutes available from the calling card shall be accurate, taking into account the application of the fees and additional charges required to be disclosed under subsection (a).

(d) DISCLOSURES REQUIRED UPON PURCHASE OF ADDITIONAL MINUTES.—If a prepaid calling card permits a consumer to add value to the card or purchase additional minutes after the original purchase of the prepaid calling card, any changes to the rates or additional charges required to be disclosed under subsection (a) shall apply only to the additional minutes to be purchased and shall be disclosed to the consumer before the completion of such purchase.

SEC. 4. ENFORCEMENT BY THE FEDERAL TRADE COMMISSION.

(a) UNFAIR AND DECEPTIVE ACT OR PRACTICE.—A violation of section 3 shall be treated as a violation of a rule defining an unfair or deceptive act or practice prescribed under section 18(a)(1)(B) of the Federal Trade Commission Act (15 U.S.C. 57a(a)(1)(B)).

(b) AUTHORITY OF THE COMMISSION.—The Commission shall enforce this Act in the same manner and by the same means as though all applicable terms and provisions of the Federal Trade Commission Act were incorporated into and made a part of this Act. Notwithstanding any provision of the Federal Trade Commission Act or any other provision of law and solely for purposes of this Act, common carriers subject to the Communications Act of 1934 (47 U.S.C. 151 et seq.) and any amendment thereto shall be subject to the jurisdiction of the Commission.

(c) RULEMAKING AUTHORITY.—Not later than 180 days after the date of enactment of this Act, the Commission shall, in consultation with the Federal Communications Commission and in accordance with section 553 of title 5, United States Code, issue regulations to carry out this Act. In promulgating such regulations, the Commission shall—

(1) take into consideration the need for clear disclosures that provide for easy comprehension and comparison by consumers, taking into account the size of prepaid calling cards; and

(2) give due consideration to the views of the Federal Communications Commission with regard to matters for which that Commission has particular expertise and authority and shall take into consideration the views of States.

In promulgating such regulations, the Commission shall not issue regulations that otherwise affect the rates, terms, and conditions of prepaid calling cards.

(d) SAVINGS PROVISION.—Nothing in this Act shall be construed to limit the authority of the Commission under any other provision of law. Except to the extent expressly provided in this Act, nothing in this Act shall be construed to alter or affect the exemption for common carriers provided by section 5(a)(2) of the Federal Trade Commission Act (15 U.S.C. 45(a)(2)). Nothing in this Act is intended to limit the authority of the Federal Communications Commission.

SEC. 5. STATE ENFORCEMENT.

(a) IN GENERAL.—

(1) CIVIL ACTIONS.—In any case in which the attorney general of a State, a State utility commission, or other consumer protection agency has reason to believe that an interest of the residents of that State has been or is threatened or adversely affected by the engagement of any person in a practice that is prohibited under this Act, the State utility commission or other consumer protection agency, if authorized by State law, or the State, as parens patriae, may bring a civil action on behalf of the residents of that State in a district court of the United States of appropriate jurisdiction, or any other court of competent jurisdiction to—

(A) enjoin that practice;

(B) enforce compliance with this Act;

(C) obtain damage, restitution, or other compensation on behalf of residents of the State; or

(D) obtain such other relief as the court may consider to be appropriate.

(2) NOTICE TO THE COMMISSION.—

(A) IN GENERAL.—Before filing an action under paragraph (1), the State shall provide to the Commission—

(i) written notice of the action; and

(ii) a copy of the complaint for the action.

(B) EXEMPTION.—

(i) IN GENERAL.—Subparagraph (A) shall not apply with respect to the filing of an action by a State under this subsection, if the attorney general or other appropriate officer determines that it is not feasible to provide the notice described in that subparagraph before the filing of the action.

(ii) NOTIFICATION.—In an action described in clause (i), the State shall provide notice and a copy of the complaint to the Commission at the same time as the State files the action.

(b) INTERVENTION BY COMMISSION.—

(1) IN GENERAL.—On receiving notice under subsection (a)(2), the Commission shall have the right to intervene in the action that is the subject of the notice.

(2) EFFECT OF INTERVENTION.—If the Commission intervenes in an action under subsection (a), it shall have the right—

(A) to be heard with respect to any matter that arises in that action;

(B) to remove the action to the appropriate United States District Court; and

(C) to file a petition for appeal.

(c) CONSTRUCTION.—For purposes of bringing any civil action under subsection (a), nothing in this section shall be construed to prevent an attorney general of a State, a State utility commission, or other consumer protection agency authorized by State law from exercising the powers conferred on the attorney general or other appropriate official by the laws of that State to—

(1) conduct investigations;

(2) administer oaths or affirmations;

(3) compel the attendance of witnesses or the production of documentary and other evidence; or

(4) enforce any State law.

(d) ACTION BY THE COMMISSION MAY PRECLUDE STATE ACTION.—In any case in which an action is instituted by or on behalf of the Commission for violation of this Act, or any regulation issued under this Act, no State may, during the pendency of that action, institute an action under subsection (a) against any defendant named in the complaint in that action for violation of this Act or regulation.

(e) VENUE; SERVICE OF PROCESS.—

(1) VENUE.—Any action brought under subsection (a) may be brought in the district court of the United States that meets applicable requirements relating to venue under section 1391 of title 28, United States Code.

(2) SERVICE OF PROCESS.—In an action brought under subsection (a), process may be served in any district in which the defendant—

(A) is an inhabitant; or

(B) may be found.

(f) LIMITATION.—No prepaid calling card distributor who is a retail merchant or seller of prepaid calling cards, who, with respect to such cards, is exclusively engaged in point-of-sale transactions may be liable for damages in an action authorized under this section unless such distributor acted with actual knowledge that the act or practice giving rise to such action is unfair or deceptive and is unlawful under this Act.

SEC. 6. APPLICATION.

This Act shall apply to—

(1) any prepaid calling card issued or placed into the stream of commerce beginning 90 days after the date on which final regulations are promulgated pursuant to section 4(c); and

(2) any advertising, promotion, point-of-sale material or voice prompt regarding a prepaid calling card that is disseminated beginning 90 days after the date on which final regulations are promulgated pursuant to section 4(c).

If the Commission determines that it is not feasible for prepaid calling card providers or distributors to comply with the requirements of this Act with respect to prepaid calling cards issued or placed into the stream of commerce after such 90-day period, the Commission may extend such period by not more than an additional 90 days.

SEC. 7. EFFECT ON STATE LAWS.

After the date on which final regulations are promulgated pursuant to section 4(c), no State or political subdivision of a State may establish or continue in effect any provision of law that prescribes disclosure requirements with respect to prepaid calling cards unless such requirements are identical to the requirements of section 3.

SEC. 8. G.A.O. STUDY.

Beginning 2 years after the date on which final regulations are promulgated pursuant to section 4(c), the Comptroller General shall conduct a study of the effectiveness of this Act and the disclosures required under this Act and shall submit a report of such study to Congress not later than 3 years after the date of enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. RUSH) and the gentleman from Nebraska (Mr. TERRY) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. RUSH. Madam 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 the bill under consideration.

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

There was no objection.

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

H.R. 3402, the Calling Card Consumer Protection Act, was introduced by my friend, Mr. ENGEL, and will help end calling card fraud that currently plagues communities across this Nation. It requires full and accurate disclosures on the fees, charges and terms that apply to calling cards, and it will go a long ways towards protecting innocent consumers.

I urge the bill's adoption.

Madam Speaker, I reserve the balance of my time.

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

I rise in support of H.R. 3042, the Calling Card Consumer Protection Act.

There is enormous fraud in the marketing and delivery of prepaid calling card services, reportedly up to as much as 30 percent to 40 percent of the industry's revenue. Prepaid card fraud is not a new problem, but has grown into a $1 billion industry that has attracted an increasing number of new providers, some better than others.

In many cases, the fraud is associated with the cards marketed to people from a specific region in the world with purported preferred rates to their country of origin. The States have responded to this problem with their own disclosure requirements and have increasingly brought enforcement actions against the bad actors, as has the Federal Trade Commission.

H.R. 3402 attempts to put the Federal Trade Commission in a strong position to go after the bad actors and to mandate proper disclosures to consumers. A national law is helpful, because it provides consistency for providers and consumers, consistency for enforcement, and it reduces confusion across this market.

In addition to preemption of State law for H.R. 3402 to be effective, it will have to apply to common carriers. We have crafted a very narrow enforcement authority for the FTC, solely for the purposes of this act, and I am glad we could do that on a bipartisan basis.

Madam Speaker, I reserve the balance of my time.

Mr. RUSH. Madam Speaker, I am pleased to yield 5 minutes to my friend, the author of this bill, the gentleman from New York (Mr. ENGEL).

Mr. ENGEL. I thank my good friend, the gentleman from Illinois (Mr. RUSH) for his hard work on this important issue. We are so delighted, Bobby, to see you back. We look forward to continuing our work with you. Thank you so much for everything you have done, and, also, the gentleman from Nebraska (Mr. TERRY).

I would to also thank our chairman of the Energy and Commerce Committee, Mr. DINGELL, the gentleman

from Michigan for his strong support of this legislation.

This passed unanimously out of the Energy and Commerce Committee in a bipartisan way and in no small part due to the people I have mentioned before. I also want to thank the dedicated majority and minority staffs of the Consumer Protection and Telecommunications subcommittees for their diligent work in crafting an excellent bipartisan, compromise bill.

Madam Speaker, the prepaid calling card market is a $4 billion industry. In a recent independent study it was found that, on average, companies failed to provide 40 percent of the minutes guaranteed by the card, costing consumers hundreds of millions of dollars a year.

This fraud harms segments of the population who are least able to afford it, the poor, recent immigrants, minorities and seniors, and the companies don't stop there. They have even preyed upon our soldiers in Iraq and Afghanistan. This is unconscionable and obviously un-American. This legislation would end the deception and the fraud that these people have suffered at the hands of unscrupulous companies.

Now, the bottom line for this bill is this is a consumer protection bill. If we are in favor of protecting the consumer, then we should vote for this bill, because it's very, very simple. People have a right to know that when they buy a prepaid calling card, what they see is what they get. If a card says you get 60 minutes of calling time, then that consumer who buys the card is entitled to 60 minutes of calling time.

What we find in little small print that nobody can see or understand, there are so many hidden fees. Some calling cards say that you only can get the 60 minutes if you call at certain times. But if you don't call at other times, you don't get the minutes. Then the time you get the minutes is only from 2 to 4 a.m., which is ridiculous. Some cards charge you 3 units, 3 minutes of call time if you get a busy signal. Or 3 minutes of call time if you are just connected, as for a connection charge, even if it was across the street or in the same State.

So consumers don't want to think they are being defrauded. Consumers are entitled to get what they pay for. Sometimes there are companies that are very legitimate. Most of the companies are legitimate.

If a company says that you get 60 minutes of calling card, and it's a legitimate card, and that card may be a little bit more expensive than the fraudulent card, the unsuspecting consumer will buy the cheaper card thinking that he or she will get a better deal, when, in reality, the 60 minutes may only be 30 or 32 or 35 minutes.

The bottom line is this, if you are for the consumer, if you are for truth in marketing, then you should support this bill. If you are not, and you want things to go along the way they have been, then don't vote for the bill.

I am so delighted that we have bipartisan consideration on this and that, in a bipartisan fashion, we all agree that this is something that really should pass.

Nobody, nobody should be against this, not the telecom companies, not consumer groups, not any Members of Congress.

If we want to stand for legitimacy and say that we want to protect the consumer, and that we want people to understand that when they purchase something, they know what they are getting, then we ought to all vote for this bill.

I thank my colleagues. This is a tremendous victory for the consumers in America.

Mr. TERRY. Madam Speaker, I yield 4 minutes to the gentleman from Kentucky.

Mr. WHITFIELD of Kentucky. I certainly want to thank Chairman RUSH and the Democratic staff and the Republican staff for working so diligently to pass not only the Calling Card Consumer Protection Act, but also the Travel Promotion Act. I certainly want to congratulate Mr. ENGEL for bringing this matter before the House. It certainly is an important issue, and we are all delighted that this bill is moving forward.

Madam Speaker, I simply wanted to have a colloquy, if I could, with Chairman RUSH about a couple of issues relating to this bill, and simply wanted to confirm with Mr. RUSH the intent of certain provisions as they relate to small retailers that are selling these prepaid calling cards.

I guess my question, Chairman RUSH, is that if a retailer sells a card but is unaware that the calling card does not make all of the disclosures required by the act, will the retail merchant be subject to monetary penalties under sections 4 or 5 of the bill?

Mr. RUSH. I want to assure the gentleman if the retailer knowingly sells fraudulent cards, it would be subject to FTC penalty. But if the seller, the retailer does not know that they are fraudulent cards, then the penalties would not apply, only injunctive relief.

Mr. WHITFIELD of Kentucky. Thank you very much, Chairman RUSH.

To be clear, it is also my understanding that, obviously, to protect consumers, a retailer could be enjoined by the FTC, or State authorities, and required to stop selling fraudulent cards, which they should be required to stop, whether or not they knew the cards were fraudulent.

Such retailer would not, however, it's my understanding, and I think you pointed this out, they would not be subject to civil penalties or damages unless they knew the cards were unlawful; is that correct?

Mr. RUSH. The gentleman is correct.

Mr. WHITFIELD of Kentucky. I thank the gentleman very much, and I just wanted to express once again, the pleasure of working with the chairman on this.

We appreciate your great leadership.

Once again, I want to thank the staffs on both sides of the aisle.

Mr. ENGEL. Would the gentleman yield?

Mr. WHITFIELD of Kentucky. Yes, sir.

Mr. ENGEL. I thank the gentleman from Kentucky for bringing up that very important point. He should know, as I am sure he does, that there is no intent to penalize mom-and-pop store owners or anybody who may sell a card of this degree without any knowledge that there is something wrong with the card.

The purpose of this legislation is to go after the companies who fraudulently manufacture and sell these cards, not to go after individual grocery stores or mom and pop stores that sell these cards. I definitely agree with the gentleman that if someone does not have a knowledge that they are selling the card that may be flawed, we should not in any way, shape or form penalize them. That is certainly not the intent of the bill.

Mr. WHITFIELD of Kentucky. We certainly appreciate that clarification and look forward to the passage of this bill.

Mr. DINGELL. Madam Speaker, I rise in strong support of an excellent and sorely needed piece of legislation, H.R. 3402, the "Calling Card Consumer Protection Act". This bill is intended to combat the fraud and deception that is rampant in the marketing of prepaid calling cards. Many of our consumers—especially recent immigrants, the poor, students, and members of the military and their families—are vitally dependent on these prepaid cards to keep in touch with family and friends.

This bill requires providers and distributors of these cards to make full, clear, and honest disclosures on the cards, their packaging, and advertising materials. No more hidden charges. No more cards that do not deliver the minutes they promise. The bill empowers the Federal Trade Commission to enforce the Act. Violators would be subject to injunctive and other equitable relief to stop them from cheating consumers. If a violation is "knowing", they would be subject to civil penalties. In this way, the bill ensures that retailers who sell these dirty cards are subject only to injunctive relief, unless it can be shown that retailers knew the cards were fraudulent. Thus, we get the fraudulent cards off the market without punishing innocent retailers.

This bill maximizes protections for consumers and maintains a clear line between the areas of expertise of two agencies—the Federal Trade Commission (FTC) and the Federal Communications Commission (FCC). The bill provides the FTC with limited jurisdiction over common carriers, but is careful to preserve FCC's jurisdiction over common carriers for all other purposes. The bill also appropriately excludes prepaid wireless services as the record has not demonstrated a need for requiring such disclosures.

Once again, to promote uniform disclosures on cards bought across the United States, it provides a narrow preemption of State prepaid calling card disclosure requirements only. It preserves a strong enforcement role for State

Attorneys General and public utility commissions.

Finally, the bill mandates that the FTC conduct a rulemaking to ensure that all stakeholders—the calling card and telecommunications industry, States, and consumer groups—have a say in the final details of the uniform disclosure requirements that this legislation promotes.

Madam Speaker, H.R. 3402 is thoughtful and balanced legislation that is critical to protect some of our most vulnerable consumers. This bill has strong bipartisan support. I want to commend the author of this bill, the gentleman from New York, ELIOT ENGEL, for his fine leadership, and I urge Members to vote yes.

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

Mr. RUSH. Madam Speaker, I have no other speakers, and we yield back the balance of our time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. RUSH) that the House suspend the rules and pass the bill, H.R. 3402, 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.

PERMISSION TO CONSIDER AS ADOPTED MOTIONS TO SUSPEND THE RULES

Mr. ENGEL. Madam Speaker, I ask unanimous consent that the motions to suspend the rules relating to the following measures be considered as adopted in the form considered by the House on Tuesday, September 23, 2008:

House Resolution 1461, House Concurrent Resolution 393, House Resolution 988, and H.R. 3018.

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

There was no objection.

The SPEAKER pro tempore. Without objection, respective motions to reconsider are laid on the table.

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will announce that on rollcall number 641 the following correction will be made:

The gentleman from Arkansas (Mr. ROSS) to be recorded as voting ''aye,'' bringing the number of ''aye'' votes to 415.

RECESS

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

Accordingly (at 6 o'clock and 29 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1858

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mrs. BOYDA of Kansas) at 6 o'clock and 58 minutes p.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 7060, RENEWABLE ENERGY AND JOB CREATION TAX ACT OF 2008

Mr. ARCURI, from the Committee on Rules, submitted a privileged report (Rept. No. 110–887) on the resolution (H. Res. 1502) providing for consideration of the bill (H.R. 7060) to amend the Internal Revenue Code of 1986 to provide incentives for energy production and conservation, to extend certain expiring provisions, to provide individual income tax relief, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS

Mr. ARCURI, from the Committee on Rules, submitted a privileged report (Rept. No. 110–888) on the resolution (H. Res. 1503) waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, which was referred to the House Calendar and ordered to be printed.

PROVIDING FOR CONSIDERATION OF H.R. 7060, RENEWABLE ENERGY AND JOB CREATION TAX ACT OF 2008

Mr. ARCURI. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 1502 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1502

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 7060) to amend the Internal Revenue Code of 1986 to provide incentives for energy production and conservation, to extend certain expiring provisions, to provide individual income tax relief, and for other purposes. All points of order against consideration of the bill are waived except those arising under clause 10 of rule XXI. The bill shall be considered as read. All points of order against the bill are waived. The previous question shall be considered as ordered on the bill to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means; and (2) one motion to recommit.

SEC. 2. During consideration of H.R. 7060 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.

SEC. 3. House Resolutions 1489 and 1501 are laid on the table.

The SPEAKER pro tempore. The gentleman from New York is recognized for 1 hour.

Mr. ARCURI. Madam Speaker, for purpose of debate only, I yield the customary 30 minutes to the gentleman from Texas (Mr. SESSIONS). All time yielded during consideration of the rule is for debate only.

GENERAL LEAVE

Mr. ARCURI. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and insert extraneous material into the RECORD.

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

There was no objection.

Mr. ARCURI. I yield myself such time as I may consume.

Madam Speaker, House Resolution 1502 provides for consideration of H.R. 7060, the Renewable Energy and Job Creation Tax Act. The rule provides 1 hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means.

Madam Speaker, I rise today in support of this rule because American families and small businesses need tax relief now more than ever. This rule will allow us to bring legislation to the House floor later today or tomorrow that will not only strengthen our economy by directing tax relief to middle class families and in creating jobs with small businesses but also help to bring this country into a new alternative energy future.

Madam Speaker, I urge my colleagues on both sides of the aisle to support this rule and the underlying legislation.

I reserve the balance of my time.

Mr. SESSIONS. Madam Speaker, I thank the gentleman, my friend from New York, for coming back down to redo this rule.

Madam Speaker, we are here because earlier in the day, just a few hours ago, it was discovered that the 64th closed rule, which set a brand new record for a United States Congress, contained several errors. And so we debated this issue already on the floor.

Here we are for the 65th now closed rule, a brand new record for the United States Congress—one which I'm not proud of—and from a Speaker who says that this Congress would be the most open, honest, and ethical Congress ever, a brand new closed rule record has occurred today.

Madam Speaker, we went back up to the Rules Committee just a few minutes ago. The gentleman from Oregon (Mr. WALDEN) came back and was present to hear the Rules Committee slam dunk his request again, which was an opportunity based upon a colloquy that took place this afternoon just a few minutes ago between the majority leader, Mr. HOYER, and myself, about

consideration of Mr. WALDEN's amendment. The amendment is of grave nature not only to 41 States but thousands of communities.

And at this time I would like to yield such time as he may consume to the gentleman from Oregon (Mr. WALDEN) to explain where we are in this process and what we're going to do on moving forward.

Mr. WALDEN of Oregon. I want to thank my colleague and friend from Texas for yielding the time to me at this time.

I'm bitterly disappointed, frankly, that we find ourselves back here on this floor once again without an opportunity even to offer up an alternative. And to put it in perspective for my colleagues who may not frequent the Rules Committee, ''closed rule'' means that the minority has no opportunity to offer up an alternative. Period. No opportunity to come to this floor in this great democratic institution, the finest in the world, and have a chance to have a vote on an alternative to this measure. That's what a closed rule is. You shut it down, you shut out everybody else. You got your way. You run the train, and you ran right over the top of literally half the people in America, nearly, who are represented on this side of the aisle.

So what does that mean? It means the amendment that I hoped would be allowed to at least be debated and considered here will not be.

I appreciate my colleague from Washington's Fourth District, DOC HASTINGS, the gentleman from Pasco, Washington, who offered the amendment. And it was defeated on a strict party-line partisan vote that precludes our opportunity here on the floor when it went down to defeat to even have a discussion about what it means to the 20 counties I represent and the many that he does and the 4,400 school districts and multi-hundred counties in 42 States that have had their revenue sharing cut off because this Congress, this Congress has failed to reauthorize county payments program.

So why are we here?

The Senate had a similar bill to this. It passed 93–2. Huge bipartisan effort trying to get the problem solved for this country. That would have extended these extenders that help on renewable energy, which I'm a big fan of. It also took care of this enormously important issue to the West because it is principally a western issue because, frankly, that's where the Federal lands are is in the West.

Now I know that other counties and other school districts around the country are affected, certainly, and this legislation could have helped them had it been allowed to be offered, but it's not being offered. But nobody is affected more than my colleague from the Fourth District in Oregon and myself, our constituents, some of whom now are out of work.

The largest county in my district had to close all of its public libraries. Most of the road departments in my district have been cut in half, perhaps more. Now in some counties there's one road person for every 100 miles of road. Many of the roads will be turned back to gravel, back to gravel. That's not progress in America.

And the Rules Committee had the jurisdiction, has the authority to prevent that from happening by at least allowing us to have a vote. Not once, not twice, but multiple times they denied that vote.

Now the gentleman from New York raised in the discussion of the Rules Committee about a bill that was brought to the floor that would have reauthorized county schools and roads for 4 years. I was cosponsor of that bill originally under the premise and promise that when it came to the floor it would have a different pay-for because that's what was promised in the Resources Committee, and that payment in lieu of taxes would be included in that bill when it came to the floor—that was the promise, and it was broken. It came to the floor differently.

The gentleman will say, Well, you're in the pocket of Big Oil because we wanted to raise the fees on oil companies to pay for it. Well, please. Under the conservation of resource fee that is allowable under the contract at issue here, the leases, you can add that fee but you can't use it to pay for county payments. The courts have looked at this issue. You can use it to do resource work around the shorelines and all, but you violate contracts when you do it the way you all brought it to the floor.

So, we can argue about that. I happen to believe I'm right. I'm right, I know, in that the promises were broken when it came to the floor.

In addition to that, I also believe that you all have the power to decide how bills come to the floor. You made the decision to bring it under suspension of the rules, had to suspend the rules of the House, requiring a two-thirds majority for that to be passed in this House. And it failed.

And the reason you brought it to the floor under suspension was so that the Republicans could offer no alternative, because that's the issue, isn't it? When you bring a bill under suspension, you and I both know, all of us know the minority has no chance to offer an alternative; it's an up-or-down vote. So we had the up-or-down vote, and it failed.

So then the bill went away, except we also know that you in the majority are most powerful and in the Rules Committee have a 2-to-1 plus one vote. You could craft a rule tonight, just as you have done here, and you could bring that bill back to the floor tomorrow, couldn't you, because you have got 218 votes for it. You didn't get the two-thirds. You got 218. So any day since that bill failed on the floor on suspension, you could have brought it back.

And you could have sent it to the Senate. If you'd had the same pay-for, it would still violate contracts. The Senate's repeatedly refused to accept that pay-for, oh, by the way, I was told repeatedly it was nothing but a placeholder, anyway, and it was never going to be used to fund the bill. So it was never really going to get the job done.

This bill that the Senate sent to us would get the job done. It's honest. It's direct. It would pay for 4 years of county payments in PILT. It would put our people back to work. It would help people deal with the problems in our Nation's forests that are so, so at risk of fire and destruction. It would allow the funding to go back to the communities, to our schools, so that teachers could be hired rather than fired; so we could maintain the roads that lead to our national forests; so that we could pay for search and rescue; so we could actually have collaborative efforts again under title II to go out and bring people together and do what needs to be done in our forests.

You have that power in the majority. We had it when we were in the majority, and those who criticized us for not getting this reauthorized when it just went to expiration, you're right. I was frustrated with our own majority that we couldn't get it done. I take that criticism. I leveled that criticism because I am so passionate about the need to maintain this partnership that's now been broken not for 1 year but for 2.

And this is today. Today is when you make the decision to move forward or not. This is today. It's actually tonight. And we've had two shots today where you could have given us this alternative to at least have a vote on the floor.

So my colleague from Texas, I apologize for my time. I do not apologize for my passion on the need to get a chance to at least have a real vote on a real measure that the President would sign and that the Senate's approved.

So I am bitterly disappointed tonight that for the second time in one day we have been denied on a party-line vote the opportunity to even have this amendment be considered on the floor of this great democratic institution.

Mr. ARCURI. I do appreciate the passion of the gentleman from Oregon.

This is an important issue. It's so important that when this bill came to the floor back in June when Congressman DEFAZIO offered it, I supported it. I guess it's about priorities, Madam Speaker. And the priorities are what do you do to pay for it.

Now, first off, this bill is about energy, it's about tax extenders.

First off, the proposal, the amendment that the gentleman is talking about, is not germane to this bill, first and foremost.

Secondarily, there is no pay-for-it in it.

Now 2, 3 months ago when there was a pay-for in it, we couldn't get it passed because not enough people on the other side of the aisle would support it. And the fact of the matter is,

you know, we did pay for it with royalty payments from oil companies.

And for me it's very easy. Let's look at what our priority is. Let's see: the priorities of large oil companies or the priorities of rural school districts.

Mr. WALDEN of Oregon. Would the gentleman yield?

Mr. ARCURI. No. You had your time, and I was courteous to you, and I would appreciate if you would allow me to finish my thoughts.

It's pretty easy for me when you look at oil companies and you look at school districts, that's a no-brainer. Yet people on that side of the aisle voted against it because it had a pay-for in it.

Well, Madam Speaker, I just think, one, this is not germane; two, it's not paid for. Clearly I will support it with the pay-for that was in it last month, but I think clearly without any question it's unfair for the gentleman to characterize it the way he has.

I reserve the balance of my time.

Mr. SESSIONS. Madam Speaker, I thought we were going to get done real quickly here. We're not.

The gentleman is right. It's a simple matter. Republicans are upset, also, about the high price of oil. We do not want to pass on higher taxes. The Democrat majority seeks something every single day to have Big Oil pay more and more and more money in taxes. Well, all that does is raise the price of oil. And you're right. You're darn right. The Republican Party is not for that.

I would also remind the gentleman that it takes a two-thirds vote, not a simple majority. And so it failed on a higher standard.

I would yield at this time 3 minutes to the gentleman from Oregon.

Mr. WALDEN of Oregon. I thank the gentleman. I wonder if the gentleman from New York would yield to a question or be willing to accept a question.

And the question is why, given the status of the majority, did you not bring that bill back under a rule or allow it to come to the floor under a rule to begin with? You're on the Rules Committee.

□ 1915

Mr. ARCURI. Is the gentleman asking me a question?

Mr. WALDEN of Oregon. Yes.

Mr. ARCURI. I guess I would return and ask you the question. Why wasn't it passed when we brought it? Why didn't you get more people on your side of the aisle to support it? I mean, it's a legitimate question. I voted for it. I think it was a good idea.

Mr. WALDEN of Oregon. Reclaiming my time, but answer me this question. Why did the majority decide it had to come under suspension of the rules, denying the minority to have an alternative?

Mr. ARCURI. Nor did you answer my question. I think it's a legitimate question I asked. Why wasn't it supported?

Mr. WALDEN of Oregon. I'll answer your question very clearly, because of two reasons. One, the majority did not include payment in lieu of taxes in the bill, which they promised when it left the Resources Committee they would do. Two, they also promised that pay-for was nothing but a placeholder that would be removed before it came to the floor. So that wasn't done correctly. And three, you violate contracts, which I didn't come to Congress to violate contracts. I never did it in 21 years in private business. I wasn't going to do it here.

And it's not a royalty fee, by the way, that you had. It was a fee on conservation and resource, which the courts have looked at and said you can assess but you have to spend it for that purpose and that purpose only, and county payments doesn't fit that category. And you have used it multiple times and the Senate has rejected it. So it wasn't going to work.

So now I've answered your question. You answer mine. Why don't you bring it tomorrow to the floor under a rule?

Mr. ARCURI. Because there's not a pay-for for it.

Mr. WALDEN of Oregon. You told me there was a pay-for.

Mr. ARCURI. No, there's not a pay-for in this—do you want to ask me the question?

Mr. WALDEN of Oregon. I do.

Mr. ARCURI. There's not a pay-for in the amendment you are offering.

Mr. WALDEN of Oregon. I'm talking about the bill that came up in June that was defeated on a suspension vote. You could have turned around the next day if you felt so passionately—you're on the Rules Committee—and brought it to the floor under a rule, couldn't you?

Mr. ARCURI. No, we could not have done that in the Rules Committee.

Mr. WALDEN of Oregon. Why?

Mr. ARCURI. We could not have just brought it up in the Rules Committee.

Mr. WALDEN of Oregon. Why? Of course you could. You do it all the time. A bill goes down on suspension—we did it, you do it—you bring it back under a rule the next day or a week later. You had 218 votes on the floor.

Mr. ARCURI. I think the question is what is your priority—

Mr. WALDEN of Oregon. Reclaiming my time, you refuse to answer why your majority doesn't bring it back up under a rule. It only takes 218 to pass it under a rule, a majority of those present. You had 218 that day.

You see the point is, you wouldn't bring it up under a rule because you wanted no debate on a real alternative or any other amendment that would be allowed under a rule. You could have passed it the next day and sent it on to the Senate. You chose not to. I don't control the Rules Committee. You all dominate it two-to-one plus one.

So if you care about school kids, you bring it up in a way that doesn't violate contracts, that actually could pay for it, or you allow us to bring it up under this bill or you put it in the continuing resolution or when the Senate sent it over as a 1-year extension—

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

Mr. SESSIONS. I yield the gentleman an additional 2 minutes.

Mr. WALDEN of Oregon. Or when the Senate sent over a 1-year funding package in the emergency supplemental, why did the House leadership strike it there?

There have been multiple opportunities this year to deal with this issue in multiple ways, and we are told that Sunday night we're going to be done and out of here for the session.

And every time somebody says to me, well, gee, I'm all for it but we've got to do it later on or this bill or that bill or not this bill or that bill. We're out of time. The layoffs have already occurred. The jobs are gone. The communities are suffering. The law enforcement officials have been let go.

I don't know where to go from here. I'm bitterly disappointed that we have these silly arguments when we ought to be passing legislation that actually helps real people in real places.

Mr. ARCURI. I continue to reserve my time.

Mr. SESSIONS. Madam Speaker, at this time, I'd like to yield 3 minutes to the gentleman from Idaho (Mr. SALI).

Mr. SALI. Madam Speaker, continuing on the line of the previous speaker on this side, the bill that was before us last month, that did provide for secure rural schools funding, I did vote for it in committee because we were promised that it would have a different pay-for by the time it got to the floor and that PILT funding would be in at 100 percent. And I did vote against it when it got to the floor here because it didn't have a pay-for. What it had was a bunch of baloney in it.

Now, the money that's supposed to come from Big Oil, as has been referred to by the other side, there's a Supreme Court case that is a 9–0 ruling that says that that money will never, ever, ever be used in Idaho.

Madam Speaker, my district is over 62 percent federally administered land. I have counties that are over 80 percent federally administered land. Imagine what that does to the tax base for your schools. And that is the real problem that we're trying to address here.

Well, the gentleman controlling time on the other side said, well, you know, we just can't include it this time and we included it last time, a month ago in the last bill and you wouldn't support it. Madam Speaker, these are real life people we're talking about. These are school kids whose teachers get laid off because the local school district can't afford to pay them.

These are local road districts who are trying to figure out how to make roads so that when you come to Idaho to enjoy those public lands we can actually get to them. These are real people trying to deal with real problems.

Madam Speaker, if this country wants to have federally administered land in the State of Idaho, I can tell you, I understand why. It is a beautiful, beautiful State. The recreation

opportunities are great. There are places in Idaho that offer world-class recreation. But when are we going to take care of the people of Idaho?

You want to blame it on a baloney pay-for that will never get money to Idaho? If we'd have voted for this and passed it last month and it had become law, you know what we would have given the people of the State of Idaho? An empty bag. They would never have gotten a penny of that money.

So how will they pay for those teachers? How will they pay for those roads that you might want to drive on to come see the beauty of the State of Idaho?

Madam Speaker, the idea that this comes down under a closed rule, that we can't even talk about it in this bill, we can't even offer another pay-for that would get real money on the ground in Idaho I think is a shame to this body.

Mr. ARCURI. Madam Speaker, I have no doubt that the gentleman is very concerned with the real people on the ground. There's absolutely no doubt. It is the gravest concern to all of us.

The fact of the matter is, when you weigh the needs of the individuals against the needs of oil companies, how can you call that a bunch of baloney? If the royalties, the taxes that we're placing on oil companies are going to be there to help people in rural schools, that's nothing? That's not baloney. That's the real thing. That's what we're doing to help children, and yet they forget about that.

Yet he doesn't even mention it. He talks as if that doesn't exist, that it's just a bunch of baloney. It's not baloney. It's the real thing. That's what we came to Congress to do. And yet they want us to put the needs of oil companies ahead of the needs of individuals. It's just not the right thing to do.

This bill's not about that. This bill is about renewable tax credits so that we can become energy independent, so that we could stop being reliant on the big oil companies and on foreign oil so that we can develop renewable energy. That's what this bill is about. That's what this rule is about.

I reserve the balance of my time.

Mr. SESSIONS. Madam Speaker, I yield 2 minutes to the gentleman from Idaho.

Mr. SALI. Madam Speaker, I'm going to urge everyone to just listen closely to what I have to say here.

There are two reasons why the pay-for doesn't work that was in the bill last month. And these are a matter of court cases, and I want to remind everybody again, the one that went to the Supreme Court was a 9–0 ruling. There are very few of those that come along.

The first reason is because the courts have said you cannot go back and change a contract that has been made. You just can't do it, except in some very, very narrow areas that were recognized by the court.

The other reason is because, in those narrow areas, you can't use that money in the State of Idaho. I don't care if you tax the oil companies to kingdom come. There is not a penny that was in that pay-for in that bill last month that would ever end up in Idaho. And that's the reason why I voted against that bill, because it would have left the State of Idaho—had we passed it, had it become law, it would have left the State of Idaho holding an empty bag.

And let me tell you something, Madam Speaker, an empty bag will not pay a teacher's salary. It will not pave a road in the State of Idaho so that you can come visit Idaho and come visit the natural beauty there, which is amazing.

Madam Speaker, this not about whether we're going to prefer Big Oil. It's not about priority. It's a matter of responsibility of the Congress of the United States. If you're going to come to my State, if you're going to come to my district and you're going to impose Federal administration on the lands that are in my district, then step up to the plate and have the responsibility so that you don't leave us holding an empty bag, so that you don't leave us without a tax base so that we can pay our teachers and pave our roads.

It is the responsibility of this Congress, and the idea that we would come here with this bill under a closed rule and shut us out is a shame on this body.

Mr. ARCURI. Well, if what the gentleman says is true—and I have no reason to doubt that—that means that he voted against it despite the fact it would have helped all the other rural school districts in the country because it didn't do anything for his State.

And I certainly can sympathize with the fact that he would be upset that it didn't do anything for his State, but the bill would have done a great deal for the rural school districts throughout the rest of the country at the expense of large oil companies.

So again from my way of thinking, when you weigh the overall good of rural school districts versus oil companies, the rural school districts win every time.

I reserve the balance of my time.

Mr. SESSIONS. Madam Speaker, I'd like to inquire, if I could, from the gentleman from New York if he has any additional speakers?

Mr. ARCURI. No, I do not.

Mr. SESSIONS. I thank the gentleman.

Madam Speaker, I think unfortunately this whole argument today has boiled down to a desire from the Democrat majority to simply tax Big Oil, and it's used over and over and over and over and over and over and over and over again as the reason we ought to have pay-fors to get taxes paid for, to get schools paid for, stick it to Big Oil. There's almost no germaneness. There's no reason to do that.

The opportunity that we have in this country, the Republican Party stands here day after day saying we need oil companies to be able to deliver American resources in this country. And every time you just go and raise their taxes, all you do is do what we're very effectively doing, and that is, we have to buy our resources from somewhere offshore. That's why we've almost doubled the amount of payment now overseas. I mean, it's gone to $800 billion our foreign payments, and it's double. That's how they keep building Dubai, that's how they build big cities, big countries, because the Democratic Party wants that. They want America to come to its knees, to have to pay higher and higher taxes.

They don't like oil. They want oil to have to dwindle to nothing, and I think it's a sad day. I think it's a sad day that we have to do it in this bill.

We already know where they are. We know where the Democrat Party is. They do not like oil companies. They do not want to drill. They do not want the price of energy to come down.

If this election is held, the American people will have a chance to decide what the answer is. We already know what that answer is, but once again, on a simple bill, stick it to Big Oil. Well, that's how you stick it to consumers, and I think it's pretty sad.

Madam Speaker, we've been through this all day. The bottom line is that the gentleman from Oregon is going to get a vote on the amendment that we talked about. The Rules Committee did not make it in order, not once but twice did not make it in order.

□ 1930

I ask unanimous consent to have the text of the amendment and extraneous material inserted into the RECORD prior to the vote on the previous question, of which I'm going to ask that the opportunity for the amendment offered by myself for Mr. WALDEN be a part of what the previous question, when it's defeated, we will do.

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

There was no objection.

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

Mr. ARCURI. I thank my friend from Texas for his comments.

You know, I used to be an attorney. And when I used to practice, I tried a lot of cases. And when we would start our cases and we would make our opening arguments and we would proceed through the closing arguments, I always knew how good the case was on the part of the other side, especially during openings, because when the other side talked about the facts in the case, you knew they had a very good case. But when they talked about everything else except the facts, you knew they didn't have a very good case. Such is what we are seeing here tonight. They're talking about everything but what this rule is about. This rule is about creating a rule so that we can have tax extenders, so that we can promote alternative energy in this country, something that everyone says

that we need to do, and we are doing it in a responsible way with a pay-for.

Now, it's great they talk about things that they would like to do, other proposals, other amendments, but no one says where the pay-for is going to come from. So where is that pay-for going to come from? Are we going to just borrow and spend our way to it? I mean, we're borrowing $700 billion now, what's a little bit more? We had a pay-for in it when the bill was offered 2 weeks ago, yet it wasn't voted for. But what are they talking about? Everything but what we're here for today.

Now they want to bring up oil again, as if the Democrats don't care about oil prices, as if the Democrats hadn't just passed a bill that did a number of things to bring energy prices down in the short term, in the middle term, in the long term; but that's not enough. They don't want to talk about what we're here for today because then the American people might look at it and say the Democrats have the right idea; they want to create tax incentives so we can have real alternative energy in this country and not be dependent on foreign oil, not be dependent on our big oil companies.

No, Madam Speaker, we do not have anything against the big oil companies, we just think our priorities should be here on this particular bill with a pay-for and with creating tax incentives so that we can produce renewable, green-collar jobs right here in this country, jobs that cannot be outsourced or shipped overseas. That's what this rule is about.

Supporting this rule and the tax relief legislation we will consider is simply common sense. We can provide tax relief and incentives for middle class families, spur innovation, create tens of thousands of new jobs, reduce our dependence on oil from hostile nations, and reduce greenhouse gases at the same time. And we can do it all in a fiscally responsible manner, pay for it today, not spread it out on our children and grandchildren.

I urge my colleagues to vote ''yes'' on the previous question and the rule.

The material previously referred to by Mr. SESSIONS is as follows:

AMENDMENT TO H. RES. 1502 OFFERED BY REP. SESSIONS OF TEXAS

Strike all after the resolved clause and insert the following:

That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 7060) to amend the Internal Revenue Code of 1986 to provide incentives for energy production and conservation, to extend certain expiring provisions, to provide individual income tax relief, and for other purposes. All points of order against consideration of the bill are waived except those arising under clause 10 of rule XXI. The bill shall be considered as read. All points of order against the bill are waived. 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 equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means; (2) the amendment relating to the reauthorization of the Secure Rural Schools and Community Self-Determination Act printed in section 4 of this resolution, if offered by Representative Walden of Oregon or his designee, which shall be in order without intervention of any point of order, shall be considered as read, and shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit with or without instructions.

SEC. 2. During consideration of H.R. 7060 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.

SEC. 3. House Resolutions 1489 and 1501 are laid on the table.

SEC. 4. The amendment referred to in section 1 is as follows:

At the end of the bill add the following new section:

SEC. 409. SECURE RURAL SCHOOLS AND COMMUNITY SELF-DETERMINATION PROGRAM.

(a) REAUTHORIZATION OF THE SECURE RURAL SCHOOLS AND COMMUNITY SELF-DETERMINATION ACT OF 2000.—The Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 500 note; Public Law 106–393) is amended by striking sections 1 through 403 and inserting the following:

''SECTION 1. SHORT TITLE.

''This Act may be cited as the 'Secure Rural Schools and Community Self-Determination Act of 2000'.

''SEC. 2. PURPOSES.

''The purposes of this Act are—

''(1) to stabilize and transition payments to counties to provide funding for schools and roads that supplements other available funds;

''(2) to make additional investments in, and create additional employment opportunities through, projects that—

''(A)(i) improve the maintenance of existing infrastructure;

''(ii) implement stewardship objectives that enhance forest ecosystems; and

''(iii) restore and improve land health and water quality;

''(B) enjoy broad-based support; and

''(C) have objectives that may include—

''(i) road, trail, and infrastructure maintenance or obliteration;

''(ii) soil productivity improvement;

''(iii) improvements in forest ecosystem health;

''(iv) watershed restoration and maintenance;

''(v) the restoration, maintenance, and improvement of wildlife and fish habitat;

''(vi) the control of noxious and exotic weeds; and

''(vii) the reestablishment of native species; and

''(3) to improve cooperative relationships among—

''(A) the people that use and care for Federal land; and

''(B) the agencies that manage the Federal land.

''SEC. 3. DEFINITIONS.

''In this Act:

''(1) ADJUSTED SHARE.—The term 'adjusted share' means the number equal to the quotient obtained by dividing—

''(A) the number equal to the quotient obtained by dividing—

''(i) the base share for the eligible county; by

''(ii) the income adjustment for the eligible county; by

''(B) the number equal to the sum of the quotients obtained under subparagraph (A) and paragraph (8)(A) for all eligible counties.

''(2) BASE SHARE.—The term 'base share' means the number equal to the average of—

''(A) the quotient obtained by dividing—

''(i) the number of acres of Federal land described in paragraph (7)(A) in each eligible county; by

''(ii) the total number of acres of Federal land in all eligible counties in all eligible States; and

''(B) the quotient obtained by dividing—

''(i) the amount equal to the average of the 3 highest 25-percent payments and safety net payments made to each eligible State for each eligible county during the eligibility period; by

''(ii) the amount equal to the sum of the amounts calculated under clause (i) and paragraph (9)(B)(i) for all eligible counties in all eligible States during the eligibility period.

''(3) COUNTY PAYMENT.—The term 'county payment' means the payment for an eligible county calculated under section 101(b).

''(4) ELIGIBLE COUNTY.—The term 'eligible county' means any county that—

''(A) contains Federal land (as defined in paragraph (7)); and

''(B) elects to receive a share of the State payment or the county payment under section 102(b).

''(5) ELIGIBILITY PERIOD.—The term 'eligibility period' means fiscal year 1986 through fiscal year 1999.

''(6) ELIGIBLE STATE.—The term 'eligible State' means a State or territory of the United States that received a 25-percent payment for 1 or more fiscal years of the eligibility period.

''(7) FEDERAL LAND.—The term 'Federal land' means—

''(A) land within 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)) exclusive of the National Grasslands and land utilization projects designated as National Grasslands administered pursuant to the Act of July 22, 1937 (7 U.S.C. 1010–1012); and

''(B) such portions of the revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant land as are or may hereafter come under the jurisdiction of the Department of the Interior, which have heretofore or may hereafter be classified as timberlands, and power-site land valuable for timber, that shall be managed, except as provided in the former section 3 of the Act of August 28, 1937 (50 Stat. 875; 43 U.S.C. 1181c), for permanent forest production.

''(8) 50-PERCENT ADJUSTED SHARE.—The term '50-percent adjusted share' means the number equal to the quotient obtained by dividing—

''(A) the number equal to the quotient obtained by dividing—

''(i) the 50-percent base share for the eligible county; by

''(ii) the income adjustment for the eligible county; by

''(B) the number equal to the sum of the quotients obtained under subparagraph (A) and paragraph (1)(A) for all eligible counties.

''(9) 50-PERCENT BASE SHARE.—The term '50–percent base share' means the number equal to the average of—

''(A) the quotient obtained by dividing—

''(i) the number of acres of Federal land described in paragraph (7)(B) in each eligible county; by

''(ii) the total number acres of Federal land in all eligible counties in all eligible States; and

''(B) the quotient obtained by dividing—

''(i) the amount equal to the average of the 3 highest 50-percent payments made to each eligible county during the eligibility period; by

''(ii) the amount equal to the sum of the amounts calculated under clause (i) and

paragraph (2)(B)(i) for all eligible counties in all eligible States during the eligibility period.

''(10) 50-PERCENT PAYMENT.—The term '50-percent payment' means the payment that is the sum of the 50-percent share otherwise paid to a county pursuant to title II of the Act of August 28, 1937 (chapter 876; 50 Stat. 875; 43 U.S.C. 1181f), and the payment made to a county pursuant to the Act of May 24, 1939 (chapter 144; 53 Stat. 753; 43 U.S.C. 1181f–1 et seq.).

''(11) FULL FUNDING AMOUNT.—The term 'full funding amount' means—

''(A) $500,000,000 for fiscal year 2008; and

''(B) for fiscal year 2009 and each fiscal year thereafter, the amount that is equal to 90 percent of the full funding amount for the preceding fiscal year.

''(12) INCOME ADJUSTMENT.—The term 'income adjustment' means the square of the quotient obtained by dividing—

''(A) the per capita personal income for each eligible county; by

''(B) the median per capita personal income of all eligible counties.

''(13) PER CAPITA PERSONAL INCOME.—The term 'per capita personal income' means the most recent per capita personal income data, as determined by the Bureau of Economic Analysis.

''(14) SAFETY NET PAYMENTS.—The term 'safety net payments' means the special payment amounts paid to States and counties required by section 13982 or 13983 of the Omnibus Budget Reconciliation Act of 1993 (Public Law 103–66; 16 U.S.C. 500 note; 43 U.S.C. 1181f note).

''(15) SECRETARY CONCERNED.—The term 'Secretary concerned' means—

''(A) the Secretary of Agriculture or the designee of the Secretary of Agriculture with respect to the Federal land described in paragraph (7)(A); and

''(B) the Secretary of the Interior or the designee of the Secretary of the Interior with respect to the Federal land described in paragraph (7)(B).

''(16) STATE PAYMENT.—The term 'State payment' means the payment for an eligible State calculated under section 101(a).

''(17) 25-PERCENT PAYMENT.—The term '25-percent payment' means the payment to States required by the sixth paragraph under the heading of 'FOREST SERVICE' in the Act of May 23, 1908 (35 Stat. 260; 16 U.S.C. 500), and section 13 of the Act of March 1, 1911 (36 Stat. 963; 16 U.S.C. 500).

''TITLE I—SECURE PAYMENTS FOR STATES AND COUNTIES CONTAINING FEDERAL LAND

''SEC. 101. SECURE PAYMENTS FOR STATES CONTAINING FEDERAL LAND.

''(a) STATE PAYMENT.—For each of fiscal years 2008 through 2011, the Secretary of Agriculture shall calculate for each eligible State an amount equal to the sum of the products obtained by multiplying—

''(1) the adjusted share for each eligible county within the eligible State; by

''(2) the full funding amount for the fiscal year.

''(b) COUNTY PAYMENT—For each of fiscal years 2008 through 2011, the Secretary of the Interior shall calculate for each eligible county that received a 50-percent payment during the eligibility period an amount equal to the product obtained by multiplying—

''(1) the 50-percent adjusted share for the eligible county; by

''(2) the full funding amount for the fiscal year.

''SEC. 102. PAYMENTS TO STATES AND COUNTIES.

''(a) PAYMENT AMOUNTS.—Except as provided in section 103, the Secretary of the Treasury shall pay to—

''(1) a State or territory of the United States an amount equal to the sum of the amounts elected under subsection (b) by each county within the State or territory for—

''(A) if the county is eligible for the 25-percent payment, the share of the 25-percent payment; or

''(B) the share of the State payment of the eligible county; and

''(2) a county an amount equal to the amount elected under subsection (b) by each county for—

''(A) if the county is eligible for the 50-percent payment, the 50-percent payment; or

''(B) the county payment for the eligible county.

''(b) ELECTION TO RECEIVE PAYMENT AMOUNT.—

''(1) ELECTION; SUBMISSION OF RESULTS.—

''(A) IN GENERAL.—The election to receive a share of the State payment, the county payment, a share of the State payment and the county payment, a share of the 25-percent payment, the 50-percent payment, or a share of the 25-percent payment and the 50-percent payment, as applicable, shall be made at the discretion of each affected county by August 1, 2008 (or as soon thereafter as the Secretary concerned determines is practicable), and August 1 of each second fiscal year thereafter, in accordance with paragraph (2), and transmitted to the Secretary concerned by the Governor of each eligible State.

''(B) FAILURE TO TRANSMIT.—If an election for an affected county is not transmitted to the Secretary concerned by the date specified under subparagraph (A), the affected county shall be considered to have elected to receive a share of the State payment, the county payment, or a share of the State payment and the county payment, as applicable.

''(2) DURATION OF ELECTION.—

''(A) IN GENERAL.—A county election to receive a share of the 25-percent payment or 50-percent payment, as applicable, shall be effective for 2 fiscal years.

''(B) FULL FUNDING AMOUNT.—If a county elects to receive a share of the State payment or the county payment, the election shall be effective for all subsequent fiscal years through fiscal year 2011.

''(3) SOURCE OF PAYMENT AMOUNTS.—The payment to an eligible State or eligible county under this section for a fiscal year shall be derived from—

''(A) any amounts that are appropriated to carry out this Act;

''(B) any revenues, fees, penalties, or miscellaneous receipts, exclusive of deposits to any relevant trust fund, special account, or permanent operating funds, received by the Federal Government from activities by the Bureau of Land Management or the Forest Service on the applicable Federal land; and

''(C) to the extent of any shortfall, out of any amounts in the Treasury of the United States not otherwise appropriated.

''(c) DISTRIBUTION AND EXPENDITURE OF PAYMENTS.——

''(1) DISTRIBUTION METHOD.—A State that receives a payment under subsection (a) for Federal land described in section 3(7)(A) shall distribute the appropriate payment amount among the appropriate counties in the State in accordance with—

''(A) the Act of May 23, 1908 (16 U.S.C. 500); and

''(B) section 13 of the Act of March 1, 1911 (36 Stat. 963; 16 U.S.C. 500).

''(2) EXPENDITURE PURPOSES.—Subject to subsection (d), payments received by a State under subsection (a) and distributed to counties in accordance with paragraph (1) shall be expended as required by the laws referred to in paragraph (1).

''(d) EXPENDITURE RULES FOR ELIGIBLE COUNTIES.—

''(1) ALLOCATIONS.—

''(A) USE OF PORTION IN SAME MANNER AS 25-PERCENT PAYMENT OR 50-PERCENT PAYMENT, AS APPLICABLE.—Except as provided in paragraph (3)(B), if an eligible county elects to receive its share of the State payment or the county payment, not less than 80 percent, but not more than 85 percent, of the funds shall be expended in the same manner in which the 25-percent payments or 50–percent payment, as applicable, are required to be expended.

''(B) ELECTION AS TO USE OF BALANCE.—Except as provided in subparagraph (C), an eligible county shall elect to do 1 or more of the following with the balance of any funds not expended pursuant to subparagraph (A):

''(i) Reserve any portion of the balance for projects in accordance with title II.

''(ii) Reserve not more than 7 percent of the total share for the eligible county of the State payment or the county payment for projects in accordance with title III.

''(iii) Return the portion of the balance not reserved under clauses (i) and (ii) to the Treasury of the United States.

''(C) COUNTIES WITH MODEST DISTRIBUTIONS.—In the case of each eligible county to which more than $100,000, but less than $350,000, is distributed for any fiscal year pursuant to either or both of paragraphs (1)(B) and (2)(B) of subsection (a), the eligible county, with respect to the balance of any funds not expended pursuant to subparagraph (A) for that fiscal year, shall—

''(i) reserve any portion of the balance for—

''(I) carrying out projects under title II;

''(II) carrying out projects under title III; or

''(III) a combination of the purposes described in subclauses (I) and (II); or

''(ii) return the portion of the balance not reserved under clause (i) to the Treasury of the United States.

''(2) DISTRIBUTION OF FUNDS.—

''(A) IN GENERAL.—Funds reserved by an eligible county under subparagraph (B)(i) or (C)(i) of paragraph (1) for carrying out projects under title II shall be deposited in a special account in the Treasury of the United States.

''(B) AVAILABILITY.—Amounts deposited under subparagraph (A) shall—

''(i) be available for expenditure by the Secretary concerned, without further appropriation; and

''(ii) remain available until expended in accordance with title II.

''(3) ELECTION.—

''(A) NOTIFICATION.—

''(i) IN GENERAL.—An eligible county shall notify the Secretary concerned of an election by the eligible county under this subsection not later than September 30, 2008 (or as soon thereafter as the Secretary concerned determines is practicable), and each September 30 thereafter for each succeeding fiscal year.

''(ii) FAILURE TO ELECT.—Except as provided in subparagraph (B), if the eligible county fails to make an election by the date specified in clause (i), the eligible county shall—

''(I) be considered to have elected to expend 85 percent of the funds in accordance with paragraph (1)(A); and

''(II) return the balance to the Treasury of the United States.

''(B) COUNTIES WITH MINOR DISTRIBUTIONS.—In the case of each eligible county to which less than $100,000 is distributed for any fiscal year pursuant to either or both of paragraphs (1)(B) and (2)(B) of subsection (a), the eligible county may elect to expend all the funds in the same manner in which the 25-percent payments or 50-percent payments, as applicable, are required to be expended.

''(e) TIME FOR PAYMENT.—The payments required under this section for a fiscal year shall be made as soon as practicable after the end of that fiscal year.

''SEC. 103. TRANSITION PAYMENTS TO STATES.

''(a) DEFINITIONS.—In this section:

''(1) ADJUSTED AMOUNT.—The term 'adjusted amount' means, with respect to a covered State—

''(A) for fiscal year 2008, 90 percent of—

''(i) the sum of the amounts paid for fiscal year 2006 under section 102(a)(2) (as in effect on September 29, 2006) for the eligible counties in the covered State that have elected under section 102(b) to receive a share of the State payment for fiscal year 2008; and

''(ii) the sum of the amounts paid for fiscal year 2006 under section 103(a)(2) (as in effect on September 29, 2006) for the eligible counties in the State of Oregon that have elected under section 102(b) to receive the county payment for fiscal year 2008;

''(B) for fiscal year 2009, 81 percent of—

''(i) the sum of the amounts paid for fiscal year 2006 under section 102(a)(2) (as in effect on September 29, 2006) for the eligible counties in the covered State that have elected under section 102(b) to receive a share of the State payment for fiscal year 2009; and

''(ii) the sum of the amounts paid for fiscal year 2006 under section 103(a)(2) (as in effect on September 29, 2006) for the eligible counties in the State of Oregon that have elected under section 102(b) to receive the county payment for fiscal year 2009; and

''(C) for fiscal year 2010, 73 percent of—

''(i) the sum of the amounts paid for fiscal year 2006 under section 102(a)(2) (as in effect on September 29, 2006) for the eligible counties in the covered State that have elected under section 102(b) to receive a share of the State payment for fiscal year 2010; and

''(ii) the sum of the amounts paid for fiscal year 2006 under section 103(a)(2) (as in effect on September 29, 2006) for the eligible counties in the State of Oregon that have elected under section 102(b) to receive the county payment for fiscal year 2010.

''(2) COVERED STATE.—The term 'covered State' means each of the States of California, Louisiana, Oregon, Pennsylvania, South Carolina, South Dakota, Texas, and Washington.

''(b) TRANSITION PAYMENTS.—For each of fiscal years 2008 through 2010, in lieu of the payment amounts that otherwise would have been made under paragraphs (1)(B) and (2)(B) of section 102(a), the Secretary of the Treasury shall pay the adjusted amount to each covered State and the eligible counties within the covered State, as applicable.

''(c) DISTRIBUTION OF ADJUSTED AMOUNT.—Except as provided in subsection (d), it is the intent of Congress that the method of distributing the payments under subsection (b) among the counties in the covered States for each of fiscal years 2008 through 2010 be in the same proportion that the payments were distributed to the eligible counties in fiscal year 2006.

''(d) DISTRIBUTION OF PAYMENTS IN CALIFORNIA.—The following payments shall be distributed among the eligible counties in the State of California in the same proportion that payments under section 102(a)(2) (as in effect on September 29, 2006) were distributed to the eligible counties for fiscal year 2006:

''(1) Payments to the State of California under subsection (b).

''(2) The shares of the eligible counties of the State payment for California under section 102 for fiscal year 2011.

''(e) TREATMENT OF PAYMENTS.—For purposes of this Act, any payment made under subsection (b) shall be considered to be a payment made under section 102(a).

''TITLE II—SPECIAL PROJECTS ON FEDERAL LAND

''SEC. 201. DEFINITIONS.

''In this title:

''(1) PARTICIPATING COUNTY.—The term 'participating county' means an eligible county that elects under section 102(d) to expend a portion of the Federal funds received under section 102 in accordance with this title.

''(2) PROJECT FUNDS.—The term 'project funds' means all funds an eligible county elects under section 102(d) to reserve for expenditure in accordance with this title.

''(3) RESOURCE ADVISORY COMMITTEE.—The term 'resource advisory committee' means—

''(A) an advisory committee established by the Secretary concerned under section 205; or

''(B) an advisory committee determined by the Secretary concerned to meet the requirements of section 205.

''(4) RESOURCE MANAGEMENT PLAN.—The term 'resource management plan' means—

''(A) a land use plan prepared by the Bureau of Land Management for units of the Federal land described in section 3(7)(B) pursuant to section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712); or

''(B) a land and resource management plan prepared by the Forest Service for units of the National Forest System pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604).

''SEC. 202. GENERAL LIMITATION ON USE OF PROJECT FUNDS.

''(a) LIMITATION.—Project funds shall be expended solely on projects that meet the requirements of this title.

''(b) AUTHORIZED USES.—Project funds may be used by the Secretary concerned for the purpose of entering into and implementing cooperative agreements with willing Federal agencies, State and local governments, private and nonprofit entities, and landowners for protection, restoration, and enhancement of fish and wildlife habitat, and other resource objectives consistent with the purposes of this Act on Federal land and on non-Federal land where projects would benefit the resources on Federal land.

''SEC. 203. SUBMISSION OF PROJECT PROPOSALS.

''(a) SUBMISSION OF PROJECT PROPOSALS TO SECRETARY CONCERNED.—

''(1) PROJECTS FUNDED USING PROJECT FUNDS.—Not later than September 30 for fiscal year 2008 (or as soon thereafter as the Secretary concerned determines is practicable), and each September 30 thereafter for each succeeding fiscal year through fiscal year 2011, each resource advisory committee shall submit to the Secretary concerned a description of any projects that the resource advisory committee proposes the Secretary undertake using any project funds reserved by eligible counties in the area in which the resource advisory committee has geographic jurisdiction.

''(2) PROJECTS FUNDED USING OTHER FUNDS.—A resource advisory committee may submit to the Secretary concerned a description of any projects that the committee proposes the Secretary undertake using funds from State or local governments, or from the private sector, other than project funds and funds appropriated and otherwise available to do similar work.

''(3) JOINT PROJECTS.—Participating counties or other persons may propose to pool project funds or other funds, described in paragraph (2), and jointly propose a project or group of projects to a resource advisory committee established under section 205.

''(b) REQUIRED DESCRIPTION OF PROJECTS.—In submitting proposed projects to the Secretary concerned under subsection (a), a resource advisory committee shall include in the description of each proposed project the following information:

''(1) The purpose of the project and a description of how the project will meet the purposes of this title.

''(2) The anticipated duration of the project.

''(3) The anticipated cost of the project.

''(4) The proposed source of funding for the project, whether project funds or other funds.

''(5)(A) Expected outcomes, including how the project will meet or exceed desired ecological conditions, maintenance objectives, or stewardship objectives.

''(B) An estimate of the amount of any timber, forage, and other commodities and other economic activity, including jobs generated, if any, anticipated as part of the project.

''(6) A detailed monitoring plan, including funding needs and sources, that—

''(A) tracks and identifies the positive or negative impacts of the project, implementation, and provides for validation monitoring; and

''(B) includes an assessment of the following:

''(i) Whether or not the project met or exceeded desired ecological conditions; created local employment or training opportunities, including summer youth jobs programs such as the Youth Conservation Corps where appropriate.

''(ii) Whether the project improved the use of, or added value to, any products removed from land consistent with the purposes of this title.

''(7) An assessment that the project is to be in the public interest.

''(c) AUTHORIZED PROJECTS.—Projects proposed under subsection (a) shall be consistent with section 2.

''SEC. 204. EVALUATION AND APPROVAL OF PROJECTS BY SECRETARY CONCERNED.

''(a) CONDITIONS FOR APPROVAL OF PROPOSED PROJECT.—The Secretary concerned may make a decision to approve a project submitted by a resource advisory committee under section 203 only if the proposed project satisfies each of the following conditions:

''(1) The project complies with all applicable Federal laws (including regulations).

''(2) The project is consistent with the applicable resource management plan and with any watershed or subsequent plan developed pursuant to the resource management plan and approved by the Secretary concerned.

''(3) The project has been approved by the resource advisory committee in accordance with section 205, including the procedures issued under subsection (e) of that section.

''(4) A project description has been submitted by the resource advisory committee to the Secretary concerned in accordance with section 203.

''(5) The project will improve the maintenance of existing infrastructure, implement stewardship objectives that enhance forest ecosystems, and restore and improve land health and water quality.

''(b) ENVIRONMENTAL REVIEWS.—

''(1) REQUEST FOR PAYMENT BY COUNTY.—The Secretary concerned may request the resource advisory committee submitting a proposed project to agree to the use of project funds to pay for any environmental review, consultation, or compliance with applicable environmental laws required in connection with the project.

''(2) CONDUCT OF ENVIRONMENTAL REVIEW.—If a payment is requested under paragraph (1) and the resource advisory committee agrees to the expenditure of funds for this purpose, the Secretary concerned shall conduct environmental review, consultation, or

other compliance responsibilities in accordance with Federal laws (including regulations).

''(3) EFFECT OF REFUSAL TO PAY.—

''(A) IN GENERAL.—If a resource advisory committee does not agree to the expenditure of funds under paragraph (1), the project shall be deemed withdrawn from further consideration by the Secretary concerned pursuant to this title.

''(B) EFFECT OF WITHDRAWAL.—A withdrawal under subparagraph (A) shall be deemed to be a rejection of the project for purposes of section 207(c).

''(c) DECISIONS OF SECRETARY CONCERNED.—

''(1) REJECTION OF PROJECTS.—

''(A) IN GENERAL.—A decision by the Secretary concerned to reject a proposed project shall be at the sole discretion of the Secretary concerned.

''(B) NO ADMINISTRATIVE APPEAL OR JUDICIAL REVIEW.—Notwithstanding any other provision of law, a decision by the Secretary concerned to reject a proposed project shall not be subject to administrative appeal or judicial review.

''(C) NOTICE OF REJECTION.—Not later than 30 days after the date on which the Secretary concerned makes the rejection decision, the Secretary concerned shall notify in writing the resource advisory committee that submitted the proposed project of the rejection and the reasons for rejection.

''(2) NOTICE OF PROJECT APPROVAL.—The Secretary concerned shall publish in the Federal Register notice of each project approved under subsection (a) if the notice would be required had the project originated with the Secretary.

''(d) SOURCE AND CONDUCT OF PROJECT.—Once the Secretary concerned accepts a project for review under section 203, the acceptance shall be deemed a Federal action for all purposes.

''(e) IMPLEMENTATION OF APPROVED PROJECTS.—

''(1) COOPERATION.—Notwithstanding chapter 63 of title 31, United States Code, using project funds the Secretary concerned may enter into contracts, grants, and cooperative agreements with States and local governments, private and nonprofit entities, and landowners and other persons to assist the Secretary in carrying out an approved project.

''(2) BEST VALUE CONTRACTING.—

''(A) IN GENERAL.—For any project involving a contract authorized by paragraph (1) the Secretary concerned may elect a source for performance of the contract on a best value basis.

''(B) FACTORS.—The Secretary concerned shall determine best value based on such factors as—

''(i) the technical demands and complexity of the work to be done;

''(ii)(I) the ecological objectives of the project; and

''(II) the sensitivity of the resources being treated;

''(iii) the past experience by the contractor with the type of work being done, using the type of equipment proposed for the project, and meeting or exceeding desired ecological conditions; and

''(iv) the commitment of the contractor to hiring highly qualified workers and local residents.

''(3) MERCHANTABLE TIMBER CONTRACTING PILOT PROGRAM.—

''(A) ESTABLISHMENT.—The Secretary concerned shall establish a pilot program to implement a certain percentage of approved projects involving the sale of merchantable timber using separate contracts for—

''(i) the harvesting or collection of merchantable timber; and

''(ii) the sale of the timber.

''(B) ANNUAL PERCENTAGES.—Under the pilot program, the Secretary concerned shall ensure that, on a nationwide basis, not less than the following percentage of all approved projects involving the sale of merchantable timber are implemented using separate contracts:

''(i) For fiscal year 2008, 35 percent.

''(ii) For fiscal year 2009, 45 percent.

''(iii) For each of fiscal years 2010 and 2011, 50 percent.

''(C) INCLUSION IN PILOT PROGRAM.—The decision whether to use separate contracts to implement a project involving the sale of merchantable timber shall be made by the Secretary concerned after the approval of the project under this title.

''(D) ASSISTANCE.—

''(i) IN GENERAL.—The Secretary concerned may use funds from any appropriated account available to the Secretary for the Federal land to assist in the administration of projects conducted under the pilot program.

''(ii) MAXIMUM AMOUNT OF ASSISTANCE.—The total amount obligated under this subparagraph may not exceed $1,000,000 for any fiscal year during which the pilot program is in effect.

''(E) REVIEW AND REPORT.—

''(i) INITIAL REPORT.—Not later than September 30, 2010, the Comptroller General shall submit to the Committees on Agriculture, Nutrition, and Forestry and Energy and Natural Resources of the Senate and the Committees on Agriculture and Natural Resources of the House of Representatives a report assessing the pilot program.

(ii) ANNUAL REPORT.—The Secretary concerned shall submit to the Committees on Agriculture, Nutrition, and Forestry and Energy and Natural Resources of the Senate and the Committees on Agriculture and Natural Resources of the House of Representatives an annual report describing the results of the pilot program.

''(f) REQUIREMENTS FOR PROJECT FUNDS.—The Secretary shall ensure that at least 50 percent of all project funds be used for projects that are primarily dedicated—

''(1) to road maintenance, decommissioning, or obliteration; or

''(2) to restoration of streams and watersheds.

''SEC. 205. RESOURCE ADVISORY COMMITTEES.

''(a) ESTABLISHMENT AND PURPOSE OF RESOURCE ADVISORY COMMITTEES.—

''(1) ESTABLISHMENT.—The Secretary concerned shall establish and maintain resource advisory committees to perform the duties in subsection (b), except as provided in paragraph (4).

''(2) PURPOSE.—The purpose of a resource advisory committee shall be—

''(A) to improve collaborative relationships; and

''(B) to provide advice and recommendations to the land management agencies consistent with the purposes of this title.

''(3) ACCESS TO RESOURCE ADVISORY COMMITTEES.—To ensure that each unit of Federal land has access to a resource advisory committee, and that there is sufficient interest in participation on a committee to ensure that membership can be balanced in terms of the points of view represented and the functions to be performed, the Secretary concerned may establish resource advisory committees for part of, or 1 or more, units of Federal land.

''(4) EXISTING ADVISORY COMMITTEES.—

''(A) IN GENERAL.—An advisory committee that meets the requirements of this section, a resource advisory committee established before September 29, 2006, or an advisory committee determined by the Secretary concerned before September 29, 2006, to meet the requirements of this section may be deemed by the Secretary concerned to be a resource advisory committee for the purposes of this title.

''(B) CHARTER.—A charter for a committee described in subparagraph (A) that was filed on or before September 29, 2006, shall be considered to be filed for purposes of this Act.

''(C) BUREAU OF LAND MANAGEMENT ADVISORY COMMITTEES.—The Secretary of the Interior may deem a resource advisory committee meeting the requirements of subpart 1784 of part 1780 of title 43, Code of Federal Regulations, as a resource advisory committee for the purposes of this title.

''(b) DUTIES.—A resource advisory committee shall—

''(1) review projects proposed under this title by participating counties and other persons;

''(2) propose projects and funding to the Secretary concerned under section 203;

''(3) provide early and continuous coordination with appropriate land management agency officials in recommending projects consistent with purposes of this Act under this title;

''(4) provide frequent opportunities for citizens, organizations, tribes, land management agencies, and other interested parties to participate openly and meaningfully, beginning at the early stages of the project development process under this title;

''(5)(A) monitor projects that have been approved under section 204; and

''(B) advise the designated Federal official on the progress of the monitoring efforts under subparagraph (A); and

''(6) make recommendations to the Secretary concerned for any appropriate changes or adjustments to the projects being monitored by the resource advisory committee.

''(c) APPOINTMENT BY THE SECRETARY.—

''(1) APPOINTMENT AND TERM.—

''(A) IN GENERAL.—The Secretary concerned, shall appoint the members of resource advisory committees for a term of 4 years beginning on the date of appointment.

''(B) REAPPOINTMENT.—The Secretary concerned may reappoint members to subsequent 4–year terms.

''(2) BASIC REQUIREMENTS.—The Secretary concerned shall ensure that each resource advisory committee established meets the requirements of subsection (d).

''(3) INITIAL APPOINTMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary concerned shall make initial appointments to the resource advisory committees.

''(4) VACANCIES.—The Secretary concerned shall make appointments to fill vacncies on any resource advisory committee as soon as practicable after the vacancy has occurred.

''(5) COMPENSATION.—Members of the resource advisory committees shall not receive any compensation.

''(d) COMPOSITION OF ADVISORY COMMITTEE.—

''(1) NUMBER.—Each resource advisory committee shall be comprised of 15 members.

''(2) COMMUNITY INTERESTS REPRESENTED.—Committee members shall be representative of the interests of the following 3 categories:

''(A) 5 persons that—

''(i) represent organized labor or non-timber forest product harvester groups;

''(ii) represent developed outdoor recreation, off highway vehicle users, or commercial recreation activities;

''(iii) represent—

''(I) energy and mineral development interests; or

''(II) commercial or recreational fishing interests;

''(iv) represent the commercial timber industry; or

''(v) hold Federal grazing or other land use permits, or represent nonindustrial private

forest land owners, within the area for which the committee is organized.

''(B) 5 persons that represent—

''(i) nationally recognized environmental organizations;

''(ii) regionally or locally recognized environmental organizations;

''(iii) dispersed recreational activities;

''(iv) archaeological and historical interests; or

''(v) nationally or regionally recognized wild horse and burro interest groups, Wildlife or hunting organizations, or watershed associations.

''(C) 5 persons that—

''(i) hold State elected office '(or a designee);

''(ii) hold county or local elected office;

''(iii) represent American Indian tribes within or adjacent to the area for which the committee is organized;

''(iv) are school officials or teachers; or

''(v) represent the affected public at large.

''(3) BALANCED REPRESENTATION.—In appointing committee members from the 3 categories in paragraph (2), the Secretary concerned shall provide for balanced and broad representation from within each category.

''(4) GEOGRAPHIC DISTRIBUTION.—The members of a resource advisory committee shall reside within the State in which the committee has jurisdiction and, to extent practicable, the Secretary concerned shall ensure local representation in each category in paragraph (2).

''(5) CHAIRPERSON.—A majority on each resource advisory committee shall select the chairperson of the committee.

''(e) APPROVAL PROCEDURES.—

''(1) IN GENERAL.—Subject to paragraph ''(3), each resource advisory committee shall establish procedures for proposing projects to the Secretary concerned under this title.

''(2) QUORUM.—A quorum must be present to constitute an official meeting of the committee.

''(3) APPROVAL BY MAJORITY OF MEMBERS.—A project may be proposed by a resource advisory committee to the Secretary concerned under section 203(a), if the project has been approved by a majority of members of the committee from each of the 3 categories in subsection (d)(2).

''(f) OTHER COMMITTEE AUTHORITIES AND REQUIREMENTS.—

''(1) STAFF ASSISTANCE.—A resource advisory committee may submit to the Secretary concerned a request for periodic staff assistance from Federal employees under the jurisdiction of the Secretary.

''(2) MEETINGS.—All meetings of a resource advisory committee shall be announced at least 1 week in advance in a local newspaper of record and shall be open to the public.

''(3) RECORDS.—A resource advisory committee shall maintain records of the meetings of the committee and make the records available for public inspection.

''SEC. 206. USE OF PROJECT FUNDS.

''(a) AGREEMENT REGARDING SCHEDULE AND COST OF PROJECT.—

''(1) AGREEMENT BETWEEN PARTIES.—The Secretary concerned may carry out a project submitted by a resource advisory committee under section 203(a) using project funds or other funds described in section 203(a)(2), if, as soon as practicable after the issuance of a decision document for the project and the exhaustion of all administrative appeals and judicial review of the project decision, the Secretary concerned and the resource advisory committee enter into an agreement addressing, at a minimum, the following:

''(A) The schedule for completing the project.

''(B) The total cost of the project, including the level of agency overhead to be assessed against the project.

''(C) For a multiyear project, the estimated cost of the project for each of the fiscal years in which it will be carried out

''(D) The remedies for failure of the Secretary concerned to comply with the terms of the agreement consistent with current Federal law.

''(2) LIMITED USE OF FEDERAL FUNDS.—The Secretary concerned may decide, at the sole discretion of the Secretary concerned, to cover the costs of a portion of an approved project using Federal funds appropriated or otherwise available to the Secretary for the same purposes as the project

''(b) TRANSFER OF PROJECT FUNDS.—

''(1) INITIAL TRANSFER REQUIRED.—As soon as practicable after the agreement is reached under subsection (a) with regard to a project to be funded in whole or in part using project funds, or other funds described in section 203(a)(2), the Secretary concerned shall transfer to the applicable unit of National Forest System land or Bureau of Land Management District an amount of project funds equal to—

''(A) in the case of a project to be completed in a single fiscal year, the total amount specified in the agreement to be paid using project funds, or other funds described in section 203(a)(2); or

''(B) in the case of a multiyear project, the amount specified in the agreement to be paid using project funds, or other funds described in section 203(a)(2) for the first fiscal year.

''(2) CONDITION ON PROJECT COMMENCEMENT.—The unit of National Forest System land or Bureau of Land Management District concerned, shall not commence a project until the project funds, or other funds described in section 203(a)(2) required to be transferred under paragraph (1) for the project, have been made available by the Secretary concerned.

''(3) SUBSEQUENT TRANSFERS FOR MULTIYEAR PROJECTS.—

''(A) IN GENERAL.—For the second and subsequent fiscal years of a multiyear project to be funded in whole or in part using project funds, the unit of National Forest System land or Bureau of Land Management District concerned shall use the amount of project funds required to continue the project in that fiscal year according to the agreement entered into under subsection (a).

''(B) SUSPENSION OF WORK.—The Secretary concerned shall suspend work on the project if the project funds required by the agreement in the second and subsequent fiscal years are not available.

''SEC. 207. AVAILABILITY OF PROJECT FUNDS.

''(a) SUBMISSION OF PROPOSED PROJECTS TO OBLIGATE FUNDS.—By September 30, 2008 (or as soon thereafter as the Secretary concerned determines is practicable), and each September 30 thereafter for each succeeding fiscal year through fiscal year 2011, a resource advisory committee shall submit to the Secretary concerned pursuant to section 203(a)(1) a sufficient number of project proposals that, if approved, would result in the obligation of at least the full amount of the project funds reserved by the participating county in the preceding fiscal year.

''(b) USE OR TRANSFER OF UNOBLIGATED FUNDS.—Subject to section 208, if a resource advisory committee fails to comply with subsection (a) for a fiscal year, any project funds reserved by the participating county in the preceding fiscal year and remaining unobligated shall be available for use as part of the project submissions in the next fiscal year.

''(c) EFFECT OF REJECTION OF PROJECTS.—Subject to section 208, any project funds reserved by a participating county in the preceding fiscal year that are unobligated at the end of a fiscal year because the Secretary concerned has rejected one or more proposed projects shall be available for use as part of the project submissions in the next fiscal year.

''(d) EFFECT OF COURT ORDERS.—

''(1) IN GENERAL.—If an approved project under this Act is enjoined or prohibited by a Federal court, the Secretary concerned shall return the unobligated project funds related to the project to the participating county or counties that reserved the funds.

''(2) EXPENDITURE OF FUNDS.—The returned funds shall be available for the county to expend in the same manner as the funds reserved by the county under subparagraph (B) or (C)(i) of section 102(d)(1).

''SEC. 208. TERMINATION OF AUTHORITY.

''(a) IN GENERAL.—The authority to initiate projects under this title shall terminate on September 30, 2011.

''(b) DEPOSITS IN TREASURY.—Any project funds not obligated by September 30, 2012, shall be deposited in the Treasury of the United States.

''TITLE III—COUNTY FUNDS

''SEC. 301. DEFINITIONS.

''In this title:

''(1) COUNTY FUNDS.—The term ''county funds'' means all funds an eligible county elects under section 102(d) to reserve for expenditure in accordance with this title.

''(2) PARTICIPATING COUNTY.—The term ''participating county'' means an eligible county that elects under section 102(d) to expend a portion of the Federal funds received under section 102 in accordance with this title.

''SEC. 302. USE.

''(a) AUTHORIZED USES.—A participating county, including any applicable agencies of the participating county, shall use county funds, in accordance with this title, only—

''(1) to carry out activities under the Firewise Communities program to provide to homeowners in fire-sensitive ecosystems education on, and assistance with implementing, techniques in home siting, home construction, and home landscaping that can increase the protection of people and property from wildfires;

''(2) to reimburse the participating county for search and rescue and other emergency services, including firefighting, that are—

''(A) performed on Federal land after the date on which the use was approved under subsection (b);

''(B) paid for by the participating county; and

''(3) to develop community wildfire protection plans in coordination with the appropriate Secretary concerned.

''(b) PROPOSALS.—A participating county shall use county funds for a use described in subsection (a) only after a 45-day public comment period, at the beginning of which the participating county shall—

''(1) publish in any publications of local record a proposal that describes the proposed use of the county funds; and

''(2) submit the proposal to any resource advisory committee established under section 205 for the participating county.

''SEC. 303. CERTIFICATION.

''(a) IN GENERAL.—Not later than February 1 of the year after the year in which any county funds were expended by a participating county, the appropriate official of the participating county shall submit to the Secretary concerned a certification that the county funds expended in the applicable year have been used for the uses authorized under section 302(a), including a description of the amounts expended and the uses for which the amounts were expended.

''(b) REVIEW.—The Secretary concerned shall review the certifications submitted

under subsection (a) as the Secretary concerned determines to be appropriate.

"SEC. 304. TERMINATION OF AUTHORITY.

''(a) IN GENERAL.—The authority to initiate projects under this title terminates on September 30, 2011.

''(b) AVAILABILITY.—Any county funds not obligated by September 30, 2012, shall be returned to the Treasury of the United States.

''TITLE IV—MISCELLANEOUS PROVISIONS

"SEC. 401. REGULATIONS.

''The Secretary of Agriculture and the Secretary of the Interior shall issue regulations to carry out the purposes of this Act.

"SEC. 402. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated such sums as are necessary to carry out this Act for each of fiscal years 2008 through 2011.

"SEC. 403. TREATMENT OF FUNDS AND REVENUES.

''(a) RELATION TO OTHER APPROPRIATIONS.—Funds made available under section 402 and funds made available to a Secretary concerned under section 206 shall be in addition to any other annual appropriations for the Forest Service and the Bureau of Land Management.

''(b) DEPOSIT OF REVENUES AND OTHER FUNDS.—All revenues generated from projects pursuant to title II, including any interest accrued from the revenues, shall be deposited in the Treasury of the United States.''.

(b) FOREST RECEIPT PAYMENTS TO ELIGIBLE STATES AND COUNTIES.—

(1) ACT OF MAY 23, 1908.—The sixth paragraph under the heading ''FOREST SERVICE'' in the Act of May 23, 1908 (16 U.S.C. 500) is amended in the first sentence by striking ''twenty-five percentum'' and all that follows through ''shall be paid'' and inserting the following: ''an amount equal to the annual average of 25 percent of all amounts received for the applicable fiscal year and each of the preceding 6 fiscal years from each national forest shall be paid''.

(2) WEEKS LAW.—Section 13 of the Act of March 1, 1911 (commonly known as the ''Weeks Law'') (16 U.S.C. 500) is amended in the first sentence by striking ''twenty-five percentum'' and all that follows through ''shall be paid'' and inserting the following: ''an amount equal to the annual average of 25 percent of all amounts received for the applicable fiscal year and each of the preceding 6 fiscal years from each national forest shall be paid''.

(c) PAYMENTS IN LIEU OF TAXES.—

(1) IN GENERAL.—Section 6906 of title 31, United States Code, is amended to read as follows:

"§ 6906. Funding

''For each of fiscal years 2008 through 2012—

''(1) each county or other eligible unit of local government shall be entitled to payment under this chapter; and

''(2) sums shall be made available to the Secretary of the Interior for obligation or expenditure in accordance with this chapter.''.

(2) CONFORMING AMENDMENT.—The table of sections for chapter 69 of title 31, United States Code, is amended by striking the item relating to section 6906 and inserting the following:

''6906. Funding.''.

(3) BUDGET SCOREKEEPING.—

(A) IN GENERAL.—Notwithstanding the Budget Scorekeeping Guidelines and the accompanying list of programs and accounts set forth in the joint explanatory statement of the committee of conference accompanying Conference Report 105–217, the section in this title regarding Payments in Lieu of Taxes shall be treated in the baseline for purposes of section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985 (as in effect prior to September 30, 2002), and by the Chairmen of the House and Senate Budget Committees, as appropriate, for purposes of budget enforcement in the House and Senate, and under the Congressional Budget Act of 1974 as if Payment in Lieu of Taxes (14–1114–0–1–806) were an account designated as Appropriated Entitlements and Mandatories for Fiscal Year 1997 in the joint explanatory statement of the committee of conference accompanying Conference Report 105–217.

(B) EFFECTIVE DATE.—This paragraph shall remain in effect for the fiscal years to which the entitlement in section 6906 of title 31, United States Code (as amended by paragraph (1)), applies.

(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. ARCURI. 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.

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

The yeas and nays were ordered.

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would announce that the Chair's earlier announcement regarding roll-call number 641 was mistaken.

Thus, the correct number of ''aye'' votes is 414.

MAKE AMERICA'S R&D TAX CREDIT PERMANENT

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

Mr. SALI. Madam Speaker, it has come to my attention that France, long regarded as a bastion of protectionism, actually features some of the world's most inviting research and development tax credits. These credits are open to any company, whether they are American or French, and cover half of research costs up to 100 million euros.

It is a sad state of affairs when American companies can't budget for long-term research costs because Congress has failed to make the R&D tax credit permanent, yet France offers impressive tax credits across the Atlantic to do the same work.

Let's act now to make America's R&D tax credit permanent here in the United States so we will not lose our cutting edge to the Old World.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

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

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

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

(Ms. WOOLSEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

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

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

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

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

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

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

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

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

HUMAN TRAFFICKING ON THE NORTHWEST BORDER

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

Mr. SALI. Madam Speaker, the country we live in is far too big to see all at once, and many of us have only heard stories of some of its subcultures, hidden treasures, and the uniqueness of thousands of local communities.

One world that some of us never see is the dark world of human trafficking. Because trafficked persons look just like the rest of us, it is a difficult world to perceive. And yet, this underground global economy in persons is thought to involve as much as $132 billion a year, with profits from its trade reaching over $200 billion.

This sordid culture, to which most of us are happily blind, crosses all national boundaries, including our own. Perhaps the most widely recognized form is sex trafficking of women into prostitution, but we must also recognize the trafficking of migrant workers, who are often deceived into leaving their homelands into forced, brutal labor without travel documents that give them the identity with which to escape. There is also the forcible use of children to beg for street gangs or work in dangerous conditions, and what I think is the most disgusting, the recent trend of Western tourists engaging in child sex tourism, traveling the world looking for children who are being held in prostitution by their captors.

We like to think that we live in a modern and modernizing world, where barbarism is merely a bad memory. Yet, raw evil persists in our time. Ignoring human trafficking only pulls a shade over an already dark practice. But ignoring it makes it no less real and no less horrifying.

The State Department's 2008 Trafficking in Human Persons Report reveals the truth, but sickens us at the same time. The report quotes one self-justifying American schoolteacher about his child sex tourism, ''I'm helping them financially. If they don't have sex with me, they may not have enough food. If someone has a problem with me doing this, let UNICEF feed them.''

America is not great because we are perfect or because we refuse to accept injustice when we see it. Child soldiers, 8-year old prostitutes, domestic slavery, this is all real, and you can read about it in the State Department's report. The problem does not go away when we close our eyes, so it is imperative that we open them and act on this problem.

It's easy to think of this as a Third World problem. The numbers and the brutality are best gazed at from a distance, when we can shake our heads in horror and promptly change the channel to a different station. However, according to the State Department: The U.S. is a destination country for thousands of men, women, and children trafficked largely from East Asia, Mexico, and Central America for the purposes of labor and sexual exploitation. The Trafficking Victims Prevention Act of 2000 has been a great step forward in this fight, its purpose being to punish traffickers, protect victims, and prevent future trafficking.

While the number of prosecutions has gone up and steps clearly have been taken to help the victims, we can make a significant move to prevent trafficking by ensuring that the U.S. is not a destination country. One way to further this goal is to create a Northwest Trafficking Task Force to coordinate these efforts on our Northwestern border, running across Washington, Idaho, and Montana. This thousand-mile border is often patrolled merely on horseback. Without adequate resources, we cannot effectively fight this problem; we must catch it at the border.

We are morally responsible to ensure the God-given dignities of life, liberty, and the pursuit of happiness in this country. We must have the vigilance to keep watch over these freedoms so that no form of human bondage is accepted or ignored.

I humbly ask my colleagues to open their eyes, consider these facts, and stand with me against this horror of human trafficking here at home.

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

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

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

(Mr. POE 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. HOLT) is recognized for 5 minutes.

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

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

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

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

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

ALTERNATIVE TO WALL STREET BAILOUT

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

Mr. MCCOTTER. Madam Speaker, before I was elected to Congress, we used to hear—and unfortunately with some justification—that when faced with a crisis, Members of Congress would invariably soil themselves, throw money at the problem, and hoped it went away. Unfortunately, in these dysfunctional economic times, we find that this process has continued. As American families face a potential meltdown of the financial sector, we have seen what I believe to be an inappropriate response starting with this administration.

From the time that we were informed that a potential financial meltdown was going to occur, the separate, equal branch of governance, which is the

United States Congress, was told that we had but one alternative, and that if we did not pass it quickly in the time period specified by the executive branch, that our economy would be severely damaged.

It has been my opinion that we were elected to serve in this Congress by the sovereign people of the United States, to make important decisions on their behalf, to do it with our due diligence and our devotion that it's due, and to come up with a positive solution to their situation.

Last night, as I watched the President of the United States explain his view of this, I was struck by the fact that again we were told that if we did not give unlimited amounts of money, up to $700 billion, and unlimited powers—with lack of adequate oversight—to the executive branch, that we were failing in our due diligence and responsibilities to the American people.

I heard the President of the United States say that if we do not support what they put forward as the only alternative to this crisis, we do not understand the need to act. That statement is false. We understand the need to act.

We heard from the President of the United States that if we did not support his plan and the Paulson plan, that we did not care about American families. That statement is false. We care very much about American families.

What we did not hear was a recognition that a three-page document that gives to the Treasury Secretary and the Chairman of the Federal Reserve unlimited powers—the likes of which Stalin and Mao killed people for—was not an acceptable response to give to this separate, equal branch of government.

Today, we are told that House Republicans are standing in the way of a $700 billion use of your tax dollars to bail out the very people who caused this problem. Guilty as charged. House Republicans believe that there is an alternative.

The administration tells us that their first, last, only resort is to go to the taxpayers and bail out Wall Street. We fundamentally disagree with this. What we believe should happen is Wall Street should bail out Wall Street. House Republicans believe that the toxic assets that are clogging up our economy should first attempt to be recapitalized by the people sitting on the sidelines with their money waiting for you, the taxpayer, to be fleeced and put it in so they are confident that the market will work. This is not making the market work.

I heard from the President last night that the free market has failed.

□ 1945

The free market has not failed. The free market is correcting from the bad deeds of actors within that market. It is the government that is trying to interfere in the market for political purposes.

We cannot reinflate the bubble to save the American economy. What we need to do is be responsible and lay forward a private recapitalization plan with appropriate backstop that first and foremost protects the innocent, namely the taxpayers. The people who on Main Street invested and saved and had good credit their entire lives should not be asked to go back in and help the cowboy capitalists who shot themselves in the foot. House Republicans understand this. Just as we understand the need to act quickly, we also understand the need to act appropriately.

This is not an attempt to engage in an argument with the President. I have admiration for the President. And I have supported the President, as have House Republicans, when he has been correct. But he is in error now. House Republicans stood and supported the Petraeus surge so our troops would have victory in Iraq. Today House Republicans oppose the Paulson splurge so that we can have prosperity in America over the long run. And make no mistake. We understand the gravity of this situation. But we will not engage in a rush to judgment that destroys the possibilities of a free market and prosperity for American families for decades to come.

We will not walk out of this room after a forced vote, waving a piece of paper in our hands and claiming ''peace in our time.'' We will do the job we were entrusted. And we will get the job done.

IT IS IMPRUDENT FOR CONGRESS TO RUSH TO BAIL OUT WALL STREET

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. As the gentleman just explained, the dilemma that we are in and where the proper recourse or result should go to at this point and what the solution that has been presented us is not the correct solution, and that alternatives such as allowing the free market to develop, lowering taxes on capital gains and the like, allowing the private sector to develop an alternative, which has already occurred through the RSC and other forms here in the Republican Conference, is perhaps the better avenue to pursue.

Let me, though, take the next 3 or 4 minutes to answer the question that many in the American public are asking tonight, how in the world did we ever get here?

Well, many financial analysts will tell you that the underpinnings of the problems that we are facing today in the credit markets on Wall Street that are affecting the homeowners on Main Street go back a number of years and apply to the situation with the GSEs, that is Fannie Mae and Freddie Mac. And the suggestion is that had they been appropriately regulated over the years, we would not be in this severe financial crisis that we are in today.

So who was raising those red flags years ago to say what should have been done? Well if we go back, let's see, 1, 2, 3, 4, 5, 6 years to 2001, in fact it was the Bush administration that began raising some red flags. In 2002 in their budget request they declared that the size of Fannie and Freddie is ''a potential problem'' and could cause financial trouble and either one of them could cause strong repercussions in the financial markets. That was back in 2002.

2003 is when I joined Congress and served on the Financial Services Committee. I immediately began to call for a step-up in regulations of Fannie and Freddie. The White House was at the same time doing the same thing. They said in 2003, the White House was warning about Fannie Mae and Freddie Mac that they needed an upgrade in what we call world-class regulation to address something called systemic risk, a risk that could spread beyond just the housing sector. In the fall of 2003 the administration was pushing Congress hard to create a new Federal agency to regulate and to supervise both Fannie and Freddie, these government-sponsored entities. They and I and other Members from our side of the aisle said that we need a strong world-class regulator to oversee their operations of their safety and soundness.

As a matter of fact, I recall a hearing when the then-Secretary of the Treasury, Secretary Snow, came in. And he made that point as well. But I also remember him getting a lot of pushback from both sides of the aisle, but also from the gentleman who is now the chairman of the Financial Services Committee. It was back on September 25, 2003, when he was in the minority at that time, but he is now the chairman of the Financial Services Committee today, Barney Frank said ''there are people in the country who are prepared to lend money to Fannie Mae and Freddie Mac at less interest rates than they might get elsewhere. I thank those people for doing that. I must tell them that I hope that they are not doing that on the assumption that if things go bad, I or my colleagues will bail them out. We will not.''

Well the legislation that has come through in July did exactly that, bailed them out to the tune of over $200 billion. The legislation that the gentleman who just came before me just spoke about will be bailing out the financial industry to the tune of $700 billion.

Mr. FRANK goes on to say, ''I think it is clear that Fannie Mae and Freddie Mac are sufficiently secure so they are in no great danger.''

Well of course we see what has happened to them. We just had a hearing on them today. And they are now in conservatorship. They were in great danger. They were in danger of systemic risk, which has eventually brought them down.

He also said on that day, ''I don't think we face a crisis. I don't think we have an impending disaster.'' We all just heard the President of the United States on TV last night. He described the crisis that the United States is in right now. Whether you call that an impending disaster, whether we take action or not, I don't know whether Mr. FRANK would say or those who pushed back to Mr. Snow, who pushed back to the administration, who pushed back to those of us on this side of the aisle that said we need to move forward and try to address the issue of systemic risk.

Unfortunately those efforts did not come about. We never got the world-class regulator in over the GSEs until it was too late. And now we are left with the situation at hand.

The gentleman who came before spoke of the dilemma that we are faced with, a Hobbesian choice of sorts is the way it was presented last night: Either you do this or everything will fall apart. Well we suggest that there is an alternative to the proposal that the administration has proposed. We humbly suggest that alternative should be considered in a thoughtful and thought-out process, not one that is a rush to judgment, not one that would put the American taxpayer on the hook, one that would ask the private sector to take their lead and take their step in the process as well.

We would ask for the time in order to engage in the process.

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

(Mr. PENCE 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 Texas (Mr. GOHMERT) is recognized for 5 minutes.

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

IT IS INAPPROPRIATE TO TURN OVER OUR ECONOMIC SYSTEM TO THE GOVERNMENT

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. Madam Speaker, I feel certain that some of my colleagues have already broached the issue of the topic that has been consuming us around here for the last 4 days, and that has been the topic that is most being discussed on the news and I think by many Americans. I know that in speaking to my colleagues on both sides of the aisle, that we have all received many, many telephone calls about the issue of our economy. And again it is very much on our minds and it is the thing that is pretty much dominating everyone's thinking.

I came tonight because last night I talked a little bit about the situation that we have and my concern about the blame game. Ever since there was the announcement that we have a problem with our economy that the President and Secretary of Treasury have announced that we need to do something drastic about our economy, there have been a lot of people pointing fingers. We've heard a lot, particularly from the Democrats, saying that this is a Republican problem, you deal with it. But as we see more and more in the news and more and more in documents, we learn that Republicans and even nonpartisan people such as Alan Greenspan when he was chairman of the Federal Reserve warned that something needed to be done about this situation or we were going to very much be in the situation that we find ourselves in and that the root of this problem was the problem with the two agencies called Fannie Mae and Freddie Mac. These are agencies that were set up many years ago to deal with helping people who were low-income people or disadvantaged people or minorities get low-income loans and be able to buy homes.

We've learned again a great deal about the fact that there was insufficient oversight of those two agencies, and that when Republicans raised the issue of better oversight, more effective oversight, they were often blocked. There was an article in Friday's Washington Post by Al Hubbard and Noam Neusner entitled ''Where Was Senator Dodd?'' And the subheadlines, ''Playing the Blame Game on Fannie and Freddie.'' I would like to submit the entire article. I'm not going to read it all.

Madam Speaker, let me just read a bit of it. ''Taxpayers face a tab of as much as $200 billion for a government takeover of Fannie Mae and Freddie Mac, the formerly semi-autonomous mortgage finance clearinghouses. And Senator Christopher Dodd, the Democratic chairman of the Senate Banking Committee, has the gall to ask in a Bloomberg Television interview, ''I have a lot of questions about where was the administration over the last 8 years.

''We will save the senator some trouble. Here is what we saw firsthand at the White House from late 2002 to 2007: Starting in 2002, White House and Treasury Department economic policy staffers, with support from then-Chief of Staff Andy Card, began to press for meaningful reforms of Fannie, Freddie and other government-sponsored enterprises.''

And then it goes on to talk about it. And it chronicles all of the problems that were put up to the administration when they brought these issues up. There are many, many other articles that are out, as I said, talking about this.

Now, I am not one who is in favor of the plan that was brought to us by Secretary Paulson at the beginning of this week. Many of us here really believe in this country, and we believe in the principles that undergird this country. They are the rule of law, our Judeo-Christian heritage and capitalism. Those are the things that have made our country great. And it is not appropriate to turn over our economic system to the government.

[From the Washington Post, Sept. 12, 2008]

WHERE WAS SEN. DODD?

(By Al Hubbard and Noam Neusner)

Taxpayers face a tab of as much as $200 billion for a government takeover of Fannie Mae and Freddie Mac, the formerly semi-autonomous mortgage finance clearinghouses. And Sen. Christopher Dodd, the Democratic chairman of the Senate Banking Committee, has the gall to ask in a Bloomberg Television interview: ''I have a lot of questions about where was the administration over the last eight years.''

We will save the senator some trouble. Here is what we saw firsthand at the White House from late 2002 through 2007: Starting in 2002, White House and Treasury Department economic policy staffers, with support from then-Chief of Staff Andy Card, began to press for meaningful reforms of Fannie, Freddie and other government-sponsored enterprises (GSEs).

The crux of their concern was this: Investors believed that the GSEs were government-backed, so shouldn't the GSEs also be subject to meaningful government supervision?

This was not the first time a White House had tried to confront this issue. During the Clinton years, Treasury Secretary Larry Summers and Treasury official Gary Gensler both spoke out on the issue of Fannie and Freddie's investment portfolios, which had already begun to resemble hedge funds with risky holdings. Nor were others silent: As chairman of the Federal Reserve, Alan Greenspan regularly warned about the risks posed by Fannie and Freddie's holdings.

President Bush was receptive to reform. He withheld nominees for Fannie and Freddie's boards—a presidential privilege. While it would have been valuable politically to use such positions to reward supporters, the president put good policy above good politics.

In subsequent years, officials at Treasury and the Council of Economic Advisers (especially Chairmen Greg Mankiw and Harvey Rosen) pressed for the following: Requiring Fannie and Freddie to submit to regulations of the Securities and Exchange Commission; to adopt financial accounting standards; to follow bank standards for capital requirements; to shrink their portfolios of assets from risky levels; and empowering regulators such as the Office of Federal Housing Oversight to monitor the firms.

The administration did not accept half measures. In 2005, Republican Mike Oxley, then chairman of the House Financial Services Committee, brought up a reform bill (H.R. 1461), and Fannie and Freddie's lobbyists set out to weaken it. The bill was rendered so toothless that Card called Oxley the night before markup and promised to oppose it. Oxley pulled the bill instead.

During this period, Sen. Richard Shelby led a small group of legislators favoring reform, including fellow Republican Sens. John Sununu, Chuck Hagel and Elizabeth Dole. Meanwhile, Dodd—who along with Democratic Sens. John Kerry, Barack Obama and Hillary Clinton were the top four recipients of Fannie and Freddie campaign contributions from 1988 to 2008—actively opposed such measures and further weakened existing regulations.

The president's budget proposals reflected the nature of the challenge. Note the following passage from the 2005 budget: Fannie, Freddie and other GSEs ''are highly leveraged, holding much less capital in relation to their assets than similarly sized financial institutions. . . . A misjudgment or unexpected economic event could quickly deplete this capital, potentially making it difficult for a GSE to meet its debt obligations. Given the very large size of each enterprise, even a small mistake by a GSE could have consequences throughout the economy.''

That passage was published in February 2004. Dodd can find it on Page 82 of the budget's Analytical Perspectives.

The administration not only identified the problem, it also recommended a solution. In June 2004, then-Deputy Treasury Secretary Samuel Bodman said: ''We do not have a world-class system of supervision of the housing government-sponsored enterprises (GSEs), even though the importance of the housing financial system that the GSEs serve demands the best in supervision.''

Bush got involved in the effort personally, speaking out for the cause of reform: ''Congress needs to pass legislation strengthening the independent regulator of government-sponsored enterprises like Freddie Mac and Fannie Mae, so we can keep them focused on the mission to expand home ownership,'' he said in December. He even mentioned GSE reform in this year's State of the Union address.

How did Fannie and Freddie counter such efforts? They flooded Washington with lobbying dollars, doled out tens of thousands in political contributions and put offices in key congressional districts. Not surprisingly, these efforts worked. Leaders in Congress did not just balk at proposals to rein in Fannie and Freddie. They mocked the proposals as unserious and unnecessary.

Rep. Barney Frank (D–Mass.) said the following on Sept. 11, 2003: ''We see entities that are fundamentally sound financially. . . . And even if there were a problem, the federal government doesn't bail them out.''

Sen. Thomas Carper (D–Del.), later that year: ''If it ain't broke, don't fix it.''

As recently as last summer, when housing prices had clearly peaked and the mortgage market had started to seize up, Dodd call on Bush to ''immediately reconsider his ill-advised'' reform proposals. Frank, now chairman of the House Financial Services Committee, said that the president's suggestion for a strong, independent regulator of Fannie and Freddie was ''inane.''

Sen. Dodd wonders what the Bush administration did to address the risks of Fannie and Freddie. Now, he knows. The real question is: Where was he?

AMERICA NEEDS REAL FINANCIAL REFORM, NOT A BAILOUT

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

Ms. KAPTUR. Madam Speaker, I would like to place in the RECORD the measuring sticks against which I will weigh any proposal brought before this Congress to bail out Wall Street investment houses.

Number one, financial reform must come first. America needs reform, not a bailout. Over the last 20 years, legislation has been passed by this Congress, H.R. 1278 in 1989 called FIRREA, interstate banking in 1994 which created those big mega banks, and H.R. 10/S. 900 in 1999, which overturned the Glass-Steagall Act that allowed banking, real estate and insurance all to be under the roof of the same firm.

Well all those bills together have created a highly concentrated financial system, particularly in housing finance, rather than a decentralized one like that which we had for most of the 20th century. This bailout is the result of high-risk misbehavior by distant financial giants. They have sucked equity out of local communities and turned local markets into derivative, debt-ridden communities rather than independent, robust, credit markets with prudent savings and lending practices.

Reform should restore those prudent and transparent banking practices defining the difference between banks and investment houses and protecting and restoring the protections that existed prior to 1999 when that Glass-Steagall Act was eliminated. Conflicts of interest at bond rating agencies should be addressed by such agencies becoming public. Reform, as I say, and regulation should come first out the door before the money, not later.

□ 2000

Number two, Main Street housing market deflation must be stabilized as step one. A moratorium should be placed on all home foreclosures for 120 days. That will take us into the new year. And deflation in the housing market really is what has triggered this credit crunch. The Federal Reserve could use its influence through its regionalized structure to bring parties together to work out affected loans in places like Ohio to stabilize local real estate and housing markets. That is where the real assets are and where the markets must clear and adjust.

What a crime it would be if people are thrown out of their homes and an institution somewhere over in England like Barclays becomes the owner of those assets and gets them at fire-sale prices. We need to put those assets back in the hands of the American people.

The traditional home loan backed by savings deposits was converted into a bond during the 1990s and then securitized into those international markets. The time-tested loan standards of character, collateral and collectibility were shelved, and therefore to reform this system it must be decentralized again, with the community savings and home loan bank system being reestablished with an emphasis on increasing savings deposits with enhanced local mortgage origination and oversight, as opposed to concentration of activity in Wall Street investment houses.

Number three, a new Financial Assets Management Board should be formed to manage this mortgage refinancing and workouts at the local level, similar to FDR's Homeowner Loan Corporation.

Fourth, the Department of Justice should be authorized to investigate the wrongdoers, to track down the fraud, misrepresentation of asset value, insider trading and related crimes in this scandal. There should be over 500 attorneys and accountants and support staff to conduct thorough investigations, forensic accounting and prosecution.

Fifth, any Federal dollar that is expended must result in equity to our taxpayers. If our people are going to be forced to fund unlimited private sector bad debt, our people must receive an equity share in every Wall Street financial company proportional to the amount of bad debt held that is shifted to the taxpayer.

Our people are being asked to take 100 percent of the risk. They should be afforded the benefit of any future profits. A 0.25 percent transaction fee should be charged on every Wall Street trade or Chicago Board of Trade transaction, and that $150 billion a year that will be yielded should pay the American people back over time.

Sixth, a select congressional committee should be established to hold hearings, do proper oversight and advise the next President and Congress on mortgage and financial recovery operations and additional means to assure any necessary repayment of public investment.

Seven, standards for executives and compensation structure in the financial services industry should be established. Those outlandish salaries that they get should be curbed, and all bonuses, stock options and exceptional compensation for those individuals and their boards of directors should be discouraged. We should help to pay the bill by going after some of their assets.

Finally, Madam Speaker, I would like to place this in the RECORD, and also include bankruptcy reform as one of the major changes that we need to make in any measure. These are the steps that would actually result in market recovery, not just bailing out unknown assets and bad debts from Wall Street.

KAPTUR: REAL REFORM OR NOTHING—FINANCIAL REFORM MUST COME FIRST

America needs real financial reform first, not a bailout. Over the last 20 years, legislation passed by Congress (HR 1278 in 1989, HR 3841 in 1994, and HR 10/S 900 in 1999) has highly concentrated financial activities on Wall Street—particularly housing finance—rather than decentralized them. This bailout is the result of high risk misbehavior by distant financial giants. They have sucked equity out of local communities and turned local markets into derivative, debt-ridden communities rather than independent robust credit markets with prudent savings and lending practices.

Such reform should restore prudent and transparent banking practices. Reform of the deregulated financial structure should start with defining the difference between banks and investment houses and restoring protection that existed prior to 1999 when the Glass-Steagall Act was eliminated. Each should have defined activities and be regulated separately.

Conflicts of interest at bond rating agencies should be addressed by such agencies becoming public.

Reform and regulation should come first, not later. Franklin Delano Roosevelt invented the basic framework that served

America well for the last century. Congress should adapt it to current challenges on a Jeffersonian model, not the proposed Hamiltonian approach.

MAIN STREET HOUSING MARKET DEFLATION MUST BE STABILIZED AS STEP ONE

Legislation should mandate a moratorium on all home foreclosures for 120 days. Deflation in the housing market has triggered this credit crunch. The Federal Reserve must use its influence through its regionalized structure to bring parties together to work out affected loans to stabilize local real estate and housing markets. That is where the real assets are and where the market must clear and adjust. Before the Federal Reserve and Treasury, or its consultants, can foreclose upon any home, it must first certify under criminal penalty that a workout was attempted with the mortgage. A workout certification on every home will be required. Additionally, a 120-day moratorium will drastically reduce the amount of capital needed. Otherwise, millions more of our citizens will be foreclosed and financial giants like Barclay's will pick up local real estate at fire sale prices.

The cowboy banking that accelerated in the last 20 years concentrated financial power on Wall Street and huge regional mega-banks. The traditional home loan, backed by savings deposits, was converted into a bond that was securitized into international markets. The time tested loan standards of character, collateral, and collectibility were shelved. They must be restored. To reform the system, it must be decentralized, with the community savings and home loan bank system being reestablished, with an emphasis on increasing savings deposits, enhanced local mortgage origination and oversight, as opposed to concentration of activity in Wall Street investment houses. These local institutions should be empowered to do workouts and supported through any housing finance provided. The federal incentives for savings and home loan institutions, as existed pre-FIRREA, should be restored.

In a letter to Congress the CEO of BB&T states, ''The primary beneficiaries of the proposed rescue are Goldman Sachs and Morgan Stanley.'' This is essentially unfair and improperly focused. Attention must be placed on restoring value to local housing real estate markets.

A NEW FINANCIAL ASSETS MANAGEMENT BOARD SHOULD BE FORMED TO MANAGE MORTGAGE REFINANCING AND WORKOUTS (SIMILAR TO FDR'S HOME OWNER LOAN CORPORATION)

Board Members: Secretary of Treasury, Federal Reserve Chairman, Comptroller General of the United States, Appointees of House Speaker, House Minority Leader, Senate Majority Leader, and Senate Minority Leader, Appointee from the States Attorneys General, U.S. Attorney General.

DEPARTMENT OF JUSTICE SHOULD BE AUTHORIZED TO INVESTIGATE

Creation of a Special Prosecutor position at the U.S. Department of Justice with authority and adequate funding to track down the fraud, misrepresentation of asset value, insider trading, and related crimes in this scandal.

Funds should be allocated to hire 500 or more attorneys and accountants and support staff to conduct thorough investigation, forensic accounting, and prosecution.

Recovery of assets fraudulently or illegally obtained by individuals, Boards of Directors, and institutions involved shall be required retroactive to the decade of the 1990s to the present.

EQUITY TO TAXPAYERS MUST BE MANDATED

If U.S. taxpayers are forced to fund unlimited private sector bad debt, they must receive an equity share in every Wall Street financial company proportional to the amount of bad debt held that is shifted to the government.

Since taxpayers are assuming 100 percent of the risk, they should be afforded the benefit of any future profits. Those profits should be placed in a special lock box account for Social Security. The trustee should be restrained to investments in AAA state and local bonds.

Taxpayers who have been up-do-date on home mortgage payments but who will be required to help fund the bailout should be afforded lower interest rates on their existing home mortgages to total the amount being borrowed from them.

A .25 percent transaction fee should be charged on every Wall Street or Chicago Board of Trade transaction and the funds yielded should be used to pay back the loan for U.S. taxpayers, this fee will yield about $150 billion annually.

A SELECT CONGRESSIONAL COMMITTEE SHOULD BE ESTABLISHED

A cross-jurisdictional Select Committee of Congress should be established in both chambers to hold hearings, do proper oversight, and advise the next Congress and President on mortgage and financial recovery operations and additional means to assure any necessary repayment of the public investment.

STANDARDS FOR EXECUTIVES AND COMPENSATION STRUCTURE IN THE FINANCIAL SERVICES INDUSTRY ESTABLISHED

Compensation for financial executives at all levels should be limited to five year rolling average, made public on a quarterly basis, similar to Securities and Exchange Commission filings.

Alternatively, compensation for top executives at financial houses should not exceed the salary of the President of the United States until such time as the federal government recovers or receives repayment for any financing that may be provided.

Anyone who had major responsibility for buying or selling these junk bonds should be permanently banned from holding any position in any company dealing with financing of any sort.

All bonuses, stock options, and exceptional compensation (present and post for 10 years) for those individuals and their Boards of Directors should be disgorged. This should be a responsibility of the Department of Justice's investigations. Since executives and Boards of Directors were paid for fraudulent transactions and likely insider trading, their earnings were assumed under false pretenses.

New leverage ratios should be devised and incorporated with this law, probably 10:1, not 30:1.

Anyone or any company involved in leveraging or selling any sub-par mortgages involved in the bailout should be banned from employment by Treasury to help in these workouts.

Secretary Paulson and all political appointees in the U.S. Treasury and the Federal Reserve should be required to renew their public disclosure statements as circumstances have changed since their original filings.

All financial institutions and executives that will benefit from this bailout in any way should be banned from making any political contributions this election cycle and during the 111th Congress.

ADDITIONAL FINANCIAL SYSTEM REPORTING AND TRANSPARENCY REQUIREMENTS MUST BE REQUIRED

The Financial industry, including hedge funds, shall comply with new regulations involving disclosure, capital requirements, conflicts of interest, and market manipulation.

All hedge funds must immediately disclose holdings.

Hedge fund profits must be taxed at the sane rate as other financial corporations, their current rate is 15% on current income with a capital gains rate of only 5%.

Consumer credit debt must be reported quarterly to assure Congress has complete information on market conditions that may impact future solvency.

The source of the bailout money must be explicitly identified as well as the costs and nature of the financing agreement. If foreign nations, banks, or sovereign wealth funds provide monies, and trade or defense concessions are inherent in the agreement, Congress shall require certification from Treasury and the Federal Reserve that no side deals were transacted as a part of the agreement.

A provision should be included that if such side deals of any kind that may be implied or thought to exist, the United States is not bound by it.

As part of the legislation, the Secretary of Treasury and the Federal Reserve Chairman are required to provide a statement as to how the arrangement will be executed in order to avoid fueling inflation and rising interest rates.

BANKRUPTCY REFORM

Bankruptcy law should be changed to give bankruptcy judges the authority to: Reset primary mortgages during personal bankruptcies; and Release credit card holder from that debt in personal bankruptcy.

Our nation, our taxpayers, and our communities need real reform or nothing.

TRIBUTE TO REX COLE AND CATO CEDILLO

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

Mr. HUNTER. Madam Speaker, as we study the various proposals that are being circulated right now on the economic crisis, I thought I might take a break for just a minute from that and talk about a bright spot in this country and a shining light in this country, and that is two of the individuals in my community, in San Diego, who provided a wonderful bright spot for hundreds and hundreds of young people.

The first person I would like to talk about is Rex Cole, who was the head golf pro and manager at a place called Carlton Oaks Golf Course, a public golf course in San Diego County, for many years. Rex Cole was known for the fact that every weekend for almost 40 years, and he is now at Cottonwood Golf Course in East County, he would give free lessons to any young person who wanted to come over and be taught the game of golf.

On those Saturdays and Sundays, you would swing by that practice area and you would see that great professional, Rex Cole, out there teaching young people, whether they were 5 years old or 10 or 15, or sometimes 90, teaching them the golf grip and the basic swing and helping them, and not charging a dime.

Madam Speaker, this is a time when we are looking to heroes for inspiration. As Ronald Reagan said, you don't

always have to look to great national leaders or military leaders. Heroes are in these communities all around us, and Rex Cole is one of those heroes. He and his wife Karen have seven children and 13 grandchildren, but, beyond that, they have many, many young people who in a very real way have benefited from Rex Cole's mentorship and from his teaching and from his being such a solid, wonderful member of our East County community.

The other person I would like to mention is the late Cato Cedillo, who was my District Administrator in San Diego, California, in that East County area. I will never forget Cato going out to schools, to grade schools, and teaching young people how to play golf, and going out to the football field and hitting a few shots out there, and then having each young person pledge to him that they would never take drugs, and then giving each one of them a couple of cut-down golf clubs that he had gotten from various professionals in the area, sometimes from Rex Cole, giving them a couple of cut-down golf clubs and letting them have those clubs and take home a bag of golf balls and start this wonderful game.

So, Madam Speaker, I thought it might be kind of nice to talk about two local heroes, two people who gave, and in Rex Cole's case, continue to give so much of their own time and their own substance to the young people in our community.

TRIBUTE TO THE HONORABLE RALPH REGULA, THE HONORABLE DEBORAH PRYCE AND THE HONORABLE DAVID HOBSON

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Ohio (Mr. LATOURETTE) is recognized for 60 minutes as the designee of the minority leader.

Mr. LATOURETTE. Madam Speaker, tonight we are gathered to pay tribute to three of our Members from Ohio who are retiring, and we are going to speak about them in order. But, Madam Speaker, this has been a tough Congress for the Ohio delegation, the 110th Congress. Last year, our long time colleague and friend Paul Gillmor passed away suddenly and unexpectedly, and, of course, just a month and a half ago our good friend and long time colleague Stephanie Tubbs Jones passed away unexpectedly as well.

The news gets worse for us as we now arise to talk about three of our friends who have made the decision to retire: The dean of our delegation, RALPH REGULA; one of our great cardinals when we were in the majority, DAVE HOBSON, ''Uncle Dave''; and former judge and the highest ranking woman in the Republican leadership, DEBORAH PRYCE.

Before we extol more, I guess our new dean from the other side of the aisle, from Toledo, MARCY KAPTUR, has asked to spend a couple of minutes with us, and I yield to the gentlewoman.

Ms. KAPTUR. I thank the gentleman for yielding, and am very pleased to join Congressman LATOURETTE in paying warm, warm appreciation and thank-you's, gratitude, so many memories, to our beautiful colleagues RALPH REGULA and DEBORAH PRYCE, and I don't know whether DAVE HOBSON would want me to call him beautiful or not, but I guess I can. He has a beautiful soul.

These are moments that are very hard, because all those years come crowding in on you. For each one of these wonderful, wonderful Members I will at the right time this evening share some personal recollections.

With their eventual departure from here, Ohio will lose over 50 years of seniority. That is a staggering figure. And it isn't just the years, it is the friendships, the experience, the respect with which each of them is held, and the wonderful give-and-take that comes from getting to know Members well across the aisle.

I thank each of them on behalf of the people of our State for the major portion of their lives that they have given to this institution and for every single success that they have had legislatively here, that has helped build a better America and a better Ohio, and I thank them for their personal integrity throughout, carrying that torch forward for our great Buckeye State.

There are many others that wish to speak, and I will reserve at this time, but I just want to say I thank RALPH for your friendship. I thank Mary for hers, for all we have worked on together, including the First Ladies' Library, for all of the park systems all over this country, all of our great work on Appropriations. Those are memories that I will always have.

To DEBORAH PRYCE, one of the few women from the Ohio delegation actually, all the years we have spent here together, and her kindness and her strength under leadership pressures here, as well as family pressures. She was strong and a survivor, and really a role model for us all.

And certainly to DAVE HOBSON, who has this uncanny habit of just being able to weave in and out down all these aisles in this place, and he always seems to know where you are, he finds you in the back in the cloakroom or wherever, and all of our great work on Appropriations together, and his desire to reach across the aisle and to work with us, whether it was defense, whether it was energy, whether it was education, health care.

We are really going to miss you all, each of you. I just thank you for being a friend to me while I have been able to serve here. And I thank Congressman LATOURETTE for giving me a moment here to place a few words on the RECORD. I shall remain throughout this hour. Thank you.

Mr. LATOURETTE. I thank the gentlewoman, reclaiming our time. And as I introduce the other Ohio Members and others from perhaps around the country to speak about our honorees, I am going to say a couple of things about each of them before I hand it off to our colleagues.

First is the dean of our delegation, RALPH REGULA from Navarre, Ohio. I know his wife, Mary, is with us this evening and watching on in earnest. And if you ever saw a partnership, there is a partnership, RALPH and Mary Regula. Of course, Mary is a star in her own right because of her work at the First Ladies' Library and all that she has done.

Just two quick things about Congressman REGULA. When I was trying to figure out whether I wanted to run for Congress in 1994, I came to visit Congressman REGULA. And if you have been to his office, it is on the third floor of the Rayburn Office Building, and it looks like the Capitol is actually in his office when you look out his window. I think the Congressman saw me sort of admiring the view, and he said, ''Well, don't get too excited. It is going to take you about 30 years to get a view like this.''

The second thing that is often forgotten now that we are in the 110th Congress, when Congressman REGULA was in charge of Interior, he was the cardinal on the Interior Appropriations Subcommittee, there was a furious assault by very conservative Republicans elected in 1994 against the Corporation for Public Broadcasting, Humanities and the Arts, and Congressman REGULA was really put under the gun and told that, look, you have got to defund the Corporation for Public Broadcasting. No more NPR, no more National Endowment for the Arts, no more National Endowment For the Humanities.

Congressman REGULA was true, RALPH was true to his Republican provisions, but I would dare say that there wouldn't be public funding for those entities today if RALPH REGULA hadn't stood up as a stalwart in 1995, 1996, 1997 and 1998. So anybody listening this evening that enjoys Public Broadcasting and thinks that it has a place in our American experience, I think needs to thank Congressman REGULA.

I will talk more about HOBSON and PRYCE in a minute, but it is my pleasure to yield to my friend from Columbus, Mr. TIBERI.

Mr. TIBERI. Madam Speaker, it is with bittersweet sadness that we are here today. We thought that earlier this year this would be awhile before it came, but it is here before we know it. And it is not really an overstatement to say that these three individuals that we are honoring tonight have dedicated their lives to public service and serving our communities and serving our great State of Ohio, and certainly our country, spending so many years on the ground, in fact 70 years of service to this United States House of Representatives alone.

RALPH REGULA, who served in our military, who served in the Ohio House and the Ohio Senate before being elected to this body in 1972, I will never forget his service to the Appropriations

Committee and all the fine work he did for so many people across our State and across our Nation and across the spectrum of labor, health, human services and education, and his work in Interior.

And DAVE HOBSON, ''Uncle Dave'' as we affectionately call him, for his years of service to our country, as well to our military and the Ohio Senate before coming to the United States House of Representatives. His work with respect to our military men and women is unparalleled, an advocate, the best advocate for the young men and women in uniform here in the United States and those serving abroad and his work on the appropriations committees to help them and help so many others across our State as well.

And DEBORAH, who served as a judge before coming to the United States House of Representatives, and her work in our leadership for so many years and guiding our party. Her work on children's issues and cancer research, again, has been unmatched and will be missed. But I know all three will continue serving in so many other different ways.

□ 2015

I will miss DEBORAH and DAVE on the plane ride to and from Columbus every week, all three have been amazing friends. They have been more than just friends. They have been teachers, they have been mentors, they have been everything you could ask a colleague to be or more. They have represented the best of what this body inspires us to do. They have represented our State and our country in great ways.

Thank you all for your guidance, your wisdom, your service and your friendship. You set a standard to which those of us who follow hope to someday achieve.

Mr. LATOURETTE. I thank the gentleman very much. Do you want to say somebody else before we go to somebody else?

Ms. KAPTUR. I thank the gentleman very much for yielding.

In order of seniority, I would like to say to the dean of the delegation, RALPH REGULA, there are many memories, perhaps not legislative, that I take with me relating to your service. One is your discussions about your red truck, and you were so happy when you bought it.

Of course, Congressman REGULA, being a farmer and I suppose some would say an Ohio rancher, you know, men really never grow up. He loved that little truck. He drove it in the garage downstairs. It was always shiny. He was really proud of it. He used to drive it back to Ohio.

I remember one time I came down the hallway in the Rayburn Building, and he was kind of coming out of his office. I said, RALPH, what's wrong, and he had been kicked by a cow over the weekend. I guess he was kind of repairing himself there. I thought, well, that's the first Member I have met who was kicked by a cow.

I remember when I first arrived, you and your lovely wife Mary were friends with Doug and Betty Applegate. That's when I first got to Congress. That was a great moment.

We used to have those fashion shows wearing U.S.-made clothing which has become almost nonexistent, which is another story. But there were annual fashion shows, and Mary and RALPH and Betty and Doug would welcome us into that. It was really great to do that and to begin to focus attention in America on the issue of trade and jobs, which has become so much of the challenge that we face today.

I can remember, in our committee, RALPH holding the gavel of his subcommittee and being asked by the Chairs, and then when he was Chair himself, calling for the committee to adjourn after various votes had been taken and the high regard, right up at the top. I mean, he moved all the way up from the last seat all the way up to the first seat on that dais, and I always see them there.

I think from Mary I will remember Mary in Canton with the Mary Todd Lincoln gown and hat. I think I will always remember what a great, great moment that was, what a great gift to America you have given just in that one, in that one place of such historical significance that we will keep building forward.

For DEBORAH PRYCE, I will say I shall always remember her as the, I believe, first woman Chair of her caucus, and very few women. I think when DEBORAH got here, there couldn't have been over 30 women in the House, maybe, it wasn't very much.

So for her to ascend and to plow a path for her daughter, and for the women of the future, was just so wonderful, and to be able to share that moment and to watch that happen, and the great pressure that is placed on someone in that position, and how she handled it so ably and always with great dispatch.

I remember her as a new mother and trying to handle motherhood as well as that enormous responsibility, and she did it, her great dedication to cancer research, pediatric cancer research and the contribution she made for all children in this country, and to find better answers in that terribly, terribly important area of health care. Also, our participation in a prayer group here in the Capitol, and the friendships and the camaraderie that came from that, those are moments that you never, never forget.

For DAVE HOBSON, obviously, you know, he loves this place, he loves being a lawmaker. I don't know what he is going to do after this. But, energy and water, that was his thing. He traveled all over the country, all over the world. He knew every general in the Army Corps of Engineers, I think, by first name, and loved helping build things for America.

When I think of armored Humvees, I will always think of DAVE HOBSON. I don't know if any other American will, but I will always associate armored Humvees and up-armored Humvees with DAVE. His dedication to nuclear power, safe nuclear power, no one could have tried harder, studied that issue harder and made a difference than DAVE HOBSON.

He has that certain sparkle in his eye that former Representative and Speaker pro tempore, Barney Coulter, would identify with very, very much and for the great work that DAVE contributed, not just here, but in our State legislature, to help building the Medical College of Ohio at Toledo. Our people will always be eternally grateful.

So to each of them from our side of the aisle, we extend deepest, deepest gratitude, and Godspeed in the years ahead. May you be given good health. May you have more time to spend with your families, and may there be less pressure and more joy in the days ahead. It has been a real privilege to serve with each of you.

Mr. LATOURETTE. I thank the gentlelady, the new dean of our delegation or soon to be dean of our delegation from the Democratic side for those reflections and thoughts. Before I yield to our next Ohioan, JEAN SCHMIDT, from southern Ohio, I want to talk a little bit about DAVE HOBSON.

I think it's appropriate that Ms. KAPTUR talked about she doesn't know what Representative HOBSON is going to do. A lot of us have been getting phone calls from his wife, Caroline, saying please find something for him to do so that she doesn't have to spend so much time with him.

Most of us in the delegation call him Uncle DAVE. Again, going back to 1995, aside from all of the other things that Congressman HOBSON had to do, Newt Gingrich was the Speaker at the time in the 104th Congress. He assigned Congressman HOBSON to babysit John Kacich, who was the Budget Committee chairman at the time, just to make sure that Congressman Kacich, who has a tendency to be a little exuberant, controlled that exuberance.

This Congress, this historic Congress that has the first woman as Speaker of the House, Ms. PELOSI of California, who sort of ribbed Congressman HOBSON about the fact that every time the Speaker of the House goes on a trip, she needs a Republican, obviously, for it to be bipartisan. For some reason it is always Congressman HOBSON.

I think that it's appropriate that Ms. KAPTUR talked about infrastructure. Because even though DAVE is from Springfield, Ohio, and that's his district, down around the Dayton area and his loves are Wright-Patterson Air Force Base, so many things, he, like RALPH REGULA when they were cardinals, took care of all of Ohio.

If you had a problem, if you had a concern, if you had a need, he didn't say I am going to take care of me first. He said I am going to take care of Ohio and the country first and many of the things that are being built. Just in my

district, the Ashtabula River and harbor, he helped to secure $53 million to help clean up contaminated sediments. That never would have happened without Congressman HOBSON.

It's now my pleasure to yield to my good friend and colleague from Ohio, JEAN SCHMIDT.

(Mrs. SCHMIDT asked and was given permission to revise and extend her remarks.)

Mrs. SCHMIDT. Madam Speaker, I rise today to pay tribute to three retiring Members from Ohio, my friends, RALPH REGULA, DAVE HOBSON and DEBBIE PRYCE. The entire State of Ohio owes these three a huge debt of gratitude for their hard work on our behalf and the dedication to their constituents. But, particularly, I owe each of these colleagues a special debt for the help they have given me in the 3 years that I have been here.

RALPH REGULA, the dean of our delegation, as a group, we will miss your steady hand at the wheel. Over his 18 terms in the House, there is not much that RALPH REGULA has not seen. His experience and his advice have been invaluable, and I appreciate all that he has done for me.

DAVE HOBSON, rightfully called Uncle DAVE, because he is everyone's uncle in this House, has also been a special mentor to me. His Seventh District is very close to the eastern part of my district and shares many of the same struggles and values. Uncle DAVE has been a great source of wisdom and advice in steering me towards the best course of action for dealing with the issues that face the folks I represent. I have appreciated having his counsel and, most importantly, his wisdom and his humor.

Last but not least, DEBBIE PRYCE, my friend. Few in this body can relate to what the challenges that any woman, Republican or Democrat faces, when they enter Congress. When I first got elected, DEBBIE took me to lunch in Columbus, and we sat down for almost a 3-hour lunch. She addressed my concerns and made me feel like I had a friend, not just here, but forever. I am going to continue that friendship with DEBBIE because she is a remarkable woman.

Ohio is a better place for these fine Members, and our State will miss them. After they have ridden off into the sunset to embark on new and undoubtedly successful endeavors, I know that they will be leaving a great legacy behind. God bless them for all they have done for this body, Ohio and the United States of America.

Mr. LATOURETTE. I thank the gentlelady very much.

Our next speaker is another Ohioan, who is new to us. Before I introduce him, as promised, I want to say a couple of things about DEBORAH PRYCE. As a couple of us have indicated in this Congress, I indicated it was historic because Ms. PELOSI is the first Speaker of the House. DEBORAH PRYCE became another ceiling breaker when she became the chairman of the Republican conference.

You may remember that it wasn't a good year, a couple of years, 2005, 2006, for the Republican party, but somebody who was always cheerful, who was always helping Members with whatever their difficulties were, whoever was crafting messages and making sure that as we left Washington to return to our districts we had the tools necessary to do our jobs and communicate what it is we are doing, DEBORAH PRYCE, in fact, did that. I am particularly fond of her because her prior life, she served as a judge, and my prior life was as a prosecuting attorney. She always brought that skill.

We serve on the Financial Services Committee together and, in the crisis that this country is now facing today, with the crisis of confidence on Wall Street, and the work that we have to do, DEBORAH PRYCE as ranking member is a leader. She will continue to be a leader as she, in fact, exits the Congress.

JEAN SCHMIDT made the observations about the challenges of being a woman in the United States Congress. Aside from that, on a personal level, I think the time that Representative PRYCE has served in the Congress have had incredibly high highs, and incredibly low lows. Through all of that, she has always performed her job as a professional, one, and, two, whenever possible, with a smile on her face. If you really want to see a smile on her face, the day that I remember her smile being the widest was the day she brought her daughter, Mia, to the Financial Services Committee. I think Mia actually voted a couple of times on some matters.

My only complaint about Representative PRYCE is a couple of years ago there was a fundraiser that she and Representative TIBERI had for me down in Columbus, for which we are all grateful for when our friends help us. PAT got up and gave this really long-winded introduction and made me sound better than I was. DEBORAH stood up and said, well, STEVE LATOURETTE is here, he is a little different, he is a little weird, but please welcome him. Even though her observations were correct, it wasn't the warmest introduction that I can recall receiving.

It's now my pleasure to yield 3 minutes to one of our new friends, BOB LATTA from Ohio.

□ 2030

Mr. LATTA. Well, thank you very much for yielding.

I appreciate that from my friend from northeastern Ohio. As mentioned, I am the newest or, I can say, the least senior or the most junior—I'm not sure which is the best term for me—but I am truly humbled to be here with you this evening and to be part of this great delegation because the Ohio delegation has always been one of those great delegations, I believe, in this United States House of Representatives, and it has always been really like a family, an extended family, for all of the Members who are within it. I know it has to be a tough decision for you all to make to leave this body.

I know my dad served here for 30 years, and I know, when he left here, it was a tough decision, but it's a decision you have to make at some point in time. When you look at the experience that has already been mentioned with Congressman REGULA, with Congressman HOBSON and with Congresswoman PRYCE, who have 18, 9 and 8 terms that they've served here, that's 70 years of experience; that's 70 years of knowledge; that's 70 years of experience not only on this floor but also on those committees. That's going to be hard to make up because, as people come and as people go, there are so many folks who look to those Members who have served here for a good number of years for that experience, for what they need to know when they come onto these committees or when they come onto the floor.

One of the things that has already been said is that they have all served this House well with great distinction, and I think that one of the things, again, that has been mentioned is that they've all been great public servants.

As to one of the things my dad taught me, because he had had 36 years of public experience, he said that you always want to remember that you want to be a public servant and never a politician. I think that each of these three individuals whom we honor here tonight have been great public servants.

What is the difference between a public servant and a politician? It is very, very simple, and it was explained to me. Public servants see how much they can give of themselves to the people they represent while politicians see how much they can take from the people they represent for their own benefit.

Again, I think the people we have here before us this evening all epitomize that one great fact, that they've all been great public servants. They've worked hard. They've served their districts. They've gone home. You know, they make sure that their people back home are being taken care of, but at the same time, they recognize the duty they have to this great Nation that we all serve.

As I mentioned, it's truly a tough thing to see these folks go. I know that I first met Congressman REGULA many, many years ago because his office is right around the corner from where my dad's was up on the third floor there of the Rayburn. You know, Dad's office was there at 2309, and I always thought he had quite an impressive office. I know when I was in to see Congressman REGULA when I was running, I looked out there, and I knew it would be a long time coming before I'd get a view like that.

I'm truly blessed and privileged to be here with them tonight. This House has

been made a much better place by you three serving here. You've blessed your constituents, and you have a Nation that's very grateful for all of the hard work that you've done. I just want to say thank you very much for your service.

Mr. LATOURETTE. I thank the gentleman very much.

Now, Madam Speaker, we're going to hear from our three retiring Members in order of seniority. The first, as I indicated, is RALPH REGULA, the dean of our delegation. I don't know what we're going to do without RALPH around here.

As he comes to the microphone, I will just tell you that, when I, again, was elected in 1994 and I thought I'm a lawyer and that I was a prosecutor and that I'd like to be on the Judiciary Committee, RALPH put his arm around me and said, ''Son, you're going to the transportation committee.'' It was the smartest decision I ever made because I saw that the Judiciary Committee had the impeachment of President Clinton and all of this nonsense. The transportation committee is a bipartisan committee, as the Speaker knows, and to build America is not a bad thing.

It is now my pleasure, as we begin the final 15 minutes allotted to us, to yield to the dean of our delegation, RALPH REGULA.

Mr. REGULA. I thank you, Mr. Chairman, for this tonight. You'll have to admit that I have one gift, and that is that I recognize talent. That has turned out to be one of the better decisions I made when I got STEVE LATOURETTE on Transportation.

Madam Speaker, the Ohio delegation and this body will be losing two outstanding Members at the end of this Congress—DAVID HOBSON and DEBORAH PRYCE. Both Members have been tireless servants on behalf of the people in their districts in our State. I'd like to take this opportunity to share some of the legacies they leave behind.

DAVE was elected in 1991 to represent Ohio's Seventh Congressional District. He was appointed to the Ethics Committee as a freshman lawmaker, and it's obvious that the leader saw an element of fairness in the makeup of this gentleman and gave him what was, I think, a very tough assignment. I was pleased, again speaking of recognizing talent, to help DAVE secure a position on the Appropriations Committee during his second term.

Speaker Gingrich made HOBSON his personal appointee to the Budget Committee in the 104th and in the 105th Congress. In that role, DAVE served as a member of the House leadership and as a conduit between the Speaker and Ohio Republican John Kasich. Knowing these two personalities, that was a challenge. John Kasich was chairman of the Budget Committee and, as he would say, the architect of the Balanced Budget Act of 1997.

As chairman of military construction within Appropriations, DAVE led the efforts to provide troops and their families with safe, clean and modern facilities both here and overseas through housing privatization. When you have to depend on a volunteer Army, it becomes very important to have good housing because this affects the decision of members as to whether they will re-up in the military. Of course, their spouses, who are impacted by the housing, always have a great word in as to whether or not that happens. So DAVE made a real contribution to a volunteer military force by taking care of the housing problems.

DAVE became chairman of the Energy and Water Development, and Related Agencies Appropriations Subcommittee where he worked with the U.S. Corps of Engineers to develop a long-term approach—and we don't have enough long-term approaches in this body when it comes to management. He kept the corps from entering into costly, open-ended contracts, but made sure that it had the funding necessary to complete high-priority infrastructure projects.

Through his subcommittee, he also helped to bring a post-Cold War approach to the Department of Energy's management of the nuclear weapons complex. An example of this new focus was eliminating funding for the ''bunker buster,'' also known as the Robust Nuclear Earth Penetrator, a fancy name for a bunker buster. DAVE stopped it, and it would have been a waste of money.

Congressman HOBSON used his experience as a small businessman to work with the communities in Ohio's Seventh District to promote economic growth and job creation. Part of his efforts included bringing leaders from both the public and private sectors to help attract new businesses. DAVE has a very good skill in bringing people together, which is important when handling the military and which is also important when handling the leaders of his community.

With four military bases in his district—Wright-Pat, Defense Supply Center Columbus, Springfield Air National Guard, and Rickenbacker International Airport—he worked tirelessly with community leaders and base officials to support the missions of each of these bases. It included his work to protect Ohio's military bases from the impact of the BRAC round of base closures.

Continuing to work, he began as chairman of the Ohio Senate Health Committee. He worked in Congress to preserve the basic values of American health care, including access, security, affordability, choice, and fairness. I think as one that parents would especially appreciate, he supported legislation to ensure fair access to immunizations for low-income children and to help small business owners and farmers secure better prices on health insurance premiums. I think this illustrates that DAVE was a Member with a heart, with a caring for people, and that's so important in this job. He worked to modernize the Medicare program by adding the prescription drug benefit.

In all of his efforts, both here and in the State, he has a reputation for working in a bipartisan way. I think this is reflected in the fact that he was very successful in all that he did. I can say a lot more about DAVE, but again, I think one of the good decisions I made as a member of the steering committee was to get both STEVE on Transportation and DAVE on Appropriations. The public of this Nation is better served.

Next is Congresswoman DEBORAH PRYCE. She was elected in 1993 to represent Ohio's 15th Congressional District. Throughout her distinguished career in the House, DEBORAH has worked tirelessly in support of improving access to health care, especially for children, and I know the parents across this Nation are in her debt for all that she has done in working on children's health issues.

She authored the Caroline Pryce Walker Conquer Childhood Cancer Act of 2008 and the Patient Navigator Outreach and Chronic Disease Prevention Act—two very important legislative enactments to help with children and to help with health care generally. I know that she has been a strong supporter of Children's Hospital in Columbus, Ohio, one of the leading children's hospitals in the Nation. In fact, I visited there once, and they were bringing in children from all over the country to benefit from Children's Hospital, and they didn't know that they were in the debt of DEBORAH PRYCE for making that facility be there and be the strong leader it is in children's health issues.

She was also a strong supporter of GME, Graduate Medical Education programs for pediatricians. Again, it is so vitally important because pediatricians, I think, are a very essential component of the health care program because they deal with the early years of a child's life, and DEBORAH was a leader in that effort.

She was appointed by the Speaker to the House Rules Committee where she served from 1995 to 2004 and as chairman of its Subcommittee on Legislative and Budget Process. Then she was appointed to the House Select Committee on Homeland Security and to the Republican leadership health care working group on managed care reform. DEBORAH has always been a leader in health care, and I think that is such an important responsibility of the Congress.

She served as a member of the Committee on Financial Services. The committee, of course, is in the hot seat right now. DEBORAH is not there, but I think it illustrates the importance of this committee and that she served it so well in both 1993 and 1994 to 2005. She served on the Subcommittee on Domestic and International Monetary Policy, Trade, and Technology, and she is currently the ranking Republican member on the Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises.

She was the cofounder and cochair of the House Cancer Caucus where she has been an active leader in educating others on this terrible disease. Further, DEBORAH coordinated House Republican strategy and served as its chief House spokesperson on the landmark tobacco settlement among 40 States and tobacco companies. What a challenge. I think a bailout seems simple after that.

As Ohioans, we are extremely proud that DEBORAH became the highest ranking woman in the House Republican leadership when she chaired the House Republican Conference from 2002 to 2006. This required a lot of diplomacy, and she gave that program the type of leadership that made her very successful in that role. She was the fourth ranking elected leader in the House of Representatives. She has had other leadership positions, including as vice chairman of the House Republican Conference, as secretary of the House Republican Conference, and as deputy whip from 1996 to the present.

Madam Speaker, the Nation has received outstanding service from these two great Members from Ohio. We will miss them. We extend our appreciation for their work on behalf of the people of Ohio and on behalf of the country. We wish them and their families health and happiness in the future.

I just want to say on a personal note that it has been a real joy to serve with DAVE HOBSON and DEBORAH PRYCE. They're the kind of individuals who make service in this Congress something that we can all point to with pride and with the joy of fellowship in working with them and in helping provide leadership under their guidance for the many programs that benefit the people of this great Nation. Thank you.

□ 2045

Mr. LATOURETTE. Madam Speaker, I thank the Dean of our delegation. And after that set of remarks, you know why this will be a hole in our delegation and for the country that we're not going to be able to replace.

Our next retiring Member has been described in a lot of different ways already, but there isn't an energy and or a water project across the country that doesn't have DAVE HOBSON's imprint on it. Never his name, because that wasn't what he was about. He was about making sure that we had the best infrastructure in the country when it came to energy and water.

And Congressman REGULA again spoke of the fact that Newt Gingrich put Uncle DAVE in charge of watching John Kasich, and I reflected on why that was. And I think it's because Congressman HOBSON never gets upset; he's always placid. He's always calm. He never raises his voice. And what better influence could we have in dealing with Chairman Kasich.

It's now my pleasure to yield to Congressman HOBSON.

Mr. HOBSON. I want to pay tribute to my colleagues and my friends, RALPH REGULA AND DEBORAH PRYCE.

To be honest, it's a little surreal standing here doing this because I'm joining them in retirement at the end of this term, but I'd like to take a few moments to talk about both of them.

RALPH and Mary showed up in Urbana, Ohio when I was running for Congress. And I pulled up in my pickup truck. I had one too. It was burgundy, it wasn't red. That was my campaign color. With a big sign, HOBSON for Congress.

And RALPH's walking down the street, and I never met RALPH or Mary before. And RALPH says, I've been reading about you; and I think we're going to get along just fine. And he was right. We did.

And I came to Congress and I got elected. And I came down here and JOHN BOEHNER wanted to be on the Ag Committee, and I wanted to be on the Ag Committee. And we got in a little tussle about that. And RALPH says, hey, if he wants it that bad, let him have it. You could never do enough for them, and you can never get off the committee. And by the way, there's a transportation bill coming up this year and he said, I think I can get you on that Transportation Committee. And you're going to get a lot of stuff for Ohio. And I did. I got everything that the Governor asked for. And I got a bike trail I didn't really want in the beginning, but Mr. OBERSTAR liked bike trails, and I showed up for him on some meetings, and suddenly I got almost as much money for bike trails as I did for highways. And I really wanted the highways, but the bike trails turned out to be a great thing.

Then RALPH came to me later on. And this is the way RALPH is, and this why our delegation over the years has been such a good delegation, because when he went into the Committee on Committees, he worked to place us all around within the committees so that Ohio had a voice when legislation was being done, whether it be on the authorizing committee or the Appropriations Committee. RALPH had us covered so that our State benefited and our people grew on those committees to points where, at one time, I don't know how many committee chairman we had when we were in the majority, but we had quite a number and we had the Appropriations Committee covered. We were the only State that had two cardinals when we were on the Appropriations Committee when we were in the majority. That was due to RALPH because RALPH came to me and he said, would you like to be on the Appropriations Committee? I didn't ask him. He came to me and he said, would you like to do this? And he was sharing, and that's the way RALPH REGULA was. He shared. RALPH Regula shared the whole time he was here, and even today, about what we're all about, of doing good for this country.

He's been a mentor to all of us in the delegation. He's been a great friend to Ohio, and he's done a lot of really neat things for Ohio and the country.

One of the things we've both done together and it's actually, some money was put in, most of you didn't see it, but it got in there in the CR to take care of the Everglades, because RALPH REGULA is probably the father of most of the restoration in the Everglades. And I've helped him do that when I became chairman of energy and water. And the Everglades we have looked at is not a treasure for Florida, or not even a national treasure, it's an international treasure, and we've saved it for our grandchildren and their children if we could get the things done that we need to do.

He's also worked very hard for things, not just in his district that he felt were good for Ohio, such as the Cleveland Clinic, NASA Glenn, the Cuyahoga Valley National Park. He's done great things with the parks all over the country. He's done great things with research, education. He's just been an outstanding Member for many, many years of this Congress. I consider he and Mary true dear friends.

Mary is also very giving. You've heard the good work she's done. But also she was a mentor to my wife when we came. She got my wife into the chairs to become head of the congressional club, all the spouse groups of both the House and the Senate. She got my wife into the chairs, and my wife became president of that, just as Mary had done many years before. Didn't have to do that, but it was their way of sharing and caring for people from Ohio. And we both, my wife Carolyn and myself really appreciate their friendship over the years.

Something that RALPH and DEBORAH and myself have all worked on together is this GME for children's hospitals across the country. Our delegation, when John was here, John became a convert to that, Kasich when he was here because he had a personal situation in his family, and we all worked on that. We all worked on a number of hospital issues.

And going back to RALPH, I can remember once when I was in the Speaker's office, I was working on durable medical equipment, and the Speaker finally said to me, shut up, HOBSON. You got a billion dollars. Shut up. Get it down. And RALPH said, DAVE, you'd better be quiet and we'd better move on. So we did move on.

But DEBORAH, PAT and myself have represented Central Ohio, and DEBORAH's made a real difference for Central Ohio. And we've all worked together on a number of projects for the community. The Rickenbacker International Intermodal facility is going to create 20,000 new jobs over the next 2 decades. That wouldn't have been done without DEBORAH's hard work with all of us to try to get this done.

The VA clinic in Central Ohio, again a product that we've all three worked on. We had hearings in Columbus on the VA Clinic. All of our districts were impacted by it. Fortunately, it turned out to be in my district, but we all

worked to make sure that's a reality for the veterans of Central Ohio, so that they can get health care in a better situation in their local community.

We worked on the Defense Supply Center during the BRAC, which most of the people, it's in my district, but most of the people live in PAT and DEBORAH's district. And again, we worked as a unit, the three of us worked together. We were partners in this. When she ran for leadership, we were partners to help her get into leadership and be the highest ranking female ever in the Republican delegation, and frankly, in this Congress, until Speaker PELOSI was elected. And that's a real tribute to DEBORAH and her leadership, but also to our delegation, who all worked together to make sure that DEBORAH got there.

And another place she's been just a tireless advocate on behalf of the Ohio State University and Columbus Children's Hospital. We have great programs in both places that are attributed to DEBORAH and her hard work. At Children's Hospital in Columbus there's a number of programs there. We just did an autism program that will be great for children with autism, which is afflicting so many young children in our region, and it's going to be working with the Children's Hospital in Columbus, and also with Wright Patterson Air Force base and Children's Hospital in Dayton. And I've had a number of people call and thank DEBORAH and us for putting this together.

And Ohio State, she's been the premier leader for all the stuff that's happened at Ohio State University, which is her alma mater. And she's been tireless in fighting for better quality education, but also in getting the facilities and the programs there to make sure that Ohio State is a premier, leading institution in our region. And frankly, it has moved up, under her tenure, to be, moved up dramatically in the research that it does for this country while DEBORAH has been representing that facility.

And that's even true that PAT TIBERI played the trumpet. But you must have played the whole band because we got a lot more stuff there since you've been here working on this.

I think probably in addition to her leadership here of our caucus and working on the health care things that she's done, there's a bill that passed that I think is probably the crowning glory she might share with you of her being here and that was the bill that was named for her daughter, Caroline, and one that dramatically increases funding for pediatric cancer research, and it was signed into law this year. That's a lasting tribute and it's making a great difference in the lives of so many families touched by pediatric cancer.

These are two great Members that I've had the privilege of serving with here.

In closing, I'd like to say I've really enjoyed serving with them, but I've really enjoyed serving in Congress. It's been an honor for all of us, I'm sure, to have been here to work with our colleagues. And I know when you look on TV you say oh, you watch this floor sometimes and you say, all they do is bicker amongst themselves. Well, you see it here, but you don't see the great work that goes on behind the scenes where Members get together and work together, talk together and get the country's work done. And I think it's unfortunate that the public doesn't understand the great friendships that are here across the aisle and within delegations as we do our work in furthering the work of this country on behalf of all the citizens of this country.

So I knew it was time for me to leave. I didn't know RALPH or DEBORAH, where they were going to be at the point, but I made up my decision. We each made up our own decisions. And I knew that it was time to move on. But I've got to tell you, it's been a pleasure to work with everyone in this Congress, and especially our delegation, both Democrats and Republicans. We have not had the rancor between Democrats and Republicans.

And I'm really saddened tonight when we do this, not for us, but there's two people who are not here that were dear friends of mine, Paul Gillmor. I wouldn't be here if Paul Gillmor hadn't gotten me appointed to the State Senate. And Stephanie Tubbs Jones became one of my best friends. We traveled all over the world looking at military bases together. And she would, if I flew to Cleveland to see my daughter and we were on the same plane, I didn't have a car there, she would drive me to my daughter's house and take me there, and we became true friends. I took she and her husband on their 25th wedding anniversary. She wanted to go on a codel, and I said I'll give you the best party that you can ever have if you'll go on this trip and get Mervyn to go with us. And those were the days when you could do that. We had a great party for them. And she was a wonderful Member of this Congress.

You know, maybe there were some things in the political realm that we all disagreed with. But as people, we all cared about each other, and that's what's important.

So thank you for your service tonight, all of us together, and thank you, STEVE, for giving me the time to speak.

Madam Speaker, I rise today to pay tribute to a fellow Ohioan and a great American, Congressman RALPH REGULA of Ohio. RALPH was elected to represent the 16th Congressional District in 1972 and has served in this body since he was first sworn in as a Member in January 1973. He is the longest serving Member of Congress from Ohio in our State's history with unbroken service totaling 36 years, and he will be retiring at the conclusion of this session.

In his second term, RALPH was appointed to the House Appropriations Committee, an unusual act at that time, as Members had historically served multiple terms before being appointed to the prestigious committee. Over the course of more than three decades of service on the committee, Congressman REGULA has made his mark in many areas, and I would like to highlight some of them this evening.

First, after having served on the Interior Appropriations Subcommittee since 1975, RALPH became its Chairman in 1995 and served in that capacity for 6 years. As chairman his accomplishments are too many to mention here, but I want to address a few of the groundbreaking changes he made that will have lasting benefits well into the future.

Chairman REGULA focused on making critical changes to ensure that the most important issues and problems were addressed by the agencies in the Interior bill. Much of what he accomplished didn't make headlines. He insisted on an emphasis on "taking care of what we have," and made tremendous strides in reducing the backlog of maintenance projects on Federal lands, in Indian schools and hospitals and in cultural institutions like the Smithsonian Institution.

He instituted a pilot recreation fee program whereby the National Parks, Wildlife Refuges, Forests and Bureau of Land Management charged users of those resources modest fees. The fees were then available for making necessary improvements for the benefit of the visitors to those lands. This concept of recreation fees had many naysayers, but RALPH persisted and worked for years to show the merits of the program. He was right, and as of today, nearly $2 billion has been paid in recreation fees, and those fees have resulted in tremendous improvements in visitor services in our National Parks, Forests and other Federal lands.

He was a critical leader on the cleanup of the Everglades in Florida. He insisted that restoration of natural resources should be the primary focus of the program and that the Department of the Interior have a seat at the table to ensure that decisions on water distribution and development were not made separately from, and without consideration of, natural resource restoration needs.

As Chairman of the Interior Subcommittee, he identified management shortfalls in the agencies under the subcommittee's jurisdiction and helped agencies help themselves by addressing management improvements. For example, he oversaw the complete overhaul of the National Park Service construction program. The program lacked a national priority setting process, and its list of construction needs included many projects that were unrelated to construction projects. Chairman REGULA made sure that the entire program was changed to incorporate meaningful measurement criteria for identifying and prioritizing projects and that the management structure was streamlined to ensure that the emphasis was on getting the job done rather than designing grand concepts to justify a bloated bureaucracy.

Congressman REGULA has had a tremendous impact on energy research and development. He fought for a balanced national energy strategy. He focused limited Federal funds on improving the efficiency and cleanliness of fossil fuels at the same time as we pursued renewable and alternative energy sources. He conducted extensive oversight on what we had gotten for the billions of dollars

invested in energy research since the establishment of the Department of Energy. He continued and expanded critical research on natural gas infrastructure improvements, oil field productivity improvements, developing fuel cells for electric power generation and transportation applications, and decreasing emissions from coal-fired power plants. He recognized that Federal energy research only works when we have a joint government/industry effort and that most major energy breakthroughs have come from industrial research efforts and from small entrepreneurs in the private sector.

RALPH, a farmer himself, was the moving force behind the establishment of the Children's Farm at the National Zoo. He worked tirelessly for several years to bring this exhibit to fruition. It provides a ''hands on'' experience for young children to see what life on a dairy farm is like and has become one of the most popular exhibits at the zoo.

Congressman REGULA continuously demonstrated his strong commitment to doing the right thing for both the Government agencies in the Interior bill and for the American taxpayer. He made sure that the Federal land management agencies made tremendous strides in improving those lands, in reducing their maintenance backlogs, and instituting management improvements. He made sure that energy and mineral development on Federal lands was expanded responsibly and in an environmentally sound manner. He made sure that essential science programs—dealing with critical issues such as satellite imagery, earthquakes. volcanoes, the biological sciences, landslides and mapping—in the United States Geological Survey were maintained. He made sure that priority school, hospital and clinic construction for Native Americans were addressed in annual appropriations bills.

Republican term limits in the House required Ralph to give up his chairmanship of the Interior and Related Agencies Appropriations Subcommittee in 2000. At the request of then-Chairman BILL YOUNG, REGULA took the reigns of the Labor, Health and Human Services, Education and Related Agencies Subcommittee beginning in 2001 and held the position for a full 6 years until 2006.

REGULA took the chairmanship, having never served on the subcommittee as a rank and file member, but with a good staff and as a quick study, he masterfully managed a bill with the largest domestic spending level in the Federal Government and with many of the most divisive policy issues.

George W. Bush had just been elected President and had come to Washington with a major domestic policy objective—the improvment and accountability of our Nation's education system on behalf of our children. During that first year, REGULA held hearings on the administration's budget request for the three cabinet departments and nearly 500 programs funded in the bill, putting together a balanced, bi-partisan bill. At the same time, Congress' education commit1ees were drafting and negotiating the provisions of the No Child Left Behind Act, NCLB.

While endorsing increased accountability and standards for students being included in the new NCLB, REGULA, himself a former teacher and principal, knew that the keys to improving student achievement were the teacher and the principal. He provided the necessary funding increases for Title I, Federal funding for the disadvantaged under the Elementary and Secondary Education Act/No Child Left Behind Act, and continued support for School Improvement and Innovative Education grants to help local schools address these new accountability and school improvement standards. Further, he focused targeted funding to improve teacher training and performance within the provisions of the No Child Left Behind Act through programs such as Math and Science Partnerships and the Comprehensive School Reform program.

His motto became, ''We need a good teacher in every classroom in this county.'' With this motto REGULA knew that a well prepared and well-trained teacher would indeed lead to improved student achievement.

Additionally, he provided funding for innovative demonstration programs to improve teacher education, training and performance which are today infusing our Nation's classrooms with teachers from a host of diverse educational and work backgrounds. These programs include Teach for America, now the largest recruiter of college graduates which brings graduates from our Nation's top colleges into our most challenging schools for a 2 year service commitment and Troops to Teachers which provides financial assistance to those retiring from the military to transition into our Nations classrooms. The Teacher Incentive Fund is being adopted by key school districts around the country to incentivize teachers to teach in the most challenging districts and schools.

When REGULA took the helm of the subcommittee, it was the beginning of year 3 of a 5-year commitment to doubling the funding for biomedical research through the National Institutes of Health, NIH. Our country's biomedical research efforts—supported by NIH and carried out in universities and institutes throughout the country—are premier in the world. Over time, however, the increasing costs of conducting research began to erode the ability of researchers to compete for limited grant dollars, resulting in fewer grants and an increasingly difficult climate for attracting young scientists into health research. The doubling effort received bipartisan support from both Congress and the new administration, and, despite very tight subcommittee allocations, REGULA oversaw the completion of the 5-year doubling effort that brought the NIH research effort from $13 billion to $26 billion annually. Today, this number stands at more than $29 billion in annual health research funding to improve the lives of all Americans.

While Federal funding for training of physicians and specialists is provided nearly exclusively through Medicare, Federal training for pediatricians and pediatric specialists had been virtually non-existent when Congressman REGULA took the chairmanship. He understood immediately, though, that the most important years in one's life are the early years and, without a well-trained pediatric workforce, we are not investing wisely in our Nation's children. Therefore, REGULA ensured that Federal dollars were in place every year to assist in training these critical physicians at children's hospitals throughout the U.S. After completing their training, these physicians and specialists are now caring for and treating children across the country, not just where children's hospitals are located. Today, REGULA remains one of this Congress' most vocal advocates of Children's Graduate Medical Education funding.

While many in national politics and health policy continue to wring their hands about the number of people in our country without health insurance, REGULA saw the value of community health centers in providing healthcare to the uninsured and under-insured. During his tenure as Chairman, funding for these centers rose from $1.2 billion to nearly $2 billion. Today more than 4,000 service delivery sites exist throughout the U.S., providing primary healthcare to over 15 million people.

During REGULA'S tenure, health policy experts became increasingly concerned about our Nation's ability to cope with newly emerging infectious diseases, especially as we watched how quickly disease could travel across the globe with the example of SARS. Further, in the wake of the September 11 tragedy and the anthrax attacks, these same experts called our attention to our vulnerability to biological hazards. Working with the Department of Health and Human Services and the Centers for Disease Control and Prevention, CDC, Ralph provided the key funding to step up the resources of the CDC to protect the Nation and prepare it for possible intentional biological threats against our population. Similarly, with the rise and spread of avian influenza, RALPH'S subcommittee appropriated new funding to help the Nation, as well as at-risk countries in the developing world, improve the ability to detect, prevent, and control a potential pandemic flu strain. Today, pandemic preparedness and response plans are in place at the national, State, and local levels of Government, and research and development is ongoing on both a pandemic flu vaccine and new antiviral medicines.

Income support and healthcare payments to the elderly and disabled through the Social Security and Medicare programs are funded through mandatory spending; however, it is the Labor, Health and Human Services, Education and Related Agencies Subcommittee that provides the critical administrative funding to ensure that benefit payments are processed efficiently and in a timely manner. While Congressman REGULA knew that ensuring adequate staffing to these critical agencies would never be a top media story or even a leading policy topic, he understood that Americans' dependence on these services required his good management of these agencies and financial support to ensure their efficient operation. Following enactment of the Medicare Part D prescription drug benefit program, RALPH saw to it that the agencies had the financial support necessary to carry out the new program.

Finally, very outspoken in his belief that education is the key to our Nation's future in the global economy, RALPH also understood that educational growth is more comprehensive than a traditional classroom. As a result, he is still a leading spokesman for the One Stop Centers funded through the Department of Labor. These community-driven centers assist workers at all points in their working lives with training to improve their skills or to develop them in new business areas. Their training programs come through community colleges, technical schools and other accredited programs. Throughout his tenure as chairman, Congressman REGULA supported these centers with both Federal funding through his subcommittee and through his regular stump speeches about the terrific partnerships these One Stops can have with the businesses and

employees in their communities, thus ensuring the continued economic well-being of these communities.

RALPH'S impacts throughout his district and the State of Ohio are too many to name here. Suffice it to say that the residents of our State enjoy benefits of a premier national park in the Cuyahoga Valley National Park, improved healthcare institutions, schools, higher education institutions, including medical schools, highway infrastructure and the arts as a result of his work in this body.

Throughout these 36 years of service in the House, RALPH REGULA has remained a serious legislator with an open mind and a kind demeanor. He has worked effectively and professionally among his colleagues on both sides of the aisle to ensure that the work of our Nation gets done. He has exemplified the words of Ronald Reagan when he said that "there is no end to what you can accomplish when you don't care who gets the credit."

This Congress will greatly miss the steady hand, judgment and leadership of Congressman RALPH REGULA. We wish him all the best as he leaves the Congress. I am sure that he and his lovely and talented wife Mary will continue to do great things on behalf of Ohio and the Nation. RALPH, I know your colleagues here, the thousands of folks at the Departments of the Interior, Labor, Health and Human Services, Education and the countless independent agencies funded in those two bills, and, most importantly, the American people will not forget all you have accomplished and the impacts that your work has had in improving our lives.

Mr. LATOURETTE. I thank you, DAVE, very much.

And before we recognize our last retiring Member, we've been joined by another new member of the Ohio delegation. And I want to express my appreciation and apologize to Congressman MANZULLO and the Illinois delegation. We were supposed to split this hour 50/50, so anybody tuning in at home and wondering where the Illini delegation celebration is, we're going to talk, use our last few minutes; and then in the next hour stay tuned because Congressman MANZULLO and the Illini bunch will come marching out on to the field.

And just to Congressman HOBSON, I don't know if Congresswoman PRYCE wants the record to reflect that she played the entire Ohio State band. I think perhaps had played all the instruments in the Ohio State band would be a better way of turning it.

It's now my pleasure to yield 1 minute to one of our new Members, JIM JORDAN.

Mr. JORDAN of Ohio. I thank the gentleman for yielding. And I'll be real brief. I appreciate you putting this together. And I just wanted to say congratulations and thank you to our three retirees for all your years of outstanding public service. And you know, I've only had the privilege of serving with these three individuals for 20 months, but each of them, in their own way have been helpful to me. Friendship is there, and I appreciate that.

And I really appreciate Congressman HOBSON, who used to be my congressman, used to have Champaign County for several years. But his help in so many ways, in particular, navigating the defense appropriations process has been extremely helpful.

So congratulations; my best to each and every one of you. And thank you again for what you've done for the Buckeye State and for our country.

Mr. LATOURETTE. The last retiring Member we have from Ohio is certainly not least, and we've talked about her service on the Financial Services Committee.

Madam Speaker, when I joined the committee, I think we had six Ohioans on the committee, Stephanie Tubbs Jones, Paul Gillmor, who's passed, Bob Ney, who is not with us anymore, PAT TIBERI, he's now been promoted, Mike Oxley was the chairman, and Congresswoman PRYCE who of course is, I think, the third or fourth ranking Republican on the committee. And now, with all these retirements and passings, I'm the only one going into the next Congress if I'm lucky enough to be re-elected.

□ 2100

And so I'm kind of sad that they all left me, but I will always cherish serving with them, and it is my pleasure to recognize the gentlelady, Ms. PRYCE.

Ms. PRYCE of Ohio. I thank the gentleman for yielding. And Steve, I don't know that—I just can't believe that I said at a fundraiser that you were a little different and you were a little bit weird. But it's true. And I thank you for yielding me this time.

You know, there has been no greater honor than anyone could ever enjoy than to serve in the company and then leave with the members of the Ohio delegation. Both Republicans and Democrats alike, it has been an honor and a joy.

RALPH REGULA and DAVE HOBSON were mentors, they were colleagues, and they were the best friends a gal could ever have. They really have been wonderful to me.

When I first arrived here straight off the Municipal Court bench, I was a very green Member of Congress; and I was all new to this boys' world, and it's a lonely place for a woman. But my delegation was very kind and very welcoming to me and made it a place that I felt comfortable and at home and in which I thrived.

And these two gentlemen, which we honor tonight, were a very huge part of that.

Let me say first about RALPH—and you can't say "RALPH" without saying "Mary." They are the true congressional couple. And the Ohio delegation never—well, they didn't always get along like we do today. And because of the leadership of our dean, RALPH REGULA, our delegation came together for the entire time that I have served here to be effective, to be efficient, to be very good for Ohio, but also to be very friendly to one another.

And RALPH led that. He nurtured us. He did everything that he could possibly do from the initial days when I got here and he was on committees and gave me a committee I didn't necessarily want and didn't necessarily understand. But it was, first of all, good for Ohio, and second of all, good for DEBORAH PRYCE.

So I will always thank you, RALPH, for your consideration and in placing all of us where we needed to be for the good of Ohio.

And Mary in the balcony. Mary, you are an original feminist, and I love you for that. An original feminist with the First Ladies Library. You advanced the cause of women with no strings attached, and that is no small thing, Mary Regula. Thank you.

You know, RALPH, I didn't stay long enough to get the view that you have, but I will always remember you and Mary for your kindness, for your nurturing, and for the good will that you taught me that makes this job a joy.

And then to Uncle DAVE and his wonderful wife Carolyn.

You know what patience that woman has. But Carolyn is a joy to us because she gives us DAVID.

David taught me so many things, and you know, I will always see DAVE HOBSON with a cell phone on his ear. I can't picture DAVE without a cell phone on his ear. But not only—he's always in communication with someone. He's always making the deal, he's always making things happen, and he's making things happen for all of us in Ohio.

But one important thing that DAVE HOBSON taught me, and he continues to try to teach the world, and that is that "earmark" is not a dirty word. And the good things that these two cardinals, DAVE HOBSON and RALPH REGULA, did through the earmark process for the State of Ohio will continue to make our State strong and important in the general scheme of things throughout history.

Earmark is not a dirty word as long as they are good earmarks. And these two gentlemen always made sure that they were.

And one more thing about DAVE. He always had my back. And he still does. Thank you.

Gentlemen, thank you both for so many things. This is a hard job for me to leave because of the joys, of the companions that I made here, the relationships, and the true camaraderie that could make this a great place, and it should make this a great place if we just rely on that more.

So thank you, Mr. HOBSON. Thank you, Mr. REGULA.

You know, Monday afternoons and Tuesday mornings I might just have to head to the airport to get my fix of all of the politics because I'm really going to miss those moments we spend together, the private publicness that we've lived in all of these years together.

Thank you, Mr. LATOURETTE.

Mr. LATOURETTE. Thank you, DEBORAH.

GENERAL LEAVE

Madam Speaker, I ask unanimous consent that all Members may have 5

legislative days to revise and extend their remarks and include extraneous material on the subject of this Special Order.

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

There was no objection.

Mr. LATOURETTE. I think I have about 1 minute left, and I'm not going to insult Mr. MANZULLO by giving him a minute to talk about his retiring. So he's come up with some parliamentary scheme to make it all work and honor Mr. LAHOOD and Mr. WELLER, who are both classmates of mine, who are retiring.

But I think, Madam Speaker, from this last hour, which we didn't know it would take an hour, but we should have expected it would have taken an hour for each of our retirees, we are richer for having served with RALPH REGULA, DAVID HOBSON, and DEBORAH PRYCE; and we in the institution will be poorer with their retirement, but we will always remember the gifts that they have given us; and it shall be our challenge, both Republicans and Democrats as Members of the United States Congress, to stand on their shoulders and follow in the example that they've set for us.

I thank you, Madam Speaker.

Mr. LEWIS of California. Madam Speaker, I rise to honor my good friend DEBORAH PRYCE whose service to Ohio and her nation has been exemplary.

I first came to know DEBORAH when I was active in a Task Force to elect more Republican women to Congress. Her spirit and enthusiasm impressed me then and it was no surprise to watch her quickly become a leader among her colleagues. In 2002 she was elected House Republican Conference Chair, a position I once held, where she articulated the party's message and helped craft the Republican agenda. In this capacity, DEBORAH became the highest ranking Republican woman in history.

I am particularly touched by the work DEBORAH has done to fight cancer. After losing her beloved daughter Caroline to this disease, DEBORAH co-founded Hope Street Kids, a nonprofit organization dedicated to increasing funding and awareness of pediatric cancer. Knowing DEBORAH like I do, she will tirelessly continue her fight against this dreadful disease.

I wish her well as she returns home. Congress' loss will be her family's gain.

Madam Speaker, I rise tonight to honor my good friend and fellow appropriator DAVE HOBSON of Ohio.

I've had the pleasure of serving alongside DAVE as we have fought to make sure our military has the resources it needs to defend our interests around the world. DAVE's commitment to ensuring the brave men and women of our armed forces receive the pay, benefits, housing, and quality health care they deserve is second to none.

DAVE made constituent service a priority during his time in office. He has long sponsored monthly "Open Doors" meetings in his district so his constituents could directly share their concerns with him.

During his time on the Energy and Water Subcommittee, DAVE visited Northern California on behalf of our colleague JOHN DOOLITTLE. DAVE brought to our attention the urgent matter of levees and flood control. His expertise on this issue has been critical as California has worked to address this serious problem.

Retirement is something to be celebrated and enjoyed. It is not the end of a career, but rather the beginning of a new life adventure. I send my friend DAVE my best wishes in all his future endeavors.

Madam Speaker, I rise tonight to honor RALPH REGULA, the second-longest currently serving Republican member of the U.S. House and a man I am honored to call a friend.

I thank RALPH for his years of service. He has inspired a legacy that demonstrates the true character and compass on of his Ohio district. During his many years on the Appropriations Committee, RALPH has done magnificent work on many subcommittees, particularly the Labor, Health, Human Services and Education budget, which is the largest discretionary domestic account. He focused on strengthening our education system to meet the demands of a rapidly changing global marketplace, making health care accessible to all, ensuring that the U.S. remains at the cutting edge of medical research, and retaining workforce training programs that provide people an avenue to seek gainful employment.

He has been an example of the very best of the Appropriations Committee and has been a Member that colleagues on both sides of the aisle could turn to. While I will miss seeing him in the halls of this great institution, I know he will be happy at hone on his farm in Ohio with his wife Mary and their four grandchildren.

FURTHER MESSAGE FROM THE SENATE

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

H.R. 2786. An act to reauthorize the programs for housing assistance for Native Americans.

H.R. 6460. An act to amend the Federal Water Pollution Control Act to provide for the remediation of sediment contamination in areas of concern, and for other purposes.

The message also announced that the Secretary be directed to request the House of Representatives to return to the Senate the bill (H.R. 3068) "An act to prohibit the award of contracts to provide guard services under the contract security guard program of the Federal Protective Service to a business concern that is owned, controlled, or operated by an individual who has been convicted of a felony."

TRIBUTE TO RAY LAHOOD AND JERRY WELLER

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

Mr. MANZULLO. Madam Speaker, tonight we recognize the retirement of two great Members of Congress from the State of Illinois, JERRY WELLER and RAY LAHOOD. Both of these gentlemen came with the great Republican class of 1994. It's indicative because these are two guys that are rebels with a cause, always believed in a continuous fight, never would miss a fight that would take place on the floor of the House.

And in particular, RAY LAHOOD, who represents Abraham Lincoln's old district in Illinois, probably one of the greatest institutionalists. A person who has been with this Chamber for a considerable period of time serving as chief of staff to minority leader Bob Michel. And what's interesting that he puts in his own biography is the fact that he says, "Leading the efforts to establish a higher level of civility, decorum, and bipartisanship in the House of Representatives."

I don't know how you can pay a higher tribute to somebody than that. Recognizes that he had the—call it the honor, whatever it is, of being the person to hold on to the gavel during the impeachment hearings or impeachment proceedings taking place in this body of President Clinton. And the reason he was chosen is because of somebody who loves this institution, understands the meaning of order, and wanted to bring the highest level of civility to a place that has been torn up by things other than civility, especially during that period of time involving the impeachment.

And JERRY WELLER. Yes, JERRY. What an interesting person he has always been. What a great American. What an interesting start to politics. When he ran for the general assembly and then he lost, but he thought that he had won in a very interesting election that was taken away from him just before he was sworn in to be a member of the general assembly.

But JERRY came back with a great class, and every married couple in this country has JERRY WELLER to thank for the fact that he's the one who's the leading champion of the 2001 marriage tax penalty. Every couple in the country has him to thank for saving at least $1,700 on their joint tax return.

Always an interesting individual. I was in Chicago with him one time attending a hearing, and we went to a restaurant on the north side. I lived way out in the country, and actually JERRY's background is a hog farmer. And we went to this restaurant, presumed that nobody knew who we were, and somebody came over and said, "Aren't you Congressman JERRY WELLER?" And I turned to him and I said, "I bet you paid that person to say that, to come over here and recognize you in Chicago way out of your territory."

But I have known him as a confidante, as a friend. I had the opportunity when I chaired the Small Business Committee to travel with him around his district. And a small town mayor came up to me and said, "You know, Congressman, I have been mayor

here for a long time, but when JERRY got elected, he called me. And no one has ever called me and taken an interest in the small town that I represent. And it wasn't for the purpose of trying to get projects, because we know that those are very difficult when you have a lot of cities. But JERRY WELLER cares about the little people in this country so much so that he contacted all of the small town mayors and all the mayors just to say that he's our new Congressman and he's there to help us.''

I can't find a better tribute to an individual who does stuff like that, anybody who takes the time to travel the area and get to know the people.

I also noticed that when I was with him, people would call me ''Congressman MANZULLO'' but they would call him ''JERRY.'' I said, You know what? What a title of honor to feel comfortable enough around this man, and even with the dignified title of ''Congressman,'' they called him ''JERRY.'' And why? Because JERRY has always been JERRY. Just your average young man working on a hog farm with a desirous heart to serve America elected to the United States House of Representatives.

And JERRY, we're going to miss you. We're going to miss your humor, your unfunny jokes. We laughed at them just to be polite.

And, RAY, we're going to miss you also because of the dignity that you always would bring to the House of Representatives. You had the heaviest mallet in the House. When you hit that mallet, people would sort of stand to attention.

HONORING RAY LAHOOD AND JERRY WELLER

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

GENERAL LEAVE

Mr. SHIMKUS. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material on the subject of this Special Order.

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

There was no objection.

Mr. SHIMKUS. Madam Speaker, I, too, am honored to be here tonight just for 5 minutes to talk about two of my colleagues, two of my mentors, two of my friends who helped me as a new Member of Congress. They both served seven terms, finishing their seven terms, 14 years. One's about 10 years older, one is the same age.

Both represented—well, JERRY had parts of Cook County, Chicago in his first district, but mostly south of I–80 guys, which brings in a different dynamic in Illinois politics, which is rural, small town, agriculture interests.

□ 2115

I'd like first to spend time to talk about JERRY and his fight on the Ways and Means Committee primarily—most of us know him for eliminating the marriage penalty, and that was before JERRY got married. So it was no conflict of interest. He wasn't in doing things for himself.

And since that time not only did he save—I mean the basic debate that he made was this. Marriage should not be penalized under the Tax Code, and that position he fought hard and long for, and it has maintained itself until the loss of the majority here. And that marriage penalty is threatened unfortunately by Democratic control of Congress, and hopefully, they will make that permanent, and it will be a tribute to you, JERRY, if they do that.

Not only does he have a lovely young bride, a congresswoman, Zury Rios Sosa from Guatemala, but a lovely daughter, and I can't even pronounce her first name, Marizu Catherine Weller, and JERRY has been proud to show these pictures around. We understand why JERRY now has chosen a different path in life. He's got a lovely bride, a young daughter. This is not a very great profession for families. It's very challenging. And no one casts any disappointment on JERRY WELLER choosing family over a profession here.

JERRY's been a confidante and friend. Our staffs are very close. My chief of staff worked in his first campaign. JERRY has been very helpful to me. He knows that. I'm honored to call you a friend, and I look forward to working with you for many years to go.

RAY LAHOOD. These guys are like two polar opposite-type guys. RAY's come up through the political system as a staff director for Leader Bob Michel, a State rep himself, a man of the institution. Shocking that he would decide to leave because he loves the institution so much. RAY is close friends with former Speaker Denny Hastert. He's a guy that you always know where RAY stands, and he's not embarrassed to tell you, and he's not embarrassed to tell his constituents when they agree with him and when they don't.

RAY has a unique ability to confront those in opposition with him forcefully and firmly. Some of those attributes I've tried to take on because sometimes you have to confront those who attack your values and your position. You've got to attack it front on. You don't want to be coy. You just want to tell them what it is you believe and why, and that's what RAY has always brought to the table.

RAY and I have had our own fights, but our friendship and loyalty has lasted through the time of our service. He's also finishing his seventh term, that means 14 years as a Member of the House, many years with Leader Michel, probably 30-plus years in Federal service that he's done for this great country.

A man from Peoria, born, raised there, lives there, went to school there, again a southern Illinoisan who tries to balance the interests of rural America and agriculture interests with some of the big, monumental issues of our time. He proudly represented Caterpillar, which the home office is in Peoria, and made sure, as JERRY WELLER did, the importance of trade to both our agricultural community and manufacturing sector, especially Caterpillar.

These are good friends, mentors to me, mentors when I was doing stuff right and mentors when I was probably going off the track and I needed some direction to stay focused on the responsibilities as a Member of Congress. JERRY was always there to help me do that. RAY definitely was, also. I appreciate that.

We're going to miss them, but they have chosen to pursue other pursuits. We want to honor and recognize that, and I want to thank them publicly for their service.

TRIBUTE TO THE HONORABLE JERRY WELLER AND THE HONORABLE RAY LAHOOD

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

Mr. ROSKAM. Madam Speaker, it is a real honor for me to be here with my colleagues from Illinois to honor two men who have really served admirably and have brought great pride to the Land of Lincoln.

The first is Congressman JERRY WELLER who I got to know in the Illinois House of Representatives, and I served for one term with Congressman WELLER. When he was in the State House of Representatives, he had a reputation of somebody who knew how to come back.

And he got involved in a tough election, and I won't drag you all through the weeds of that tough election, but he got dealt a tough blow in that many people thought he fairly won that election, but for a whole host of political reasons, he wasn't seated in that election. Do you know what? Rather than going home and say, oh, woe is me, JERRY WELLER came back and he went out and he campaigned, and he earned the confidence of the voters of that district. He earned the confidence of his neighbors in Morris, Illinois, and he came back, and he was there to greet me when I first went to the House of Representatives in 1992.

Then JERRY WELLER was a part of the historic class of 1994 that came in, and as has been previously mentioned by Mr. MANZULLO and Mr. SHIMKUS, he was the person who focused in on repealing that marriage penalty, and I remember him talking about that to me. I remember him focusing on that. I remember reading about JERRY WELLER pursuing that and pursuing that and pursuing that, and as we all know, it is a very difficult thing to pass a major piece of landmark legislation like that. There's a lot of exit

ramps around here for good ideas. There's a lot of trap doors for good ideas. But JERRY WELLER was tenacious and he was able to put together the coalitions. He was focused and he got that done, and today, millions of Americans have fundamentally benefited because of his tenacity and the political savvy with which he moved that through the House and ultimately through the Congress.

He had other successes as well, and that was the transformation of the Joliet arsenal in Illinois, and that was property that had not it been for his leadership in his district, it could have essentially gone by the wayside. But because he was tenacious and he was focused, it's been turned into a good thing.

So JERRY WELLER, we are going to miss you, and it is with regret that we're here tonight. But it is with a great deal of hope and optimism that we'll see you and your tenacity and the glint in your eye.

The other person that we're here to honor is also another member of that class, and that is Congressman RAY LAHOOD. Congressman LAHOOD has been described by Mr. SHIMKUS as a man of the House, and I kind of feel like he has the demeanor of sort of Dad coming home. When he would be in the Chair and the House would be raucous and a little bit spunky, he would gavel that down, and he was entrusted with the gavel during some of the most historic times.

And he is a man of history because he serves in the same seat that Abraham Lincoln served in. He's from the same hometown as another Illinois great, that is, Everett Dirksen. He served also at the side of Bob Michel, and these are great Illinoisans.

I'm pleased that now the Easter Seals of Peoria, Illinois, has chosen to honor Congressman LAHOOD and his bride by setting up the Ray and Kathy LaHood House for Children with Special Needs.

I think it's indicative of the type of person that he is, the type of integrity, the directness with which he interacts with his colleagues, and I know that that's great encouragement not only to me but I know it's great encouragement and a great example for all Americans.

So for these two men who have chosen to sacrifice so greatly and serve our State so well, I can tell you, Madam Speaker, that it is with a great deal of pride that I say it's been an honor to serve with Congressman WELLER. It's been an honor to serve with Congressman LAHOOD, and I look forward to our paths crossing many, many times in the future.

Mr. LEWIS of California. Madam Speaker, I rise tonight to honor the incredible service of my very good friend RAY LAHOOD. I have had the privilege of serving alongside him as a Member of the Conference and as an Appropriator.

I first met RAY when he was a young staffer for Bob Michel. He performed invaluable service in helping Bob be a great leader. RAY's son Darin was looking for work and it was a pleasure to bring him into the extended Lewis family as a part of my personal office. With my encouragement, Darin went on to law school as an attorney in Nevada. I know I share RAY's pride as Darin has returned home to Illinois to run for Peoria County State's Attorney.

RAY is a consensus-builder and a commonsense legislator and has distinguished himself as a champion of this great institution. Throughout his time here he has fought vigorously to ensure the Capitol stays the "people's house" and that it remains a beacon for motivated and service-minded young people.

I know his constituents appreciate his selfless service. His efforts are a testament to the highest level of commitment an individual can demonstrate on behalf of others. I join my colleagues in wishing RAY, Kathy, and his family well.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Without objection, the 5-minute Special Order of the gentleman from Texas (Mr. GOHMERT) is vacated.

There was no objection.

TRIBUTES

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 minutes.

Mr. GOHMERT. Madam Speaker, at this time I do want to yield such time as he may consume to the man who has been talked about a great deal. If I didn't know better and didn't know him so well, I would say they've been exaggerating, but there has been no exaggeration, a great man, a great Representative. It's been an honor to serve with him

I yield to JERRY WELLER of Illinois

Mr. WELLER of Illinois. Madam Speaker, I want to thank my good friend from Texas for sharing his time in giving me the opportunity to say thank you, not only thank you to my constituents but thank you to my colleagues, particularly those from the Illinois delegation who are here tonight, my friend DON MANZULLO and JOHN SHIMKUS and PETER ROSKAM for taking time to say a few nice things about RAY LAHOOD and myself, and for that I appreciate that so much. But also I want to say thank you for the partnership I've had with you as a member of the Illinois delegation over the 14 years that I've had the privilege of serving in this House.

You know, RAY LAHOOD's a good friend to all of us, and of course, I want to take a moment and just salute RAY LAHOOD who, as my colleagues in the delegation and all the Members of the House, both Republican and Democrat know, is a man who's a man of this institution, someone who's worked tirelessly to bring civility to the House, a man who led efforts to convene bipartisan retreats. Four House bipartisan retreats were cochaired by RAY LAHOOD in his effort to bring civility and bipartisanship to the House. And I think if you can think of just one thing about RAY LAHOOD, it is his commitment and desire that the institution of this Congress should work together to solve the challenges that we have before us.

You know, I look back over the 14 years that I've had the privilege of serving in the House as a member of the House Ways and Means Committee and the opportunity I had to serve on the Foreign Affairs Committee and serve, of course, as a deputy whip, I think of those opportunities to get to know my colleagues and have an opportunity to work with my colleagues on both sides of the aisle, and I can't say a few words tonight without saying thank you to all the men and women that I've had the privilege of serving with, for the courtesies, for the opportunity to work together, and frankly, we had some good times as well in that process. I want to say thank you to everyone, and I also want to thank my colleagues for serving in this Congress.

You know, there's a lot of work that goes sight unseen. You don't often get thanked enough for the work that's done behind the scenes, but I want to thank my colleagues for their work and for their commitment to public service.

I also want to thank my colleagues for the support that you have given me in the projects and the legislation that I've had the opportunity to work on.

My friends mentioned the marriage tax penalty, which was an issue of fairness, and that issue came to me in my first campaign. I remember a young woman who came up, she was working in the office in my campaign, and she said, you know, JERRY, if you do get elected to Congress, there's an issue I want you to look into and I hope you will fix it. It's a penalty. If you're married, you're going to pay higher taxes.

She said, you know, my boyfriend and I, we want to get married. We both have pretty good jobs, and my friends said you better do your taxes jointly just to experiment and find out what your obligation would be. And they did that. They discovered they paid about $1,400 more in higher taxes just if they got married.

□ 2130

And because it was clear to me that it was unfair and, frankly, wrong that you should pay higher taxes just because you're married, that doesn't seem right, it's wrong, that our Tax Code was punishing marriage; where if two people worked, and because when you marry you file jointly, your incomes were combined. And the way our complicated Tax Code was structured, 42 million married working couples across America were paying higher taxes, on average about $1,400.

And I want to thank President Bush for signing into law my legislation eliminating the marriage tax penalty,

which, on average, saves married couples today $1,900 that they otherwise would pay had we not successfully worked to bring greater simplicity to the tax code, and ensuring that our tax code essentially today is marriage neutral. Two married people who both are in the workforce, who file jointly because they're married, will not pay higher taxes than two people that aren't married, but with similar incomes and with similar status. And so, today, we've eliminated the marriage tax penalty.

Unfortunately, in 2011 that reform expires. And I would encourage my colleagues to make elimination of the marriage tax penalty permanent so that we can protect the most basic institution in our society from a financial penalty we all know as the marriage tax penalty.

I also want to thank my colleagues for the work that we did on working to protect children from Internet predators. With their support, we were able to pass the Internet Predator Protection Act. I want to thank my colleagues for the support you gave me in our effort to ensure that veterans would have a better opportunity to obtain health care locally. You know, traditionally, the Veterans Administration always provided health care through VA hospitals. But many of our veterans live in rural areas and exurban areas where they would have to drive great distances.

And so we worked—in fact, my colleague, DAVE WELDON, and I, he is a classmate—and he's retiring this year as well—we cosponsored legislation that for the first time gave the VA the authority to enter into a cooperative sharing agreement with local health care providers, like a local hospital, to open, essentially, an outpatient clinic in the local area where veterans can go and receive their outpatient care.

And one thing I noted, because today the La Salle Veterans Outpatient Clinic in La Salle, Illinois, is a perfect example of that; we have 45,000 veterans living within a 45-minute driving radius of La Salle. Many of the veterans that obtained health care there, it was the first time they were able to obtain health care because otherwise it was too inconvenient. They weren't able to travel all the way to Chicago to Hines Hospital.

So those efforts made a difference. And whether it was helping veterans or protecting kids from Internet predators, eliminating the marriage tax penalty, it took the support of my colleagues. And I want to thank all my colleagues for the support that you gave me in those efforts.

Some of my friends in the Illinois delegation referred to the Joliet Arsenal. And when I was elected to Congress, the Joliet Arsenal was a 24,000-acre surplus military facility during the Vietnam conflict, during World War II, and before. The vast majority of the TNT production for America's military was produced at the former Joliet Arsenal. In the late seventies it was shut down. In the 1980s it was a rusting, essentially abandoned place. And the community came together and we worked with conservationists and business and labor, political leaders in both parties, a lot of volunteers, veterans, the environmental community, and we worked to put together a plan, a plan that was a win-win-win for the community. We took what was the largest single piece of property in Northern Illinois, created the Midewin National Tall Grass Prairie, a 19,000-acre conservation area, the first-ever tall grass prairie—now administered by the Forest Service—and the first of its kind, but also the largest today.

Essentially, we created what became as affectionately known by many as Will County Central Park. We doubled the amount of open space set aside for posterity in Will County with our legislation to redevelop the Joliet Arsenal.

We also created the Abraham Lincoln National Cemetery, which today, geographically, is the second largest national veterans cemetery named after Abraham Lincoln. Not only is Illinois the land of Lincoln, but we have to remember that the Gettysburg Address, made so famous by Abraham Lincoln, actually was the dedication of our Nation's first veterans cemetery. And so we thought it was appropriate to name the Abraham Lincoln National Cemetery after the President who started the national cemetery system in order to honor, with dignity, those who risk and sacrifice their lives for our Nation.

We also set aside about 3,000 acres for the creation of jobs. And we were fortunate to recruit Center Point Properties, a Chicago-area firm. They partnered with Burlington Northern Santa Fe Railroad. And as a result of that partnership, private development attracted over $1 billion in investment—creating jobs, creating what is one of the largest intermodal truck, rail, freight handling facilities. We've now had manufacturing, warehousing and distribution come there. Our farmers benefit because their grain goes to Asia through the terminal there at the former Joliet Arsenal. And almost 8,000 workers today are directly and indirectly employed as a result of that effort.

And it was a team effort, I'm so proud to say. And we can continue building on that effort to redevelop the Joliet Arsenal, creating the Abraham Lincoln National Cemetery, the Midewin National Tall Grass Prairie, and of course the two industrial sites that now have attracted over $1 billion in investment.

You know, one of the areas that I've also enjoyed having the privilege of being involved in as a Member of this House was my belief that our economy grows, and manufacturing and farmers and workers, that all Americans benefit when we expand trade, when we increase the commerce between our Nation and others. You know, we're a Nation of 300 million people. We represent 4 percent of the globe's population. Ninety-six percent of the people who live on this Earth live outside of the United States. And I believe that our economy grows when we find a way to market services and produce products and manufactured goods and agricultural products that come from States like Illinois that I represent, having an opportunity to sell them overseas to foreign markets. It grows our economy and creates opportunities for our young people.

And trade today, if you look at economic figures, you look at the discussion we're having about the economy, this past quarter we had 3.3 percent economic growth. And if you analyze where that growth occurred, 90 percent of that growth came as a result of exports—whether it's yellow construction equipment made in Joliet or corn and soybeans grown in Illinois, our export markets growing this economy.

And a key part of that are the trade agreements that we passed in the last few years, particularly the Dominican Republic-Central American Free Trade Agreement, known as DR-CAFTA, the Chilean Agreement, the Peruvian-Chilean Trade Agreement, all good agreements that the opponents would say were going to cost us jobs, and actually today have generated tens of thousands, if not hundreds of thousands, of new jobs.

The DR–CAFTA agreement actually took a trade deficit with our six trading partners in Central America and the Dominican Republic, where we had a trade deficit prior to that agreement, and because it eliminated all sorts of barriers—particularly tariffs—on U.S. products and Illinois products, today we have a significant trade surplus with our DR–CAFTA partners.

Clearly, trade wins for States like Illinois as well as America. And that's why it's so important that we ratify the U.S.-Colombia Trade Agreement, which, Colombia is a nation of 42 million people; it's the longest standing democracy in all of South America. It's recognized as America's best friend and best partner in all Latin America. But the population of Colombia is essentially equal to the population of all the DR–CAFTA nations combined. Tremendous opportunity.

My hope is that we will ratify this agreement before I leave Congress before the end of this year. And my hope is, as we look to the future on the issue of trade, that we can bring trade back to the middle again and continue moving forward to grow our economy and expand opportunities to sell U.S. products and grow our economy in agriculture and manufacturing, and of course give workers the opportunity for better jobs as a result of expanded exports.

Let me close by saying thank you to my family. You know, I remember when I was sworn into Congress 14 years ago, my mom and dad, Lavern and Marilyn Weller, came out, as did my Aunt Mary and Aunt Eileen, and

many friends and family came. I particularly want to say thank you to Mom and Dad, Lavern and Marilyn Weller, who worked so hard raising pure bred and Durock and Hampshire hogs, having many champions at various fairs, selling pure bred hogs all over the world.

And frankly, Mom and Dad taught me the value of trade. I remember when President Nixon opened up relations with China, the first shipment of hogs that were purchased by the Chinese included pigs from the Weller family farm. And of course after that, the result of the hard work of my mom and dad, they sold hogs to about 30 nations around the world. I'm very proud of that. In fact, they gave me the opportunity to be involved in 4–H and FFA. And I had the grand champion barrel at the Illinois State Fair my last year in 4–H. But it was all because of Mom and Dad and the opportunities they gave me, to go to the University of Illinois, to pursue a career off the farm, and of course to become involved in public service.

I look back at my campaigns. My mother was always my best campaigner. If you went to a JERRY WELLER campaign event, you would always see Marilyn Weller, my mom, right there, shaking everyone's hand, thanking them for coming. And she would always wear a big button that said, ''I'm JERRY's mom.'' She was my best campaigner.

I want to thank my sister Pat and my brother Doug. We lost our brother Rod this past year, and he is now buried at the Abraham Lincoln Cemetery. And Rod and Doug and Pat were all part of the campaign as well, the support they gave me. And I can't go without saying thank you to my siblings.

And of course, as I close, I want to say thank you to my wife and my daughter. You know, when I came to Congress, I was a single guy. And who would have thought that as a result of coming to Congress I would meet my wife and fall in love and have a family today. And my wife and I, we have a very unique relationship. We're the only parliamentarians from two different countries who are married. My wife is a Member of Congress in the nation of Guatemala. She served in her Congress as long as I have, 14 years. And she's much younger. And frankly, she is a very skilled and dedicated legislator on her own, someone who I am so proud of the work that she does. But Zury Rios de Weller—as she is officially known as now—is a great partner, and she is a wonderful wife, and most important of all, she's a wonderful mother. Who would have thought that as a result of my opportunity to serve in Congress I would meet my wife and I would become a dad? And we have a 2-year-old girl, Marizu Catherine Weller Rios. Marizu is a very bright, happy, healthy little girl. And I am so very proud and so very fortunate to have Zury and Marizu in my life.

And as I look at what I'm going to be doing in the future, when I leave this Congress, my first priority is to be a good husband and a good father. And I look forward to my years ahead with Zury and with Marizu and the opportunities that we'll have to do things together.

So many of my colleagues have said, you know, when I got elected to Congress, my kids were in diapers. And all of a sudden they're now in high school or they're now in college, and I haven't seen much of them. But what really caught my attention was, I was looking through the family photo albums, and I'm not in the photos—because I wasn't there, because I was attending meetings and functions everywhere else. Well, for me, I want to be with my daughter. I want her to see me at all our family functions. I want her to see her dad every day.

And people often ask, why do you want to leave Congress at age 51? It's because I was blessed at age 49 becoming a father for the first time. And my daughter, Marizu, is my one and only child. And I look forward to being her father in the years ahead, to being there, attending all her activities, hopefully being a good dad, but most of all, enjoying life with my wife and daughter.

Again, I want to say thank you to my colleagues in this Congress for the courtesies, the opportunities to work together. I want to thank especially my colleagues in the Illinois delegation for the partnership we've had, both Democrat and Republican, and for those who took time tonight to say some nice things about RAY LAHOOD and myself, since we're departing this Congress.

I particularly want to say thank you to JOHN SHIMKUS and DON MANZULLO and PETER ROSKAM for taking time to come to the floor to say some nice things. And for that, I want to say thank you, you're my friends.

Ladies and gentlemen, this is probably the last speech I will make on the floor of this House as a sitting Member of Congress. My hope is we will have a lame-duck session, but if we don't, this is my final address. Again, I want to say thank you very much.

□ 2145

Mr. GOHMERT. Madam Speaker, we are going to miss the Honorable JERRY WELLER and do appreciate all he has done for this country, not just for the people of Illinois.

Well it is with great pleasure that I rise tonight to pay tribute to a constituent, a good friend, a former colleague, Judge Cynthia Stevens Kent, who will be retiring at the end of this year following 25 years of judicial service. So I wanted to make this tribute a part of the permanent CONGRESSIONAL RECORD so that people in future generations would know of this great judge.

Throughout her years of faithful service to the State of Texas, Judge Kent has gained the respect and admiration of friends, colleagues and especially fellow judges. Her knowledge of the law and commitment to bettering the judiciary is not just well known in east Texas but throughout the country. East Texas has been blessed to have such a wise leader. And it's truly a better place to live because of her hard work.

After receiving her law degree from South Texas College of Law in Houston, Judge Kent moved to Tyler, Texas, with her husband, Don. She opened her own law firm, but in 1984 she left the lucrative practice to dedicate herself to public service. For 4 years she served as judge of the Smith County Court at Law Number Two. She oversaw misdemeanor criminal cases, workers' compensation cases, substantive civil cases, condemnation cases, mental health, probate, juvenile, family law and appeals from justice of the peace and municipal courts.

After 4 years in that capacity, Judge Kent was successfully elected as the first woman to serve on the Texas 114th Judicial District Court serving both Smith and Wood counties. As judge of this court, she has overseen felony criminal cases, divorce and family law, juvenile, land claims, election contests, very substantive civil cases, workers' compensation, contested probate matters, and juvenile law in general. She has diligently presided over this court for the past 20 years.

Now throughout her career, Judge Kent has established herself as a wise, hardworking, law and order judge. There is not much question about that. She has cleared a large backlog of cases while gaining a reputation among criminal defendants as a judge you wanted to avoid.

Judge Kent is widely known for her strong commitment to teaching and to furthering her own legal education. During her time on the bench, she received a masters of judicial studies from the National Judicial College, and she is currently working toward candidacy for a Ph.D. She served as a faculty instructor at the National Judicial College teaching ''advanced evidence'' and ''handling capital cases.'' She has spoken and taught at countless judicial conferences, seminars and courses throughout the country, all the while dedicating herself to the east Texas community by serving as a volunteer instructor at Texas College in Tyler, Texas.

Judge Kent has written and co-authored numerous publications, and she has served on a variety of boards and associations. Most recently she was chosen by Governor Rick Perry to be a member of the Governor's Criminal Justice Advisory Council which is tasked with the difficult job of reviewing the criminal laws in Texas. It's undeniable that Judge Kent has distinguished herself as one of the Nation's leading judicial scholars.

Throughout all of the many demands of her professional career, Judge Kent has managed to raise a wonderful family with the love and support of her

husband, Don Kent. The Kents have been married for over 32 years and have three sons, Drew, Jarad and Wayne.

Judge Kent's dedication and commitment to God, her family, the law and to faithfully serving east Texas is evident not just from the accomplishments already mentioned, but from the admiration and kind words of almost anyone across the region. She has been a wise judge, a dependable colleague, a patient instructor and a dear friend whose leadership has been an inspiration to so very many. Whether you agreed or disagreed with her, you never wondered where she stood. ''Shy and withdrawn'' were never adjectives used in the same sentence with her name.

During my years as a judge, I served at the opposite end of the courthouse on the same hall, same floor. It was always such a comfort to know that as difficult questions arose on exceedingly complex and even life-and-death cases, I had a knowledgeable friend whose judgment and advice could be trusted at the other end of the hall. All it took was a walk down the hall to her office or she to mine for an insightful, methodical discussion of the law to arrive at a proper solution. I was always in awe of just how amazing she was at multitasking like no one I had ever seen. She is truly an extraordinary person.

Judge Kent is to be congratulated for her so many years of dedicated service, and now with retirement, she should be thanked for her committed devotion to the people of east Texas. My condolences on the other hand also have to go out to Smith County residents on the loss of such a dedicated jurist.

May God bless Judge Cynthia Stevens Kent and all of the work that she has done.

Now Madam Speaker, at this time I would like to yield such time as he may consume to my friend from Illinois, Mr. JOHN SHIMKUS. We have been in a financial crisis, we're told, and my friend, JOHN SHIMKUS, has been talking about something that could have avoided the whole problem.

And I would yield such time as he may consume.

Mr. SHIMKUS. Well, thank you, Judge. You're a friend and a colleague, someone that helps us share a laugh and a joke. We also know of your powerful oratory ability when things need to be said. I don't know if I have seen you so emotionally engaged in this tribute to your colleague and friend. I think that is probably one of the best tributes you can give someone. So it was noticed by me. And I know it was noticed by your colleague. And I know she appreciates it.

I'm going to take a few minutes just to tie two things together. We had this great financial crisis. This financial crisis is based upon two events. One is the subprime financial mortgage issue that has worked its way through Wall Street. The other one is high energy prices. And these two things have really put a damper on the economy.

We've had some great successes in this Congress with this CR that just passed. After a good couple of months about fighting over the oil and natural reserves in this country, we won. The OCS moratorium has been lifted, and the moratorium on oil shale has been lifted.

Now what am I talking about? I'm talking about that we, as legislators, especially on the Outer Continental Shelf, which are these areas here, the red, since 1982, we said we're not going to allow any Federal money to be spent to lease areas for exploration and recovery of oil and gas, thus depriving the country of the revenues from those areas and depriving those countries from the jobs that would be created. And so we, with the consistent drumbeat, have, for this time, for this short time, have won that fight. Also here, we see three mountain States in which we also put off-limits recovery exploration of oil shale. Oil shale can be turned into liquid fuels. We said we're not going to allow any Federal money to be spent to allow that to happen. In the continuing resolution, these moratoriums were taken off the books so that now, we know it still takes years, the Federal Department of Mines and Minerals are going to have to go through the regulation and accept the request and do that action, but at least these things can start. And when we're exploring for oil and gas and starting to recover that, we're using oil shale to turn into fuel, we've got a couple of things happen. We bring on more supply.

Now I'm not one that says we're going to drive prices down to prices that they were a year, a year and a half ago. But I will say what we do want to do at a minimum is stabilize energy prices. And hopefully we can drive them down. But we do need to stabilize them, because the middle class, the poor and rural America are those who are hurt the most by high energy prices. And it hurts our ability to buy goods and services, and it depresses our economy.

It didn't take very long for the ink to dry on the CR, the continuing resolution, when rumors started coming out from the Democratic leadership saying, we were just joking, as soon as we come back, we're going to replace that moratorium on the Outer Continental Shelf, thus depriving us of the oil and gas in those areas and depriving us of those revenues that can be generated to help grow our economy. So I'm just putting my friends on the other side on notice. We're going to do what we did in this Congress next Congress. And we're going to hold them accountable. And we're not going to allow them to take these areas that we have now opened and open it and allow them to use it for this political short period of time to get re-elected and then come back here and close it. If they think they had a fight this year, wait until next year. We are going to sharpen our swords, and we're going to be ready to come back. And I think it's going to be much more difficult for them to make the case that they should close these areas up.

So I want to come down here tonight, obviously a great competitor in the political arena and public policy is the majority leader, STENY HOYER. Actually most of us really like the majority leader. But his quotes today say, we're going to do this first order of business, we're going to close these areas up. And to the majority leader, I just say, we're ready to go and fight for this in the long haul because it will be good for jobs and the economy and lowering the energy costs for average Americans.

So Judge GOHMERT, I appreciate your allowing me to share some of your time tonight. I look forward to the conclusion of this Congress. And I'm even looking more expectantly to the next Congress as we try to continue to use all our natural resources that we have. We won on OCS. We won on oil shale. We have a long way to go on coal. We still have the Arctic National Wildlife Refuge. We have great places that we can recover oil, gas and coal and make this country more energy independent. And I know with your help we're going to be able to that.

Mr. GOHMERT. Would the gentleman be willing to engage in a colloquy?

Mr. SHIMKUS. I would be honored to engage in a colloquy.

Mr. GOHMERT. Here we have been hearing so much about the financial crisis, and the Secretary of the Treasury has said that we need $700 billion to bail out Wall Street. He doesn't use those words. It's so ironic. We've been hearing Boone Pickens talk about $700 billion. But he has been talking about the massive transfer of wealth from the United States to countries, many of whom don't like us, where we're buying their oil, when we could be producing our own if the majority would just let us do so.

So when we talk about a financial crisis, and we talk about that influx of $700 billion being spent on American energy and American jobs being created, because I know you and I have talked about it before, and you haven't touched on it tonight about the effect of that $700 billion being spent on our shores in ANWR. Do you want to touch on that?

Mr. SHIMKUS. Well I do want to highlight the fact everybody talks about the trade deficit, and what is the biggest impact on the trade deficit is our purchasing of energy from foreign countries, especially in this era of high energy prices. This $700 billion number that you're referring to is a transfer of wealth from Americans to some of our friends, Canadians, they are our largest importer. We import from them. They are a large exporter of energy to us, and Mexico, but we also transfer our wealth to places where we're not sure about our relationship. We know Venezuela is not our friend. We have an interesting relationship with Saudi Arabia. One day we're close, and the next

day they may be funding our enemies. They fund our enemies through oil revenues that we're paying.

There is a better way. And that is to become more energy independent. And what I like about this debate, and I think you are alluding to it a little bit, is when we are recovering oil and gas and oil shale and I would say coal in other places, the government receives royalty payments for that exploration.

□ 2200

Congressman BARTON, the ranking member now of Energy and Commerce, has proposed, hey, if we are going to have to do this great outlay of money to stabilize the economy, we have a place we can go for revenues. Great idea. Let's have a pay-for. These would be great pay-fors.

Now, that hasn't really been resolved in this debate, but I still have always historically on the floor talked about the jobs that are created when you look for, find and then recover oil and gas in the OCS and the oil shale. And, of course, I am talking about that because that was part of the continuing resolution. Those are the provisions.

In fact, the majority leader of the Senate in the CR wanted to strip this portion out. In fact, he is trying right now, to say, oh, the House was wrong. They shouldn't have eased the moratorium on oil shale. I want to put that back on.

I don't think he is going to be successful. But the fact that in the Senate they want to do that and in the House they are talking already about doing the OCS, what does that do for the average consuming citizen of this country, and what signal does it send to the futures markets? It says, well, is the government serious about opening supply, or are we not?

We Republicans are serious about an all-American energy policy that brings in all our natural resources. Are our friends on the other side just playing a cruel joke on the country, saying yeah, we said so now, but, man, wait until January. We are just going to take it right back. I hope it is not a cruel joke, because it will cost my constituents a boatload of money, our schools, our hospitals, our jobs.

Again, we need to continue the fight that we started early this spring, through the summer, through the end of this Congress.

Mr. GOHMERT. Looking at the map that the gentleman from Illinois had prepared, it is ironic to me. Like up in New England, we see the area that is off limits for drilling. Well, it is not that New Englanders are against drilling the Outer Continental Shelf. In fact, apparently they are 100 percent for it, as long as it moves up the coast just a little bit and our friends from Canada drill right off of their part of the coast. Then our friends from Canada, as the gentleman has indicated, are gracious enough to pop it back down and sell it to us.

Now, I don't know if those sands under the Outer Continental Shelf are such that those formations, that pool is actually draining some of our oil that they are selling back to us, or our gas and selling it back to us. But if so, that is awfully gracious of them to do so, to sell us back some of our own oil and gas.

Then we have people saying under no circumstances whatsoever do we ever want any drilling done less than 50 miles off our coast. Well, you look at Florida, the map that you have got there, you see Cuba, they are 90 miles from the Florida coast, which nowadays under international law most countries claim 200 miles out, except where you share an area like that, in which case you split it.

So now Cuba is being kind enough to other countries, whether it is Russia, China, Venezuela, to allow them to come drill within 50 miles of the Florida coast, and, who knows, maybe they will be willing to sell us back some of our own oil and gas too for an appropriate profit going to those countries. But how ironic. They say they are against it, but it is not really being against it. It is just in our little backyard area.

I was amazed as the gentleman was talking about the arguments that have been made for some months, and I have got to say, I thank the gentleman from Illinois, Mr. SHIMKUS, who has been the leader on this issue and been terrific about it. JOHN PETERSON from Pennsylvania, we are going to miss him. He has been a great leader in discussing energy.

But as we talked about it through August, RALPH REGULA came and spoke one day on the floor without the mikes and with the lights dimmed. I did not know until Mr. REGULA pointed it out, he was on Resources back in 1981, and, of course, President Carter had signed an executive order. And in that order, and RALPH had that as well, he had said that the Outer Continental Shelf was such a vast great resource for energy for America, and the two words that stuck in my mind in President Carter's order was that it should be ''developed expeditiously.''

Well, according to RALPH, they got lobbied in 1981 by wealthy beachfront property owners on the California coast. They didn't want to see a platform out there within their sunset. They lobbied hard and eventually they won. Okay, we will give California a moratorium on drilling off their coast.

According to RALPH, immediately Florida beachfront landowners, the wealthy, not the poor and the downtrodden, not the hardest working in America, but the wealthy beachfront property owners, and I am proud of them, I am glad they are able to do that, they came rushing in. Wait a minute, you gave a moratorium to the wealthy beachfront property owners in California. We need to have one in Florida. So, they lobbied hard enough, had the wherewithal, the money to do a good job lobbying, and they got a moratorium.

And RALPH said, he said when they gave the moratorium to California, the committee will rue the day we ever did it, because that was 27 years ago. Then Florida got theirs. Then other States started coming in and saying, you gave it to California and Florida, we ought to get one too. That is where that came from.

Of course, in Texas, pretty pragmatic, we heard lots of horror stories. If you put platforms out there, it will kill all the aquatic life. You will never get another shrimp or fish out of the gulf.

Lo and behold, we have the platforms out there. They withstood category 5 hurricanes as far as not leaking. Some of them were destroyed, but they still didn't leak. And I kind of thought it looked pretty, you know. The sun sets, and out there you start seeing lights twinkling on the horizon, it is platforms. I know I am getting energy from it, and it is a whole lot better than having tankers come along and leak.

I was amazed, and that came because of the discussion we had with the lights dimmed, the microphones off, and RALPH REGULA giving us a little bit of history.

Mr. SHIMKUS. I was here that day also. And, of course, we honored RALPH tonight at an earlier special order where the delegation from Ohio was here, and that is the benefit of having Members who have served a long time. They help keep the whole debate in perspective. The new Members are firebrands, want to change the world, and that is good. We need all sorts. We will miss the RALPH REGULAS of the world.

But he wanted to come back. He wanted to participate in this debate, because he knew the history of this. Sometimes you think, oh, it is just the young firebrands. But he knew what we were doing, and because he had experienced the story you just told, he said I wanted to be part of that, because I want to set the record straight of what happened and why, and why we need to use this great resource that we have available for our energy security and for jobs and the economy.

Mr. GOHMERT. I appreciate the input, the insights. This deals with the energy issue, but it deals with the financial crisis in America. As the gentleman alluded to, this has helped contribute to a perfect storm in America for a financial crisis. But we are not hearing people on the other side of the aisle, and we haven't heard Secretary Paulson say, you know what, that kind of infusion of wealth could really boost the country, and then you wouldn't have to worry about bailing out the greediest among us that were on Wall Street and drove some companies into the dirt. Instead, what we have heard is we have got to spend $700 billion to build this governmental entity that will start managing assets.

Now, I think the world of the President. I think history is going to be good to him. He is an honorable, noble man. The biggest problem he has I

think is what Jeff Foxworthy says about people that speak with a southern accent; people hear the accent and immediately deduct 50 IQ points from how smart they think you are.

He is much smarter than people give him credit for. But he has listened to people like Secretary Paulson and others who have told him it is all gloom or all doom, and then has come before us and he said last night only the Federal Government could be patient enough to manage these assets.

I immediately thought, in the Resources Committee 2 years ago, in the last Congress, we put in a biomass incentive program where we would incentivize people to help create this alternative energy source. People bought into that, like we wanted them to, and they started building biomass plants. And when they are about to come on line, this Congress in the Resources Committee comes back and knocks that out. They say, no, we are not going to do that incentive program anymore. We are going to spend several million dollars to study, to see whether it is really feasible. Of course it was feasible. People relied on the government's promise that they would have an incentive, and then we yanked it out from under them.

So when I hear somebody say how patient the Federal Government is, we can't even keep the same tax incentives in place for 2 years so that people can take advantage of them. They know they would have trouble trusting the Federal Government.

Then I can also tell you as former outside counsel for the RTC and FDIC, I can't go into individual cases, but it is public knowledge and you can talk to anybody who ever dealt with the RTC or FDIC, when people knew the government owned an asset and they were needing to sell it, even if they could sit on it for a number of years, they always knew if the government owns it, we can pay less and get away with paying less than if a private entity owned it. They knew that.

The same way, if the government was going to buy it, they knew they should hold up the Federal Government, because eventually they would get what they want, and that is just the way it works. The private sector is the better place.

We have had some people who were greedy and ran these things into the ground. This Congress previously, as Congressman FRANK and Senator DODD, forced requirements on lending that caused them to make loans to people that couldn't repay them. We have had questions arise now as to potentially many of those loans may have been to illegal aliens, or, as they say in Great Britain, irregular migrants. But there is an accountability issue, and Congress has not done a good job of holding these people accountable, and that needs to start.

I am working on a bill, and some people are not real crazy about it, but there needs to be accountability. In the public sector, publicly traded businesses, there is a concept in contract law called the corporate veil. So if you are acting as an officer of a corporation and you commit some act of negligence, the corporation can be sued, but not pierce the corporate veil to go after the officer because he was acting on behalf of the corporation, unless you could prove he was acting outside that course and scope with the corporation. Then you might pursue him personally.

I would like to see if an officer makes decisions that a reasonable and prudent officer would not have made under the same or similar circumstances, and it is one of the or a proximate cause towards the demise, the bankruptcy, the insolvency of the corporation that is publicly traded, then perhaps there should be no corporate shield, and in the bankruptcy court the bankruptcy judge could look at the assets of that officer and make a determination legally, was this negligence, was it a proximate cause for the insolvency or bankruptcy, and, if so, let's bring those millions back you got from your golden parachute and put them back in the employee pension fund or to help some of the debts that you ran up before you left them high and dry.

There are things we can do. I am not getting a lot of traction on talking to friends on that, but, who knows? We may get them back.

We heard this morning that China banks have been told by their government not to make loans, one-day loans to U.S. banks, because they are concerned about their solvency. It is amazing that China would need to teach us a lesson about capitalism.

But I do thank my friend from Illinois. I appreciate your participation and insights into energy, because it is such a huge part of the solution to our financial crisis. So I thank you.

I was intrigued when a number of our Members went over to China 3 years ago. We talked to a number of CEOs about why you moved your company, why you moved your facilities, your plant, to China.

□ 2215

I figured the answer would be solely, well, it was just cheap labor. But the number one reason was that their corporate tax was half of what our corporate tax is in the United States. Then not only that, but China was willing to negotiate even lower taxes for a period of time to incentivize their coming to China.

Then you talk to them further, China has had some very polluted bodies of water, some of them were told if you will come and set your factory up on this body of water that's totally polluted, start using the water from that body, put it back clean, then we will cut you a better deal on corporate tax, and that it was well worth it for them to take advantage of that. So China was using corporations to help clean up their environment that they had made such a mess.

Having been an exchange student to the Soviet Union back in 1973, I am quite familiar with the fact that over there, any money that was paid was supposed to go into the Federal Government. That was socialism. Then everybody got a check got a check from this central government. That's how socialism worked.

I didn't realize, until I went to China, they don't do it that way. The Chinese do have a totalitarian government, and it's cause for great concern, but they have also noticed that in Hong Kong, and around the country, if you incentivize entrepreneurship and just take a part of that success, you make a whole lot more money than if you just make everybody bring in to the central coffers and then split it up equally.

That didn't work in the New Testament, when the New Testament Church tried. It ultimately resulted in the Apostle Paul saying, if you don't work, you don't eat.

It didn't work when the pilgrims did it. When they came to America they had a compact that they just bring into the central storehouse and then divided up equally. But then that ended up causing people, pilgrims, to notice, well, I am killing myself working here, and he is not working as hard I am, and he is getting the same amount, so they quit working.

I will never forget going to a collective farm, outside of Kiev, and I spoke just enough Russian back in those days when I could ask a question. I was intrigued because it was midmorning, around 10 a.m. or so, and there were a bunch of farmers sitting around in the shade.

I asked, you know, when do you work? Anybody that's worked on a farm back in east Texas or in west, anywhere in Texas, knows if you are going to work out there, you get up early, and you do everything you can as early as you can, because it starts getting hot. It was the same way there. I said, when do you work in Russia, and they laughed. One of the men, and I am not sure how many rubles he said, but he said, I make the same number of rubles if I am here in the shade or out there in the sun, so I am here in the shade.

That's why socialism doesn't work, and that's why, when we had this proposal from Secretary Paulson to have the government seize this massive amount of assets and then manage them for years and years, we could see this is the biggest step towards socialism that we could have ever imagined in this country, couldn't believe it was being proposed by our administration.

It's still unbelievable to me. We know the principles. As I have said before, I started making speeches in junior high and in debates in high school talking about the free market and entrepreneurship. If you set the American spirit free, it's amazing what they could do.

Now they want to come in and have me say that that was all a lie? I don't

believe it was a lie. I believe the government makes sure everybody has a level playing field, punish the wrongdoers, punish the evildoers, but then keep that level field available out there to play on, and then let entrepreneurship reign.

That's the best way to go. That's not what's proposed here, so there was a bunch of others. We had a plan that we proposed in the Republican Study Committee that would cut capital gains, cut income tax or anybody that will come in and buy these assets.

Boy, you think about that, we would stir up the market, get them excited about coming in and making money. It would be fantastic. We wouldn't have to create this huge bureaucracy to do that. It just comes back again to the USSR that lasted 70 years, because it was doomed to failure, couldn't stand, versus the free market.

You look at Ireland. I was talking to somebody from Ireland, and I understood them to say their corporate tax was 12 percent, China 17 percent, we are double that. France and Germany saw the way Ireland has become, I believe, the fourth fastest-growing country in the world, as companies are flocking in there, more jobs, better standard of living.

France and Germany, who had been tending towards socialism are now realizing, whoa, if we will just cut our taxes, then people will flock into here like they are into Ireland and like they have been into China to do business.

Now, I appreciated my friend, Mr. MCCOTTER, pointing out that Secretary Paulson could end up with a piece of paper, he was hoping to come away from their discussions today, come out, wave a piece of paper in front of the cameras, say we have this agreement, and this means fleece in our time, because Americans taxpayers would not be well served.

I appreciate my time is about to expire, and I appreciate the time tonight to talk about these issues, but there has got to be accountability. I believe you will have full cooperation in making people fully accountable on both sides of the aisle, but let's don't turn $700 billion of the economy over to the government. Let's incentivize good conduct. Let's incentivize the free market at work because socialism doesn't.

I yield back and appreciate this opportunity.

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. ARCURI) to revise and extend their remarks and include extraneous material:)

Ms. WOOLSEY, for 5 minutes, today.

Mr. KAGEN, for 5 minutes, today.

Mr. MCDERMOTT, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. HOLT, for 5 minutes, today.

Mr. SHERMAN, for 5 minutes, today.

(The following Members (at the request of Mr. SALI) to revise and extend their remarks and include extraneous material:)

Mr. MCCOTTER, for 5 minutes, today.

Mr. MCHENRY, for 5 minutes, today.

Mr. GARRETT of New Jersey, for 5 minutes, today.

Mr. PENCE, for 5 minutes, today.

Mr. GOHMERT, for 5 minutes, today.

(The following Members (at their own request) to revise and extend their remarks and include extraneous material:)

Mr. MANZULLO, for 5 minutes, today.

Mr. SHIMKUS, for 5 minutes, today.

Mr. ROSKAM, for 5 minutes, today.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1276. An act to facilitate the creation of methamphetamine precursor electronic logbook systems, and for other purposes; to the Committee on Energy and Commerce in addition to the Committee on the Judiciary for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

S. 2840. An act to establish a liaison with the Federal Bureau of Investigation in United States Citizenship and Immigration Services to expedite naturalization applications filed by members of the Armed Forces and to establish a deadline for processing such applications; to the Committee on the Judiciary.

S. 3550. An act to designate a portion of the Rappahannock River in the Commonwealth of Virginia as the ''John W. Warner Rapids''; to the Committee on Natural Resources.

S. 3560. An act to amend title XIX of the Social Security Act to provide additional funds for the qualifying individual (QI) program, and for other purposes; to the Committee on Energy and Commerce.

ADJOURNMENT

Mr. GOHMERT. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 22 minutes p.m.), the House adjourned until tomorrow, Friday, September 26, 2008, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

8638. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — National Animal Identification System; Use of 840 Animal Identification Numbers for U.S.-Born Animals Only [Docket No. APHIS-2008-0077] (RIN: 0579-AC84) received September 18, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8639. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Tuberculosis; Amend the Status of California From Accredited Free to Modified Accredited Advanced [Docket No. APHIS-2008-0067] received September 18, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8640. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Pesticides; Food Packaging Treated with a Pesticide [EPA-HQ-OPP-2006-0175; FRL-8382-3] received September 23, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8641. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Pendimethalin; Pesticide Tolerances [EPA-HQ-OPP-2008-0405; FRL-8368-8] received September 23, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8642. A letter from the Comptroller, Department of Defense, transmitting a letter to report a violation of the Antideficiency Act, pursuant to 31 U.S.C. 1517(b); to the Committee on Appropriations.

8643. A letter from the Deputy Secretary, Department of Defense, transmitting an amendment to the list of payment-in-kind (PIK) projects required by U.S. Army Europe, pursuant to Public Law 101-510, section 2921; to the Committee on Armed Services.

8644. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting the Department's 2008 Report to Congress on Sustainable Ranges, pursuant to Section 366 of the National Defense Authorization Act for Fiscal Year 2003; to the Committee on Armed Services.

8645. A letter from the Regulatory Specialist Legislative and Regulatory Activities Division, Department of the Treasury, transmitting the Department's final rule — Assessment of Fees [Docket No. OCC-2008-0013] (RIN: 1557-AD06) received September 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

8646. A letter from the Assistant to the Board, Federal Reserve System, transmitting the System's final rule — Transactions Between Member Banks and Their Affiliates: Exemption for Certain Securities Financing Transactions Between a Member Bank and an Affiliate [Regulation W; Docket No. R-1330] received September 25, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

8647. A letter from the Assistant Secretary, Securities and Exchange Commission, transmitting the Commission's final rule — COMMISSION GUIDANCE AND REVISIONS TO THE CROSS-BORDER TENDER OFFER, EXCHANGE OFFER, RIGHTS OFFERINGS, AND BUSINESS COMBINATION RULES AND BENEFICIAL OWNERSHIP REPORTING RULES FOR CERTAIN FOREIGN INSTITUTIONS [RELEASE NOS. 33-8957; 34-58597; FILE NO. S7-10-08] (RIN: 3235-AK10) received September 23, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

8648. A letter from the Assistant Secretary for Employment Standards, Department of Labor, transmitting the Department's annual report to Congress on the FY 2005 operations of the Office of Workers' Compensation Programs; to the Committee on Education and Labor.

8649. A letter from the Acting Assistant Secretary for Communications and Information, Department of Commerce, transmitting the Department's final rule — Household Eligibility and Application Process of the Coupon Program for Individuals Residing in Nursing Homes, Intermediate Care Facilities, Assisted Living Facilities and Households that Utilize Post Office Boxes [Docket

Number: 080324461-81121-02] (RIN: 0660-AA17) received September 23, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8650. A letter from the Attorney, Office of General Counsel for Legislation and Regulatory Law, Department of Energy, transmitting the Department's final rule — Coordination of Federal Authorizations for Electric Transmission Facilities (RIN: 1901-AB18) received September 24, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8651. A letter from the Associate Administrator, Environmental Protection Agency, transmitting a draft bill to amend the Toxic Substances Control Act; to the Committee on Energy and Commerce.

8652. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Standards of Performance for Petroleum Refineries [EPA-HQ-OAR-2007-0011; FRL-8721-5] (RIN: 2060-AN72) received September 23, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8653. A letter from the Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule — Addition of Certain Persons to the Entity List; Removal of General Order from the Export Administration Regulations (EAR) [Docket No. 0809021173-81210-01] (RIN: 0694-AE46) received September 22, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

8654. A letter from the Acting Assistant Secretary Legislative Affairs, Department of State, transmitting a report from the Accountability Review Board, pursuant to 2 U.S.C. 4831 et seq., section 301; to the Committee on Foreign Affairs.

8655. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 17-503, ''St. Martin Apartments Tax Exemption Temporary Act of 2008,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

8656. A letter from the Assistant Administrator Bureau for Legislative and Public Affairs, Agency for International Development, transmitting Year 2007 A-76 Inventory of Commercial Activities for FY 2006 for the U.S. Agency for International Development, pursuant to the Federal Activities Inventory Reform Act of 1998; to the Committee on Oversight and Government Reform.

8657. A letter from the Secretary, Department of Homeland Security, transmitting the Department's Strategic Plan for Fiscal Years 2008-2013, pursuant to Public Law 103-62; to the Committee on Oversight and Government Reform.

8658. A letter from the Acting Assoc. Gen. Counsel for General Law, Department of Homeland Security, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

8659. A letter from the Acting White House Liaison, Department of Justice, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

8660. A letter from the Acting White House Liaison, Department of Justice, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

8661. A letter from the Acting White House Liaison, Department of Justice, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

8662. A letter from the Chairman, National Endowment for the Arts, transmitting the Endowment's FY 2008 inventory of commercial activities performed by Federal employees, pursuant to Public Law 105-270; to the Committee on Oversight and Government Reform.

8663. A letter from the Deputy General Counsel, Office of National Drug Control Policy, Executive Office of the President, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

8664. A letter from the Acting Director, Office of Personnel Management, transmitting the Office's final rule — National Security Personnel System (RIN: 3206-AL62) received September 25, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

8665. A letter from the Acting Chief, Regulatory Affairs, Department of the Interior, transmitting the Department's final rule — Minerals Management: Adjustment of Cost Recovery Fees [WO-310-1310-PP-24 1A] (RIN: 1004-AE01) received September 23, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

8666. A letter from the Chief, Branch of Recovery and Delisting, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Final Rule Removing the Virginia Northern Flying Squirrel (Glaucomys sabrinus fuscus) From the Federal List of Endangered and Threatened Wildlife [[FWS-R5-ES-2008-0005][92220-1113-0000-C6]] (RIN: 1018-AT37) received September 25, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

8667. A letter from the Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule — Alabama Regulatory Program [SATS No. AL-074-FOR; Docket No. OSM-2008-0015] received September 18, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

8668. A letter from the Acting Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Atka Mackerel in the Bering Sea and Aleutian Islands Management Area [Docket No. 071106673-8011-02] (RIN: 0648-XJ32) received September 23, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

8669. A letter from the Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pelagic Shelf Rockfish for Catcher Processors Participating in the Rockfish Limited Access Fishery in the Central Regulatory Area of the Gulf of Alaska [Docket No. 071106671-8010-02] (RIN: 0648-XJ38) received September 23, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

8670. A letter from the Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Shortraker Rockfish in the Western Regulatory Area of the Gulf of Alaska [Docket No. 071106671-8010-02] (RIN: 0648-XJ64) received September 23, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

8671. A letter from the Acting Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel in the Bering Sea and Aleutian Islands Management Area [Docket No. 071106673-8011-02] (RIN: 0648-XK14) received September 20, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

8672. A letter from the Acting Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; Biennial Specifications and Management Measures; Inseason Adjustments [Docket No. 060824226-6322-02] (RIN: 0648-AX02) received September 25, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

8673. A letter from the Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Summer Flounder Fishery; Commercial Quota Harvested for the Commonwealth of Massachusetts [Docket No. 071030625-7696-02] (RIN: 0648-XJ37) received September 25, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

8674. A letter from the Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries Off West Coast States; Coastal Pelagic Species Fisheries; Closure [Docket No. 080326475-8686-02] (RIN: 0648-XJ27) received September 25, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

8675. A letter from the Secretary, Department of Health and Human Services, transmitting a letter designating additional members of the special exposure cohort under the Energy Employees Occupational Illness Compensation Program Act of 2000, pursuant to 42 C.F.R. pt. 83; to the Committee on the Judiciary.

8676. A letter from the Assistant Secretary of the Army for Civil Works, Department of Defense, transmitting the Department's feasibility report on the Whitewater River Basin, California; to the Committee on Transportation and Infrastructure.

8677. A letter from the Assistant Secretary of the Army for Civil Works, Department of Defense, transmitting the Department's interim feasibility report for Port Mahon, Delaware; to the Committee on Transportation and Infrastructure.

8678. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Financial Responsibility for Water Pollution (Vessels) and OPA 90 Limits of Liability (Vessels and Deepwater Ports) [Docket No. USCG-2005-21780] (RIN: 1625-AA98) received September 25, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8679. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Training and Service Requirements for Merchant Marine Officers [Docket no. USCG-2006-26202] (RIN: 1625-AB10) received September 25, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8680. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Gulf of Mexico — Johns Pass, FL [Docket No. USCG-2008-0290] (RIN: 1625-AA00) received September 25, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8681. A letter from the Chief, Regulations and Administrative Law, Department of

Homeland Security, transmitting the Department's final rule — Safety Zone; Patchogue Bay, Patchogue, NY [Docket No. USCG-2008-0264] (RIN: 1625-AA00) received September 25, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8682. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Potomac River, Boundary Channel and Pentagon Lagoon, Washington, DC [Docket No. USCG-2008-0902] (RIN: 1625-AA87) received September 25, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8683. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Security Zone: Rocket Launch, NASA Wallops Flight Facility (WFF), Wallops Island, VA [Docket No. USCG-2008-0823] (RIN: 1625-AA87) received September 25, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8684. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No. 30604; Amdt. No 3266] received September 25, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8685. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; De Havilland Support Limited Model Beagle B.121 Series 1, 2, and 3 Airplanes [Docket No. FAA-2007-0248 Directorate Identifier 2007-CE-084-AD; Amendment 39-15500; AD 2008-09-19] (RIN: 2120-AA64) received September 25, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8686. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; McDonnell Douglas Model DC-10-10, DC-10-10F, DC-10-15, and MD-10-10F Airplanes [Docket No. FAA-2008-0015; Directorate Identifier 2007-NM-328-AD; Amendment 39-15498; AD 2008-09-17] (RIN: 2120-AA64) received September 25, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8687. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus A318, A319, A320, and A321 Series Airplanes [Docket No. FAA-2007-0081; Directorate Identifier 2007-NM-186-AD; Amendment 39-15497; AD 2008-09-16] (RIN: 2120-AA64) received September 25, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8688. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Cessna Aircraft Company 172, 175, 180, 182, 185, 206, 207, 208, 210, and 303 Series Airplanes [Docket No. FAA-2008-0471; Directorate Identifier 2008-CE-025-AD; Amendment 39-15508; AD 2008-10-02] (RIN: 2120-AA64) received September 25, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8689. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 777-200, -200LR, -300, and -300ER Series Airplanes Approved for Extended-range Twin-engine Operational Performance Standards (ETOPS) [Docket No. FAA-2008-0673; Directorate Identifier 2008-NM-117-AD; Amendment 39-15606; AD 2008-14-11] (RIN: 2120-AA64) received September 25, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8690. A letter from the Regulations Officer, Federal Highway Administration, Department of Transportation, transmitting the Department's final rule — Advance Construction of Federal-Aid Projects [FHWA Docket No. FHWA-2007-0020] (RIN: 2125-AF23) received September 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8691. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Gulfstream Aerospace LP Model Astra SPX, 1125 Westwind Astra, and Gulfstream 100 Airplanes [Docket No. FAA-2008-0299; Directorate Identifier 2007-NM-254-AD; Amendment 39-15593; AD 2008-13-30] (RIN: 2120-AA64) received September 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8692. A letter from the Director, Regulation Policy & Management, Department of Veterans Affairs, transmitting the Department's final rule — Schedule of Rating Disabilities; Evaluation of Residuals of Traumatic Brain Injury (TBI) (RIN: 2900-AM75) received September 23, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

8693. A letter from the Director, Regulation Policy & Management, Department of Veterans Affairs, transmitting the Department's final rule — Presumption of Service Connection for Amyotrophic Lateral Sclerosis (RIN: 2900-AN05) received September 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

8694. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's ''Major'' final rule — Medicare Program; Inpatient Hospital Deductible and Hospital and Extended Care Services Coinsurance Amounts for Calendar Year 2009 [CMS-8034-N] (RIN: 0938-AP03) received September 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8695. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's ''Major'' final rule — Medicare Program; Part A Premium for Calendar Year 2009 for the Uninsured Aged and for Certain Disabled Individuals Who Have Exhausted Other Entitlement [CMS-8035-N] (RIN: 0938-AP04) received September 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8696. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Change in Method of Accounting [Announcement 2008-84] received September 26, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8697. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Tax-Exempt Bond Partnerships: Eligibility for Monthly Closing Elections [Notice 2008-80] received September 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8698. A letter from the Chief, Publications and Regulations Unit, Internal Revenue Service, transmitting the Service's final rule — Tax-exempt Money Market funds — Temporary Treasury Program to Support Money Market Funds — No Violation of Restrictions Against Federal Guarantees of Tax-exempt bonds Under Section 149(b) [Notice 2008-81] received September 25, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8699. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — 26 CFR 601.601: Rules and regulations. (Also Part I, 61, 1001) (Rev. Proc. 2008-58) received September 25, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8700. A letter from the Associate Administrator, Environmental Protection Agency, transmitting a draft bill to amend the Pesticide Registration Improvement Renewal Act, the Federal Insecticide, Fungicide, and Rodenticide Act, and the Federal Food, Drug, and Cosmetic Act in relation to fees, and for other purposes; jointly to the Committees on Agriculture and Energy and Commerce.

8701. A letter from the Assistant Secretary of the Army, Department of Defense, transmitting a report entitled, ''Report On Alternative Measures To Address Cracks In the Monument At The Tomb Of The Unknowns At Arlington National Cemetary, Virginia,'' pursuant to Public Law 110-181, section 2873; jointly to the Committees on Veterans' Affairs and Armed Services.

8702. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's ''Major'' final rule — Medicare Program; Medicare Part B Monthly Actuarial Rates, Premium Rate, and Annual Deductible Beginning January 1, 2009 [CMS-8036-N] (RIN: 0938-APOO) received September 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Energy and Commerce.

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. WELCH of Vermont: Committee on Rules. House Resolution 1500. Resolution providing for consideration of motions to suspend the rules (Rept. 110–883). Referred to the House Calendar.

Mr. ARCURI: Committee on Rules. House Resolution 1501. Resolution providing for consideration of the bill (H.R. 7060) to amend the Internal Revenue Code of 1986 to provide incentives for energy production and conservation, to extend certain expiring provisions, to provide individual income tax relief, and for other purposes (Rept. 110–884). Referred to the House Calendar.

Mr. DELAHUNT: Report of the Select Committee to Investigate the Voting Irregularities of August 2, 2007 (Rept. 110–885). Referred to the House Calendar.

Mr. BRADY of Pennsylvania: Committee on House Administration. H.R. 6339. A bill to amend title 5, United States Code, to provide additional leave for Federal employees to serve as poll workers, and to direct the Election Assistance Commission to make grants to States for poll worker recruitment and training; with an amendment (Rept. 110–886, Pt. 1). Ordered to be printed.

Mr. ARCURI: Committee on Rules. House Resolution 1502. Resolution providing for consideration of the bill (H.R. 7060) to amend the Internal Revenue Code of 1986 to provide incentives for energy production and conservation, to extend certain expiring provisions, to provide individual income tax relief, and for other purposes (Rept. 110–887). Referred to the House Calendar.

Ms. CASTOR: Committee on Rules. House Resolution 1503. Resolution waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions

reported from the Committee on Rules (Rept. 110–888). Referred to the House Calendar.

Mr. DINGELL: Committee on Energy and Commerce. H.R. 1157. A bill to amend the Public Health Service Act to authorize the Director of the National Institute of Environmental Health Sciences to make grants for the development and operation of research centers regarding environmental factors that may be related to the etiology of breast cancer; with an amendment (Rept. 110–889). Referred to the Committee of the Whole House on the State of the Union.

Mr. BRADY of Pennsylvania: Committee on House Administration. H.R. 6474. A bill to authorize the Chief Administrative Officer of the House of Representatives to carry out a series of demonstration projects to promote the use of innovative technologies in reducing energy consumption and promoting energy efficiency and cost savings in the House of Representatives (Rept. 110–890). 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 of the following titles were introduced and severally referred, as follows:

By Mr. RANGEL:

H.R. 7060. A bill to amend the Internal Revenue Code of 1986 to provide incentives for energy production and conservation, to extend certain expiring provisions, to provide individual income tax relief, and for other purposes; to the Committee on Ways and Means.

By Mr. BERMAN (for himself, Mr. ACKERMAN, and Mr. FALEOMAVAEGA):

H.R. 7061. A bill to approve the United States-India Agreement for Cooperation on Peaceful Uses of Nuclear Energy, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FEENEY (for himself, Mr. PEARCE, and Mr. WELDON of Florida):

H.R. 7062. A bill to authorize the Administrator of the National Aeronautics and Space Administration to develop a plan to guarantee access to the International Space Station, and for other purposes; to the Committee on Science and Technology, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. LORETTA SANCHEZ of California:

H.R. 7063. A bill to raise achievement in international education in elementary schools and secondary schools through grants to improve teacher competency and to support programs in international education that supplement core curricula in such schools, and for other purposes; to the Committee on Education and Labor.

By Mr. KAGEN:

H.R. 7064. A bill to amend the Internal Revenue Code of 1986 to increase the credit amount for new qualified alternative fuel motor vehicles weighing more than 26,000 pounds and to increase the credit for certain alternative fuel vehicle refueling properties, and for other purposes; to the Committee on Ways and Means.

By Mr. PASCRELL (for himself, Mr. MORAN of Kansas, Mr. MCGOVERN, and Mrs. CAPPS):

H.R. 7065. A bill to amend the Public Health Service Act to address health workforce shortages; to the Committee on Energy and Commerce.

By Mr. RANGEL:

H.R. 7066. A bill to amend the Internal Revenue Code of 1986 to expand the work opportunity tax credit to include disconnected youth; to the Committee on Ways and Means.

By Mr. ALTMIRE:

H.R. 7067. A bill to amend title XVIII of the Social Security Act to expand the development of quality measures for inpatient hospital services, to implement a performance-based payment methodology for the provision of such services under the Medicare Program, and for other purposes; to the Committee on Ways and Means.

By Ms. ROS-LEHTINEN (for herself, Mr. BURTON of Indiana, Mr. MACK, and Mr. CHABOT):

H.R. 7068. A bill to enhance the security of the Western Hemisphere and bolster regional capacity and cooperation to counter current and emerging threats, to promote cooperation in the Western Hemisphere to prevent the proliferation of nuclear, chemical, and biological weapons, to secure universal adherence to agreements regarding nuclear nonproliferation, and for other purposes; to the Committee on Foreign Affairs.

By Mrs. MALONEY of New York (for herself, Mr. GONZALEZ, Mr. CLAY, Mr. HONDA, and Mr. WAXMAN):

H.R. 7069. A bill to make the Census Bureau an independent establishment; to the Committee on Oversight and Government Reform.

By Ms. ROS-LEHTINEN (for herself, Mr. BURTON of Indiana, Mr. ROYCE, and Mr. PENCE):

H.R. 7070. A bill to amend the United States International Broadcasting Act of 1994 to reorganize United States international broadcasting, and for other purposes; to the Committee on Foreign Affairs.

By Mr. SULLIVAN (for himself, Mr. GINGREY, Mr. KINGSTON, Mr. BROUN of Georgia, Mr. FRANKS of Arizona, Mr. GOHMERT, Mr. WALBERG, Ms. FALLIN, Mr. BARTLETT of Maryland, Mr. AKIN, and Mr. SHUSTER):

H.R. 7071. A bill to establish a commission to recommend the elimination or realignment of Federal agencies that are duplicative or perform functions that would be more efficient on a non-Federal level, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCKEON (for himself, Mr. KELLER, Mr. HOEKSTRA, Mr. PLATTS, Mr. WILSON of South Carolina, Mr. KLINE of Minnesota, Mr. MARCHANT, Mr. FORTUÑO, Mr. BOUSTANY, Mr. BISHOP of Utah, Mr. DAVID DAVIS of Tennessee, and Mrs. BIGGERT):

H.R. 7072. A bill to make technical corrections in the Ensuring Continued Access to Student Loans Act of 2008; to the Committee on Education and Labor.

By Mr. DICKS:

H.R. 7073. A bill to transfer certain land to the United States to be held in trust for the Hoh Indian Tribe, to place land into trust for the Hoh Indian Tribe, and for other purposes; to the Committee on Natural Resources.

By Mr. GONZALEZ:

H.R. 7074. A bill to amend the Internal Revenue Code of 1986 to simplify the deduction for use of a portion of a residence as a home office by providing an optional standard home office deduction; to the Committee on Ways and Means.

By Mr. POE:

H.R. 7075. A bill to provide Federal assistance to assist an eligible State to purchase and install transfer switches and generators at designated emergency service stations in hurricane zones within such State; to the Committee on Transportation and Infrastructure.

By Mr. SPACE (for himself and Mr. TURNER):

H.R. 7076. A bill to resolve the alcohol beverage franchise dispute resolution process; to the Committee on the Judiciary.

By Mr. DINGELL:

H.R. 7077. A bill to amend title XIX of the Social Security System to provide additional funds for the qualifying individual (QI) program, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KENNEDY:

H.R. 7078. A bill to increase awareness of and research on autoimmune diseases, which are a major women's health problem, affect as many as 23.5 million Americans, and encompass more than 100 interrelated diseases, such as lupus, multiple sclerosis, rheumatoid arthritis, Sjogren's syndrome, polymyositis, pemphigus, myasthenia gravis, Wegener's granulomatosis, psoriasis, celiac disease, autoimmune platelet disorders, scleroderma, alopecia areata, vitiligo, autoimmune thyroid disease, and sarcoidosis, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SCOTT of Virginia:

H.R. 7079. A bill to require the Secretary of Health and Human Services to carry out a demonstration grants program to provide for certain patient coordination, outreach, and assistance services to reduce barriers to receiving health care and improve health care outcomes; to the Committee on Energy and Commerce.

By Mr. BOEHNER (for himself, Mr. SMITH of Texas, and Mr. BLUNT):

H.R. 7080. A bill to eliminate certain provisions of law providing benefits to trial lawyers, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BERMAN (for himself, Mr. ACKERMAN, Mr. FALEOMAVAEGA, Mr. WEXLER, Mr. ENGEL, Mr. CROWLEY, and Mr. LAMPSON):

H.R. 7081. A bill to approve the United States-India Agreement for Cooperation on Peaceful Uses of Nuclear Energy, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RAMSTAD (for himself and Mr. LEWIS of Georgia):

H.R. 7082. A bill to amend the Internal Revenue Code of 1986 to permit the Secretary of the Treasury to disclose certain prisoner return information to the Federal Bureau of Prisons; to the Committee on Ways and Means.

By Mr. LEWIS of Georgia (for himself, Mr. RAMSTAD, Mr. THOMPSON of California, Mr. KIND, Mr. POMEROY, and Mr. NEAL of Massachusetts):

H.R. 7083. A bill to amend the Internal Revenue Code of 1986 to enhance charitable giving and improve disclosure and tax administration; to the Committee on Ways and Means.

By Mr. INSLEE (for himself, Mr. CONYERS, Mr. SMITH of Texas, Mr. BERMAN, and Mr. MANZULLO):

H.R. 7084. A bill to amend section 114 of title 17, United States Code, to provide for agreements for the reproduction and performance of sound recordings by webcasters; to the Committee on the Judiciary.

By Mr. BACA:

H.R. 7085. A bill to require that the poverty line determined for the State of Alaska be used for all the States and the District of Columbia, during a 6-month period for the purpose of carrying out the the Food and Nutrition Act of 2008 and the Richard B. Russell National School Lunch Act; to the Committee on Agriculture, and in addition to the Committee on Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BARRETT of South Carolina (for himself, Mr. BROWN of South Carolina, Mr. WILSON of South Carolina, and Mr. INGLIS of South Carolina):

H.R. 7086. A bill to help our Nation meet our growing energy needs and strengthen our energy security through the development of nuclear power in the United States; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Rules, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. CLARKE:

H.R. 7087. A bill to amend the Small Business Act to establish a mentorship program designed to help minority and women-owned small businesses build their capacities and access to contracting opportunities in the construction industry; to the Committee on Small Business.

By Mr. CUELLAR:

H.R. 7088. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to authorize funding for emergency management performance grants to provide for domestic preparedness and collective response to catastrophic incidents, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DAVIS of Illinois:

H.R. 7089. A bill to amend title 18, United States Code, to restore the former system of good time allowances toward service of Federal prison terms, and for other purposes; to the Committee on the Judiciary.

By Ms. ESHOO (for herself, Mrs. MALONEY of New York, Ms. LEE, Mr. VAN HOLLEN, Mr. WEXLER, Ms. SCHWARTZ, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. FARR, Mr. COHEN, Mr. NADLER, Mr. CARSON, Mrs. CAPPS, Mr. FALEOMAVAEGA, Mr. KENNEDY, Mrs. CHRISTENSEN, Ms. JACKSON-LEE of Texas, Mr. MCNULTY, Mr. KUCINICH, Mr. STARK, Mr. ANDREWS, Ms. WOOLSEY, Mr. HINCHEY, Mr. PAYNE, Mr. SERRANO, Mr. SCHIFF, Mr. MORAN of Virginia, Mr. OLVER, Mr. ACKERMAN, Mr. JACKSON of Illinois, Mr. LANGEVIN, Mr. BERMAN, Mr. ROTHMAN, Mr. TOWNS, Mr. BISHOP of New York, Ms. DELAURO, Mr. MOORE of Kansas, Ms. ZOE LOFGREN of California, Mr. HONDA, Mr. WAXMAN, Ms. SLAUGHTER, Mr. HARE, Mrs. TAUSCHER, Mr. MCGOVERN, Mr. MCDERMOTT, Mr. CLAY, Mr. HASTINGS of Florida, Mr. CAPUANO, Ms. BERKLEY, Ms. SCHAKOWSKY, Ms. SUTTON, Mr. CARNAHAN, Mr. HOLT, Mr. LEWIS of Georgia, Mr. MILLER of North Carolina, Mr. CONYERS, Mrs. LOWEY, Ms. HIRONO, Mr. EMANUEL, Mr. SESTAK, Mrs. MCCARTHY of New York, Ms. CORRINE BROWN of Florida, Ms. NORTON, Mr. ENGEL, Mr. GUTIERREZ, Mr. WEINER, Mr. MARKEY, Mr. GEORGE MILLER of California, Ms. MCCOLLUM of Minnesota, Mr. FRANK of Massachusetts, Mrs. NAPOLITANO, and Mr. SHAYS):

H.R. 7090. A bill to amend the Forest and Rangeland Renewable Resources Planning Act of 1974 and related laws to strengthen the protection of native biodiversity and ban clearcutting on Federal land, to designate certain Federal land as Ancient forests, roadless areas, watershed protection areas, and special areas where logging and other intrusive activities are prohibited, to transfer administrative jurisdiction of Giant Sequoia National Monument to the National Park Service, to consider areas for inclusion in the National Park System, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FORTENBERRY (for himself and Mrs. MCMORRIS RODGERS):

H.R. 7091. A bill to encourage and assist women throughout pregnancy by providing services that will alleviate the financial, social, emotional, and other difficulties that may otherwise lead to an abortion; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. FOXX:

H.R. 7092. A bill to amend title 31, United States Code, to end speculation on the current cost of multilingual services provided by the Government, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. FRANK of Massachusetts (for himself and Mr. CHABOT):

H.R. 7093. A bill to require the accreditation of English language training programs, and for other purposes; to the Committee on the Judiciary.

By Mr. HENSARLING (for himself, Mr. GARRETT of New Jersey, Mr. FLAKE, Mr. PENCE, Mr. SALI, Mr. BROUN of Georgia, Mr. TANCREDO, Mr. GINGREY, Mr. SULLIVAN, Mr. LAMBORN, Mr. WALBERG, Mr. JORDAN, Mr. GOHMERT, and Mr. BURTON of Indiana):

H.R. 7094. A bill to establish a term certain for the conservatorships of Fannie Mae and Freddie Mac, to provide conditions for continued operation of such enterprises, and to provide for the wind down of such operations and the dissolution of such enterprises; to the Committee on Financial Services.

By Ms. HERSETH SANDLIN (for herself and Mr. HINCHEY):

H.R. 7095. A bill to amend the Internal Revenue Code of 1986 to allow individuals a deduction for qualified long-term care insurance premiums, a credit for individuals who care for those with long-term care needs, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HIGGINS:

H.R. 7096. A bill to amend the Internal Revenue Code of 1986 to allow a deduction for income attributable to business activities conducted in high job-loss areas; to the Committee on Ways and Means.

By Mr. HIGGINS (for himself, Mr. EMANUEL, and Mr. NUNES):

H.R. 7097. A bill to promote biogas production, and for other purposes; to the Committee on Ways and Means.

By Mr. LEVIN (for himself, Mr. GEORGE MILLER of California, and Mr. RAMSTAD):

H.R. 7098. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income discharges of student loans the repayment of which is income contingent or income based; to the Committee on Ways and Means.

By Mr. DANIEL E. LUNGREN of California (for himself and Mr. POE):

H.R. 7099. A bill to amend titles 46 and 18, United States Code, with respect to the operation of submersible vessels and semi-submersible vessels without nationality; to the Committee on the Judiciary, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCCOTTER:

H.R. 7100. A bill to allow a refundable credit against Federal income tax for expired digital-to-analog converter box coupons; to the Committee on Ways and Means.

By Mr. MICHAUD:

H.R. 7101. A bill to establish a task force to lower energy costs for the forest product industry and similar manufacturing operations, and for other purposes; to the Committee on Energy and Commerce.

By Mr. ORTIZ (for himself and Mr. BRADY of Texas):

H.R. 7102. A bill to assure the safety of expeditionary facilities, infrastructure, and equipment supporting United States military operations overseas; to the Committee on Armed Services.

By Mr. POMEROY (for himself and Mr. BRADY of Texas):

H.R. 7103. A bill to amend the Internal Revenue Code of 1986 to clarify the employment tax treatment and reporting of wages paid by professional employer organizations; to the Committee on Ways and Means.

By Mr. PORTER:

H.R. 7104. A bill to establish a legislative commission to examine the causes of the financial crisis of 2008; to the Committee on Financial Services.

By Mr. SAXTON (for himself and Mr. SMITH of New Jersey):

H.R. 7105. A bill to amend title XVIII of the Social Security Act to preserve access to urban Medicare-dependent hospitals; to the Committee on Ways and Means.

By Mr. SMITH of New Jersey:

H.R. 7106. A bill to prohibit the closure of Fort Monmouth, New Jersey, notwithstanding the recommendations of the Defense Base Closure and Realignment Commission; to the Committee on Armed Services.

By Mr. SMITH of New Jersey:

H.R. 7107. A bill to require, as a condition of participation in the programs under title IV of the Higher Education Act of 1965, public institutions of higher education to charge dependent children of members of the Armed Forces a rate of tuition equal to the rate of tuition charged to in-State residents; to the Committee on Education and Labor.

By Mr. STUPAK:

H.R. 7108. A bill to name the front circle drive in front of the Oscar G. Johnson Department of Veterans Affairs Medical Facility in Iron Mountain, Michigan, as ''Sergeant First Class James D. Priestap Drive''; to the Committee on Veterans' Affairs.

By Mr. YOUNG of Alaska:

H.R. 7109. A bill to prohibit the Secretary of the Interior from authorizing commercial finfish aquaculture operations in the Exclusive Economic Zone; to the Committee on Natural Resources.

By Mr. CONAWAY (for himself, Mr. RODRIGUEZ, Mr. BARTLETT of Maryland, Mr. BILBRAY, Mr. BOUSTANY, Mr. BROWN of South Carolina, Mr. BURTON of Indiana, Mr. CARTER, Mr. CULBERSON, Mr. DOGGETT, Mr. FEENEY, Mr. GOHMERT, Ms. GRANGER, Mr. GENE GREEN of Texas, Mr. HENSARLING, Ms. JACKSON-LEE of Texas, Mr. SAM JOHNSON of Texas, Mr. KUHL of New York, Mr. LUCAS, Mr. MCCARTHY of California, Mr. GARY G. MILLER of California, Mr. NUNES, Mr. PAUL, Mr. POMEROY, Mr. SESSIONS, Mr. SHUSTER, Mr. TERRY, Mr. TIAHRT, Mr. WILSON of South Carolina, Mr. BARTON of Texas, Mrs. BLACKBURN, Mr. BRADY of Texas, Mr. BURGESS, Mr. CALVERT, Mr. CUELLAR, Mr. DAVIS of Kentucky, Mr. EDWARDS of Texas, Mr. GONZALEZ, Mr. AL GREEN of Texas, Mr. HALL of Texas, Mr. HINOJOSA, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KELLER, Mr. LAMPSON, Mr. MARCHANT, Mr. MCCAUL of Texas, Mr. NEUGEBAUER, Mr. ORTIZ, Mr. POE, Mr. REYES, Mr. ROSKAM, Mr. SHIMKUS, Mr. SMITH of Texas, Mr. THORNBERRY, Mr. WALBERG, and Mr. YOUNG of Alaska):

H. Con. Res. 429. Concurrent resolution recognizing the importance of the United States wine industry to the American economy; to the Committee on Oversight and Government Reform.

By Mr. HASTINGS of Florida:

H. Con. Res. 430. Concurrent resolution expressing the sense of Congress that the policy (popularly known as the ''Stimson Doctrine'') of the United States of not recognizing territorial changes effected by force, should continue to be the guiding foreign policy of the United States in diplomatic discourse; to the Committee on Foreign Affairs.

By Ms. HERSETH SANDLIN (for herself, Mr. BOUSTANY, Mr. ISRAEL, Mr. BURGESS, Mrs. DRAKE, Mr. HINCHEY, Mrs. CAPITO, Mrs. BLACKBURN, Mr. HALL of Texas, Mr. ENGLISH of Pennsylvania, and Ms. GINNY BROWN-WAITE of Florida):

H. Con. Res. 431. Concurrent resolution supporting the goals and ideals of a Long-Term Care Awareness Week; to the Committee on Energy and Commerce.

By Mr. LAMBORN (for himself, Mr. SHADEGG, Mr. FRANKS of Arizona, Mr. KING of Iowa, and Mr. BROUN of Georgia):

H. Con. Res. 432. Concurrent resolution urging the expedient relocation of the United States Embassy in Israel to Jerusalem; to the Committee on Foreign Affairs.

By Mr. ROSS:

H. Con. Res. 433. Concurrent resolution expressing support for the designation of October as ''National Audiology Awareness Month''; to the Committee on Energy and Commerce.

By Mr. THOMPSON of California (for himself, Mr. BACA, Mr. BERRY, Mr. BOSWELL, Mr. BRALEY of Iowa, Mr. CARSON, Mr. CAZAYOUX, Mr. CHILDERS, Ms. CLARKE, Mr. CLAY, Mr. CLEAVER, Mr. COOPER, Mr. COURTNEY, Mr. CRAMER, Ms. DEGETTE, Mr. DELAHUNT, Ms. EDWARDS of Maryland, Mr. ELLISON, Mr. EMANUEL, Ms. ESHOO, Mr. ETHERIDGE, Mr. GILCHREST, Mr. GONZALEZ, Mr. GENE GREEN of Texas, Mr. HALL of New York, Ms. HARMAN, Mr. HILL, Mr. HINCHEY, Ms. HOOLEY, Mr. ISSA, Ms. JACKSON-LEE of Texas, Ms. KILPATRICK, Mr. LEWIS of Georgia, Ms. MATSUI, Mr. MCDERMOTT, Mr. MCNERNEY, Mr. PERLMUTTER, Mr. RODRIGUEZ, Mr. ROSS, Mr. ROTHMAN, Mr. RUPPERSBERGER, Mr. SALAZAR, Mr. SAXTON, Ms. SCHAKOWSKY, Mrs. SCHMIDT, Mr. SIRES, Mr. WALDEN of Oregon, Ms. WASSERMAN SCHULTZ, Mr. WAXMAN, Mr. WELCH of Vermont, and Ms. WOOLSEY):

H. Res. 1499. A resolution designating the third week of October as ''National Estate Planning Awareness Week''; to the Committee on Oversight and Government Reform.

By Ms. CLARKE:

H. Res. 1504. A resolution urging the President to increase efforts under the Third Border Initiative (TBI) to deepen cooperation and collaboration with Caribbean nations; to the Committee on Foreign Affairs.

By Ms. CLARKE:

H. Res. 1505. A resolution recognizing the United States-Bahamas Proliferation Security Initiative Shipboarding Agreement; to the Committee on Foreign Affairs.

By Mr. ISSA:

H. Res. 1506. A resolution recognizing the importance of the Border Patrol in combating human smuggling and commending the Department of Justice for increasing the rate of human smuggler prosecutions; to the Committee on the Judiciary, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 111: Ms. RICHARDSON.
H.R. 211: Mr. WELCH of Vermont.
H.R. 241: Mr. JOHNSON of Illinois.
H.R. 279: Ms. GINNY BROWN-WAITE of Florida.
H.R. 464: Ms. EDWARDS of Maryland.
H.R. 661: Mr. RUPPERSBERGER and Mr. REYES.
H.R. 819: Ms.EDWARDS of Maryland.
H.R. 882: Ms. CLARKE.
H.R. 1029: Mr. FORTENBERRY.
H.R. 1078: Ms. CLARKE.
H.R. 1111: Ms. EDWARDS of Maryland.
H.R. 1245: Mr. ABERCROMBIE.
H.R. 1398: Mr. PITTS.
H.R. 1419: Mr. DENT.
H.R. 1552: Mr. BECERRA and Mr. SESTAK.
H.R. 1576: Ms. SHEA-PORTER, Mrs. CAPPS, and Ms. HIRONO.
H.R. 1655: Mr. GALLEGLY.
H.R. 1665: Mr. MEEK of Florida.
H.R. 1671: Mr. UDALL of Colorado and Mr. PALLONE.
H.R. 1691: Ms. BALDWIN.
H.R. 1820: Mr. GEORGE MILLER of California, Mr. FATTAH, Ms. RICHARDSON, Mr. DICKS, and Ms. SUTTON.
H.R. 1884: Mr. MOLLOHAN and Mr. GRAVES.
H.R. 1926: Mrs. MALONEY of New York, Mr. KUHL of New York, Mr. ALTMIRE, and Mr. BOSWELL.
H.R. 2092: Mr. WEINER.
H.R. 2169: Ms. EDWARDS of Maryland.
H.R. 2216: Mr. FATTAH.
H.R. 3423: Ms. LEE.
H.R. 3634: Mr. MCGOVERN.
H.R. 3652: Mr. PASTOR.
H.R. 3844: Mr. SHAYS.
H.R. 3929: Mr. JACKSON of Illinois.
H.R. 3968: Mr. ENGLISH of Pennsylvania.
H.R. 3990: Mr. COHEN.
H.R. 4450: Mr. GALLEGLY.
H.R. 4464: Mr. LATTA.
H.R. 4576: Mr. BURGESS.
H.R. 4688: Mr. FATTAH.
H.R. 5635: Mr. BARROW.
H.R. 5637: Mr. MCGOVERN.
H.R. 5656: Mr. SIMPSON, Mr. PLATTS, and Mr. PENCE.
H.R. 5674: Mr. GOODLATTE.
H.R. 5748: Mr. YARMUTH.
H.R. 5793: Mr. FRELINGHUYSEN.
H.R. 5823: Ms. ROS-LEHTINEN, Ms. ROYBAL-ALLARD, and Ms. DELAURO.
H.R. 5873: Mr. MCDERMOTT.
H.R. 5915: Ms. LORETTA SANCHEZ of California.
H.R. 5936: Mr. FRANK of Massachusetts, Mr. RYAN of Ohio, and Mr. MCGOVERN.
H.R. 5971: Mr. BARTLETT of Maryland.
H.R. 6100: Mr. SESTAK.
H.R. 6217: Ms. BALDWIN, Mr. FRELINGHUYSEN, Mr. BOYD of Florida, Ms. SHEA-PORTER, Mr. KLEIN of Florida, Mr. CARDOZA, Mr. MCNERNEY, Mr. FERGUSON, Mr. SHERMAN, Mr. PASCRELL, Mr. HIGGINS, Ms. Richardson, Mr. HILL, Mr. MAHONEY of Florida, Mr. SPRATT, Mr. MEEKS of New York, Mr. MOLLOHAN, Mr. CUELLAR, Mr. BACA, Mr. MARIO DIAZ-BALART of Florida, Mr. VAN HOLLEN, Mr. COHEN, Mr. DOGGETT, Mr. MCNULTY, Mr. CROWLEY, Mrs. TAUSCHER, Mr. KIND, Mr. EDWARDS of Texas, Mr. MOORE of Kansas, Mr. CAZAYOUX, Mr. CRAMER, Mr. TANNER, Mr. ANDREWS, Mr. BOREN, Mr. BARROW, Mr. JACKSON of Illinois, Mr. BERMAN, and Mr. MURPHY of Connecticut.
H.R. 6228: Mr. LIPINSKI, Mrs. MALONEY of New York, Mr. HINCHEY, and Mr. KUCINICH.
H.R. 6278: Mr. BERMAN.
H.R. 6381: Mr. BUTTERFIELD.
H.R. 6438: Mr. HAYES.
H.R. 6461: Mr. HOLT.
H.R. 6462: Mr. LARSEN of Washington.
H.R. 6478: Mr. PITTS.
H.R. 6482: Mr. FRANK of Massachusetts.
H.R. 6517: Mrs. LOWEY.
H.R. 6527: Mr. FEENEY.
H.R. 6561: Mr. GRIJALVA.
H.R. 6570: Mr. CARNAHAN.
H.R. 6598: Mr. WILSON of South Carolina, Mr. FRANK of Massachusetts, Mr. FORTUÑO, Mr. INGLIS of South Carolina, Mr. CLAY, Mr. MCCOTTER, Mr. MURTHA, Mr. FARR, Mr. ARCURI, Mr. HOLT, Mr. WITTMAN of Virginia, and Ms. NORTON.
H.R. 6617: Mr. BERMAN and Mr. MCDERMOTT.
H.R. 6636: Mr. FRANK of Massachusetts.
H.R. 6643: Mr. KIRK and Mr. SNYDER.
H.R. 6680: Ms. WATERS, Mr. ABERCROMBIE, and Mr. RUSH.
H.R. 6747: Mr. BURGESS.
H.R. 6835: Mrs. LOWEY.
H.R. 6873: Mr. COURTNEY, Mr. FILNER, Ms. SCHWARTZ, Mr. ISRAEL, Mr. PAUL, Mr. LATHAM, Ms. WOOLSEY, and Mr. BERMAN.
H.R. 6885: Mrs. WILSON of New Mexico.
H.R. 6930: Mr. DOYLE and Mr. YARMUTH.
H.R. 6955: Mr. PENCE, Mr. WESTMORELAND, Mr. KINGSTON, Mr. BARTLETT of Maryland, Mr. BROUN of Georgia, Mr. PRICE of Georgia, Mr. FRANKS of Arizona, Mr. CONAWAY, Mr. GOHMERT, and Mr. SHADEGG.
H.R. 6960: Mr. MAHONEY of Florida, Mr. WEXLER, Ms. WASSERMAN SCHULTZ, Mrs. BOYDA of Kansas, Ms. EDWARDS of Maryland, Ms. CASTOR, Mr. HODES, Mr. LARSON of Connecticut, Ms. SUTTON, and Mr. MCNULTY.

H.R. 6962: Mr. SNYDER, Mr. MCDERMOTT, and Ms. LEE.
H.R. 6966: Mr. WELCH of Vermont.
H.R. 6975: Mr. WAMP and Mrs. MYRICK.
H.R. 6992: Mr. SALI.
H.R. 7013: Mr. HINCHEY.
H.R. 7021: Mr. COHEN.
H.R. 7035: Ms. SCHWARTZ and Mr. WELLER.
H.R. 7036: Mr. FALEOMAVAEGA.
H.R. 7040: Mr. FILNER.
H.R. 7049: Mr. NADLER.
H.R. 7051: Mr. LYNCH and Mr. MICHAUD.
H.R. 7058: Ms. ROYBAL-ALLARD.
H.J. Res. 81: Mr. MCCOTTER.
H. Con. Res. 81: Mr. SESTAK.
H. Con. Res. 342: Mr. JOHNSON of Illinois.
H. Con. Res. 362: Mr. MICA, Mr. ADERHOLT, and Mrs. BONO MACK.
H. Con. Res. 397: Mr. BRADY of Pennsylvania, Mrs. MYRICK, Ms. JACKSON-LEE of Texas, Ms. MOORE of Wisconsin, Mr. HINCHEY, Mrs. DRAKE, Ms. BORDALLO, Mrs. MCCARTHY of New York, Ms. ROYBAL-ALLARD, Mr. VAN HOLLEN, and Ms. MCCOLLUM of Minnesota.
H. Con. Res. 405: Mr. ETHERIDGE, Mr. COBLE, Mr. Shays, Ms. DELAURO, and Mr. MCKEON.
H. Con. Res. 417: Mr. WOLF.
H. Con. Res. 426: Mr. MICHAUD, Mr. BERMAN, Mr. NADLER, Ms. WOOLSEY, Mr. Fortuño, Ms. Edwards of Maryland, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. WATT.
H. Con. Res. 427: Mr. SERRANO and Mr. MCGOVERN.
H. Res. 672: Mr. SARBANES.
H. Res. 758: Mr. MAHONEY of Florida, Mr. MARCHANT, Mr. MICHAUD, Mr. MORAN of Kansas, and Mr. PORTER.
H. Res. 887: Mr. TAYLOR.
H. Res. 1328: Mr. RAMSTAD, Mr. KUHL of New York, Mr. HONDA, Mr. PASCRELL, Mr. WU, and Mr. JEFFERSON.
H. Res. 1375: Ms. BEAN.
H. Res. 1392: Mr. SESTAK and Mr. BARRETT of South Carolina.
H. Res. 1397: Mr. HOLT, Ms. MATSUI, and Ms. ROYBAL-ALLARD.
H. Res. 1406: Mrs. NAPOLITANO.
H. Res. 1421: Mr. SHUSTER and Mrs. MILLER of Michigan.
H. Res. 1462: Mr. CHABOT.
H. Res. 1467: Mr. MCGOVERN.
H. Res. 1472: Mr. PENCE, Mr. MCCOTTER, Mr. MCNULTY, and Mr. ROTHMAN.
H. Res. 1475: Mr. FORTENBERRY.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. RANGEL

H.R. 7060, the Renewable Energy and Job Creation Tax Act of 2008, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) or rule XXI.