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House of Representatives

The House met at 9 a.m. and was called to order by the Speaker pro tempore (Ms. TSONGAS).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
January 9, 2009.

I hereby appoint the Honorable NIKI TSONGAS 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:

As a parent encourages a child or a mentor calls forth the hidden potential of an intern, Lord our God, may You bless all who work as the 111th Congress, especially new Members.

Remove fear and confusion, which only inhibit good judgment and leadership. Strengthen the resolve and compassion of all Members, that they may serve Your people with renewed clarity of vision and refined purpose that will soon unify this Nation in self-discipline and confidence.

For You reward the just and their deeds, both now and forever.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. POE 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.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

A NEW DIRECTION IN THE MIDDLE EAST

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

Mr. KUCINICH. In Gaza the United Nations gave the Israeli Army the coordinates of a U.N. school, and the school was then hit by Israeli tank fire, killing about 40.

The U.N. put flags on emergency vehicles, coordinating the movements of those vehicles with the Israeli military, and the vehicles came under attack, killing emergency workers.

The Israeli Army evacuated 100 Palestinians to a shelter, and then bombed the shelter, killing 30 people.

Emergency workers have been blocked by the Israeli Army from reaching hundreds of injured persons.

Today's Washington Post: ''100 survivors rescued in Gaza from ruins blocked by Israelis. Relief agencies fear more are trapped, days after neighborhood was shelled.''

Today the U.S. Congress is going to be asked to pass a resolution supporting Israel's actions in Gaza. I'm hopeful that we don't support the inhumanity that has been repeatedly expressed by the Israeli Army.

The U.S. abstained from a U.N. call for a cease-fire. We must take a new direction in the Middle East, and that new direction must be mindful of the inhumane conditions in Gaza.

HONORING THE LIFE OF DENNIS BARNEY

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

Mr. FLAKE. Madam Speaker, every so often a community is blessed with a giant of a man, a man whose imprint and influence will be felt for generations to come. Such is the case with Dennis Barney, who passed away this week at the far too young age of 62.

Countless organizations like the United Way, the Boy Scouts, the Boys and Girls Club, the United Food Bank and the Arizona Interfaith Movement have profited from his generosity. Thousands of students, families and individuals have benefited from his kindness, his example and his inspired counsel.

Still, it was within the walls of his own home that his most important work was accomplished. Along with his wife, Ann, he raised a remarkable family of 10 children who will surely carry on his great legacy.

May every community in every State across this great land be so blessed as to know such a giant of a man as Dennis Barney.

OIL COMPANIES REDUCING EXPLORATION

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

Mr. ALTMIRE. Madam Speaker, remember the ''Drill here, Drill Now'' rallying cry we heard nonstop on this floor? Even when the lights were off and Congress was in recess, the other

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side stood here in the dark, with their charts and graphs, blaming Democrats for high gas prices.

If only we would allow drilling in the Outer Continental Shelf, they said, the oil companies would expand exploration and produce oil in record amounts. Well, we opened up the OCS for the first time in 20 years, and now the oil companies are free to explore and drill without restriction.

But the oil companies are reducing exploration. That's right. We opened up the OCS to the oil companies and they responded by cutting back on exploration.

Where is the outrage from my colleagues on the other side?

Congress did its part. So when gas prices inevitably go back up, I hope they will focus their ''Drill Baby Drill'' chants directly on the oil companies.

IRAN IS THE WORLD THREAT

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

Mr. POE of Texas. Madam Speaker, Israel and Hamas are at war. But make no mistake about it, it's the little fellow from Iran, Mahmoud Ahmadinejad, and his radical religious cronies of hate that are the ones that are behind this troubling turmoil in the lands of the Middle East.

For years Iran has supported the twin tribes of terror, Hamas and Hezbollah, by supplying arms and equipment and training. In 2006 Iran used the hired guns of Hezbollah in Lebanon to war with Israel.

Hamas has proudly proclaimed that it's had its soldiers of terror trained in Iran. Now Hamas is firing long-range Iranian missiles from Gaza into civilian areas of Israel. And the bandit group, Hezbollah, is getting blamed for new missile attacks into northern Israel.

As the nations of the world, especially Egypt, attempt to broker a cease-fire between Hamas and Israel, they would do well to deal with the real culprit in this war, Iran.

Until the world recognizes that President Ahmadinejad is determined to destroy Israel by any means necessary, there will never be peace in the Middle East. Iran has made its intentions clear to the world. World leaders need to make it clear to Iran that murder in the name of hate, will not be tolerated on the world stage.

And that's just the way it is.

OUR ECONOMY IS IN A SHAMBLES

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

Mr. DEFAZIO. After 8 years of disastrous Bush-led trickle-down deregulation, anything-goes economic policies, our economy is in a shambles. Unemployment, foreclosures, they're skyrocketing.

We need to rebuild the foundations of our economy, putting Americans back to work and putting our economy on a path to recovery.

I congratulate the President-elect with his sense of urgency. Shovel-ready infrastructure projects, he's put that on everybody's mind. That's excellent, tremendous public support. Unfortunately, the package is a little short on infrastructure and shovel-ready, and very long on tax cuts, the same policies that failed us during the Bush years. Five times as much for tax cuts.

Will $8 a pay period additional in their take-home put Americans back to work? It's good for Americans. They're suffering. But will that rebuild our economy, put people back to work?

Will a look back for the banks so they can get tax benefits, they can reclaim taxes they paid in the past, while taking TARP money and not telling us what they do with it, will that put Americans back to work?

We need more investment in infrastructure and less emphasis on the tax cuts.

RECOGNIZING SOUTH CAROLINA JAG CORPS

(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, I rise today to recognize the South Carolina National Guard. In 2008 they achieved the highest number of judge advocate generals serving in the Nation, according to Scott Bell, National Guard historian. This significant milestone is a tribute to the South Carolina Bar and to the professional leadership of Colonel Barry Bernstein, state judge advocate for the South Carolina National Guard. Twenty-four of the State's 27 JAGs have been awarded Global War on Terrorism campaign medals.

As a former staff judge advocate, I understand and appreciate and know firsthand the work that our JAG Corps has done to provide legal counsel to our military leadership and to our brave men and women in uniform. Theirs is an important part of the defense of American families by defeating terrorists overseas. I saw this when I visited the 218th Brigade JAG during quarterly visits in the last year at Camp Phoenix in Afghanistan.

I commend Colonel Bernstein and Adjutant General Stan Spears for their leadership and all the members of the South Carolina JAG Corps on this achievement.

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

ECONOMIC RECOVERY PLAN WILL INVEST IN AMERICA'S FUTURE AND CREATE JOBS

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

Mr. PALLONE. Madam Speaker, the deepening effects of the economic crisis have made their way to the kitchen table of every American home, leaving families worried about their financial future. That's why we need immediate passage of an economic recovery plan to avoid a deeper economic downturn and restore jobs. In addition to giving the economy a short-term boost, we must spur economic growth and competitiveness for the long-term stability of this country.

This economic recovery package is an opportunity to invest in tomorrow by making major changes to our Nation's approach to energy, health care, education and infrastructure. Addressing our Nation's infrastructure challenge will create jobs in the troubled construction and manufacturing sectors, while helping to spur long-term economic growth. Highway projects could create 630,000 jobs, while green school construction and maintenance and repair initiatives for schools could create 250,000 jobs.

Madam Speaker, we must work quickly and in strong bipartisan fashion to create and save 3 million jobs.

CONSUMER AUTO RELIEF ACT

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

Mr. ROGERS of Alabama. Madam Speaker, I rise today to discuss the Consumer Auto Relief Act, or CAR Act, a bill that I plan to introduce later today. This bill will provide a variety of incentives to the purchasers of new cars, and will incentivize lenders to loan the money to finance these new automobile purchases.

This legislation is about giving American consumers much needed tax relief. It's about stimulating consumer credit markets. It's about restoring consumer confidence. It's about jump-starting our stalled economy, and it should be a part of the new economic stimulus package.

I ask the House to support this bill.

LILLY LEDBETTER FAIR PAY ACT AND THE PAYCHECK FAIRNESS ACT

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

Ms. TSONGAS. Mr. Speaker, I rise to express my strong support for two important bills that we will consider later today. The Lilly Ledbetter Fair Pay Act and the Paycheck Fairness Act both advance the fight to ensure equal pay for women in the workforce

According to the U.S. Census Bureau, women make 78 cents for every dollar earned for similar work by their male counterparts. This form of discrimination is unacceptable, and it not just a women's issue, it is a family issue. The Institute of Women's Policy Research found that this wage disparity will cost an individual woman anywhere from $400,000 to $2 million over a lifetime in

lost wages. We can easily imagine the impact on a woman's life, as well as her children's.

I am proud to support these important measures which make the American promise of opportunity more accessible to women and to their families.

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THE STATE AND LOCAL SALES TAX DEDUCTION EXPANSION ACT

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

Mrs. BLACKBURN. Mr. Speaker, on the day following the President-elect's call for a new $1 trillion spending package free from earmarks, House Democrats are bringing to the floor two bills that represent little more than an earmark for the trial bar.

Given the current state of the economy, it is inconceivable that Congress move forward with more ways to restrict the ability of honest employers to run their businesses. Instead, we need to focus our attention on stimulating the economy without earmarks for special interest groups. Congress can do this by providing tax cuts to spur investment on alternative energy—or how about first-time home purchases?—and implement commonsense tax changes like the State and Local Sales Tax Deduction Expansion Act, which I am introducing today.

These ideas will stimulate the economy immediately without hurting small businesses. It will be helping small businesses. Let's reject earmarks for the trial bar. Let's pass tax relief for working Americans and spur job growth.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Ms. TSONGAS). 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.

RECOGNIZING ISRAEL'S RIGHT TO DEFEND ITSELF AGAINST ATTACKS FROM GAZA

Mr. BERMAN. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 34) recognizing Israel's right to defend itself against attacks from Gaza, reaffirming the United States' strong support for Israel, and supporting the Israeli-Palestinian peace process.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 34

Whereas Hamas was founded with the stated goal of destroying the State of Israel;

Whereas Hamas has been designated by the United States as a Foreign Terrorist Organization;

Whereas Hamas has refused to comply with the Quartet's (the United States, the European Union, Russia, and the United Nations) requirements that Hamas recognize Israel's right to exist, renounce violence, and agree to accept previous agreements between Israel and the Palestinians;

Whereas in June 2006, Hamas illegally crossed into Israel, attacked Israeli forces, and kidnaped Corporal Gilad Shalit, whom they continue to hold today;

Whereas Hamas has launched thousands of rockets and mortars against Israeli population centers since 2001, and has launched more than 6,000 such rockets and mortars since Israel withdrew its civilian population and its military from Gaza in 2005;

Whereas Hamas has increased the range and payload of its rockets, reportedly with support from Iran and others, putting hundreds of thousands of Israelis in danger of rocket attacks from Gaza;

Whereas Hamas locates elements of its terrorist infrastructure in civilian population centers, thus using innocent civilians as human shields;

Whereas Secretary of State Condoleezza Rice said in a statement on December 27, 2008, that ''We strongly condemn the repeated rocket and mortar attacks against Israel and hold Hamas responsible for breaking the cease-fire and for the renewal of violence there'';

Whereas on December 27, 2008, Israeli Prime Minister Ehud Olmert said, ''For approximately seven years, hundreds of thousands of Israeli citizens in the south have been suffering from missiles being fired at them . . . In such a situation we had no alternative but to respond. We do not rejoice in battle but neither will we be deterred from it. . . . The operation in the Gaza Strip is designed, first and foremost, to bring about an improvement in the security reality for the residents of the south of the country'';

Whereas the humanitarian situation in Gaza, including shortages of food, water, electricity, and adequate medical care, is becoming more acute;

Whereas Israel has facilitated humanitarian aid to Gaza with hundreds of trucks carrying humanitarian assistance and numerous ambulances entering the Gaza Strip since the current round of fighting began on December 27, 2008;

Whereas on January 6, 2009, before the United Nations Security Council, Secretary Rice stated that: ''The situation before the current events in Gaza was clearly not sustainable. Hundreds of thousands of Israelis lived under the daily threat of rocket attack, and frankly, no country, none of our countries, would have been willing to tolerate such a circumstance. Moreover, the people of Gaza watched as insecurity and lawlessness increased and as their living conditions grew more dire because of Hamas's actions which began with the illegal coup against the Palestinian Authority in Gaza. . . . A ceasefire that returns to those circumstances is unacceptable and it will not last''; and

Whereas the ultimate goal of the United States is a sustainable resolution of the Israeli-Palestinian conflict that will ensure the welfare, security, and survival of the State of Israel as a Jewish and democratic state with secure borders, and a viable, independent, and democratic Palestinian state living side by side in peace and security with the State of Israel: Now, therefore, be it

Resolved, That the House of Representatives—

(1) expresses vigorous support and unwavering commitment to the welfare, security, and survival of the State of Israel as a Jewish and democratic state with secure borders, and recognizes its right to act in self-defense to protect its citizens against Hamas's unceasing aggression, as enshrined in the United Nations Charter;

(2) reiterates that Hamas must end the rocket and mortar attacks against Israel, recognize Israel's right to exist, renounce violence, agree to accept previous agreements between Israel and the Palestinians, and verifiably dismantle its terrorist infrastructure;

(3) encourages the Administration to work actively to support a durable and sustainable cease-fire in Gaza, as soon as possible, that prevents Hamas from retaining or rebuilding its terrorist infrastructure, including the capability to launch rockets and mortars against Israel, and thereby allowing for the long-term improvement of daily living conditions for the people of Gaza;

(4) believes strongly that the lives of innocent civilians must be protected to the maximum extent possible, expresses condolences to innocent Palestinian and Israeli victims and their families, and reiterates that humanitarian needs in Gaza should be addressed promptly and responsibly;

(5) calls on all nations—

(A) to condemn Hamas for deliberately embedding its fighters, leaders, and weapons in private homes, schools, mosques, hospitals, and otherwise using Palestinian civilians as human shields, while simultaneously targeting Israeli civilians; and

(B) to lay blame both for the breaking of the ''calm'' and for subsequent civilian casualties in Gaza precisely where blame belongs, that is, on Hamas;

(6) supports and encourages efforts to diminish the appeal and influence of extremists in the Palestinian territories, and strengthen moderate Palestinians who are committed to a secure and lasting peace with Israel;

(7) calls on Egypt to intensify its efforts to halt smuggling between Gaza and Egypt and affirms the willingness of the United States to continue to assist Egypt in these efforts;

(8) calls for the immediate release of the kidnaped Israeli soldier Gilad Shalit, who has been illegally held in Gaza since June 2006; and

(9) reiterates its strong support for a just and sustainable resolution of the Israeli-Palestinian conflict achieved through negotiations between Israel and the Palestinian Authority in order to ensure the welfare, security, and survival of the State of Israel as a Jewish and democratic state with secure borders, and a viable, independent, and democratic Palestinian state living side by side in peace and security with the State of Israel.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. BERMAN) and the gentlewoman from Florida (Ms. ROS-LEHTINEN) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. BERMAN. 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 resolution under consideration.

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

There was no objection.

Mr. BERMAN. Madam Speaker, I yield myself 2 minutes.

When a nation's towns and villages are attacked without provocation by nearly 9,000 rockets over the span of 8 years, there could hardly be a more solid case for the use of force in self-defense. At least 700,000 Israelis, 10 percent of that small nation, are now within range of missiles and rockets operated by an Islamist terrorist group committed to Israel's destruction.

I have no trouble justifying the war Israel is undertaking, but I am deeply troubled by the suffering, destruction and loss of innocent life that war inevitably entails, in this case, a war forced upon Israel by a terrorist enemy that not only targets Israeli civilians but that also bases itself among Gazan Palestinian homes, schools, mosques, and hospitals in order to use innocent civilians as human shields and as tools of a propaganda war. It is imperative that a way be found to stop the killing on both sides but in a manner that will ensure that this round will be the last round.

I know the U.S. and several other nations are working on developing such a plan. Our ally Egypt should be particularly commended for its serious efforts in this regard.

What we need is not merely a cease-fire but a transformative cease-fire. We need to ensure not just that Hamas stops firing rockets into Israel; we need to make sure that it stops receiving weapons and weapons parts and that it stops smuggling them into the Gaza Strip. We should support Egyptian efforts to prevent this illegal arms trade from crossing the Sinai toward the Gaza border.

Madam Speaker, I commend the Speaker and the bipartisan leadership for authoring this important resolution. It provides a sensible way of understanding how we got to the current situation and of how we should move forward. This is why I support this resolution, and I urge my colleagues to do likewise.

I reserve the balance of my time.

Ms. ROS-LEHTINEN. Madam Speaker, I yield myself as much time as I may consume.

(Ms. ROS-LEHTINEN asked and was given permission to revise and extend her remarks.)

Ms. ROS-LEHTINEN. I rise in strong support of House Resolution 34, recognizing Israel's right to defend herself against attacks from Gaza and reaffirming the United States' strong support for Israel.

Madam Speaker, the conflict between Israel and violent Palestinian extremist groups is not, to paraphrase Chamberlain, a quarrel in a faraway country between people of which we know nothing. This conflict is one part of a broader struggle that we're all engaged in, a struggle between liberty and tyranny, between democracy and violent Islamic extremism, between those who love life and those who preach death.

It is a struggle Israel did not seek but one which she must, nonetheless, fight and win. For 8 years, while Israel has sought just and lasting peace and security, Hamas and other Islamic militants have launched thousands of rockets from Gaza against innocents in southern Israel. Israel, a democratic state, chose to exercise remarkable restraint.

Finally, on December 19, Hamas unilaterally broke the calm, the so-called calm, and began launching scores of rockets against Israel. Israel chose to protect itself and her people. Israel has made every effort to prevent civilian casualties and has provided significant humanitarian assistance to Palestinian civilians. Meanwhile, Hamas has again committed war crimes by placing its militants and its weapons in or at schools, in hospitals, in private homes, and in other civilian buildings.

How has much of the world reacted? Too many states and too many officials in the United Nations have responded by blaming Israel and only Israel. The U.N. swung into action, holding four Security Council meetings in less than 2 weeks, including last night, when it passed a resolution that did not even mention rocket attacks against innocent Israeli civilians, that did not even mention Hamas and its war crimes, and it called for an immediate cease-fire, not a sustainable cease-fire.

Sadly, these officials do not recognize that only Israel would consider itself bound by such an agreement. Hamas would continue to pursue Israel's destruction, and such a devil's bargain without holding Hamas and its state sponsors of terror accountable will only embolden these Islamic extremists to intensify their destructive agenda.

The desire to stop all violence now is understandable. We all desire peace. We all regret the loss of innocent lives on both sides of the conflict, but as the ancient rabbis have stated, those who are merciful to the cruel, as the U.N. has been, will end up being cruel to the merciful, in this case, Israel.

The right way forward is not easy; it is not pleasant, but upon it rests the security of the Israelis, of the Palestinians, of the Americans, and of all freedom-loving people.

The following is my full statement for the RECORD: Madam Speaker, I rise in strong support of House Resolution 34, recognizing Israel's right to defend itself against attacks from Gaza and reaffirming the United States's strong support for Israel.

Madam Speaker, the conflict between Israel and violent Palestinian extremist groups is not, to paraphrase former British leader Neville Chamberlain, a quarrel in a faraway country, between people of which we know nothing.

On the contrary, this conflict is one part of a broader struggle that we are all engaged in—a struggle between liberty and tyranny; between democracy and violent Islamist extremism; between those who love life and those who preach death.

It is a struggle which the United States and Israel did not seek, but which we must, nonetheless, fight and win.

On the outcome, rests our freedom, our security, and our very existence.

Today, this House sends a strong and unequivocal signal that America stands with Israel in its fight to exist.

To some of the "high-minded" who feel comfortably removed from this struggle, such language is old-fashioned, or out of style, or undiplomatic.

In the United States, Madam Speaker, we prefer to call it the truth.

For 8 years, while Israel has sought just and lasting peace and security, Hamas and other Islamist militants have launched over 8,000 rockets from Gaza against innocents in southern Israel.

Even after Israel took the risk of withdrawing from Gaza in 2005, Hamas rejected peace and chose to use its new sanctuary to plan and carry out more attacks against the Jewish state and its people.

Six months ago, Hamas agreed to a so-called state of "calm," then proceeded to break it repeatedly by using other groups to do its dirty work and fire rockets.

Israel, a democratic state, chose to exercise remarkable restraint.

Finally, on December 19, Hamas unilaterally broke the "calm" and began launching scores of rockets into Israel.

Israel chose to protect its people and defend itself.

Hamas and its fellow violent hate-mongers do not seek a few more square miles of land. They do not seek a Palestinian state.

They seek to destroy Israel, impose an Islamist dictatorship in its place, and fight on throughout the world.

Such an outcome is unacceptable to Israel.

It is unacceptable to the United States.

It must be unacceptable to all other responsible nations—because in a compromise between good and evil, only evil benefits.

Israel has made every effort to prevent civilian casualties, and has provided significant humanitarian assistance to Palestinian civilians.

Meanwhile, Hamas has again committed war crimes by placing its militants and weapons, in or near schools, hospitals, private homes, and other civilian buildings.

In the real world, Hamas's use of civilians as human shields would provoke international condemnation and action to stop this menace.

But how has much of the world reacted?

Too many states, and too many officials at the United Nations, have responded by blaming Israel and only Israel.

Let us remember that in the months and years before Israel started its defensive operation on December 27, the U.N. did not make any meaningful effort to stop the relentless attacks by Hamas or diminish the threat posed by its state sponsors.

But once Israel rose to protect its citizens, the U.N. swung into action, holding four Security Council meetings in less than two weeks, including last night, when it passed a resolution—that did not even mention rocket attacks against Israeli civilians; that did not even mention Hamas and its war crimes; and that called for an immediate ceasefire, not a sustainable ceasefire.

This Security Council resolution and other developments throughout the U.N. system, reflect the short-sightedness and bias that pervade that body.

The so-called President of the U.N. General Assembly called Israel's behavior a "monstrosity," and the Secretary-General called for an immediate cease-fire.

Sadly, they do not recognize: that only Israel would consider itself bound by such an agreement; that Hamas would continue to pursue Israel's destruction; and that such a devil's bargain without holding Hamas and its state-sponsors accountable would only embolden these Islamist extremists to intensify their destructive agenda.

The desire to stop all violence now is understandable.

We all desire peace and regret the loss of innocent lives on both sides of the conflict.

But as the ancient rabbis stated, those who are merciful to the cruel (as the U.N. has been) will end up being cruel to the merciful (in this case, Israel).

If the U.N. wants to regain its credibility, it should advance peace and security by moving to compel Hamas and their state sponsors to: immediately stop their attacks, shut down their militant infrastructure, and recognize Israel's right to exist as a Jewish state.

Madam Speaker, we've been here before.

In 2006, the violent extremist group Hezbollah kidnapped Israeli soldiers and fired rockets relentlessly against northern Israel.

In response, the U.N. Security Council passed a resolution calling for a ceasefire between Israel and the violent extremist group Hezbollah, which would supposedly strengthen the ability of a U.N. force in Lebanon to prevent Hezbollah from rearming.

In the last 2½ years, Israel has held up its end of the deal, while a legitimized Hezbollah has rapidly re-armed under the U.N.'s nose and has, along with its state-sponsors Iran and Syria, increased its control in Lebanon.

As a result, U.S. interests in the region have been damaged.

If we act the same way this time, we will get the same result or worse, and we are running out of second chances. Not again, Madam Speaker.

We must support Israel's right to defend itself by rooting out the Islamist militant infrastructure in Gaza and by ending—not reducing, not postponing, but ending—the threat Hamas poses to Israel's existence; to regional stability; and to global peace and security.

Then, and only then, Madam Speaker, can a ceasefire work.

Consistent with the Palestinian Anti-Terrorism Act, we should also tighten U.S. and international sanctions against Hamas.

Additionally, the U.S. and our allies must seek to stop Iran and Syria from providing financial and other support to Hamas and other violent Islamist extremist groups.

The right way forward is not easy or pleasant, but upon it rests the security of Israelis, Palestinians, Americans, and all other peoples.

With that, Madam Speaker, I reserve the balance of our time.

Mr. BERMAN. Madam Speaker, I am very pleased to recognize the chief sponsor and author of this resolution, the Speaker of the House, Ms. PELOSI, for 1 minute.

Ms. PELOSI. I thank the gentleman for yielding.

I commend him, Mr. BERMAN, the Chair of the Foreign Affairs Committee, and Congresswoman ILEANA ROS-LEHTINEN for bringing this resolution before us today. I am pleased to join Mr. BOEHNER and Mr. HOYER in cosponsoring it.

Today, we have reaffirmed with this resolution that Israel, like any nation, has a right to defend itself when under attack. Protecting the people of our country is the first responsibility any of us has, and so has Israel. The rocket and mortar attacks from Hamas in Gaza, which were increasing in frequency and in range, constituted an unacceptable security threat to which Israel had a responsibility to respond.

Certainly, all of us regret the loss of life, injury and destruction of property of innocent civilians that has occurred on both sides of the conflict. When I spoke with Prime Minister Olmert last week, I conveyed the concerns of my constituents and of my colleagues about the loss of life among civilians. We must do all we can to relieve the pain of the innocents and to bring about a real peace that will avoid further loss of life on both sides.

If we are to achieve a real peace, we must begin with a cease-fire to the current conflict. Hamas must stop the attacks, which is why this resolution calls for the Bush administration to work toward that end, but a cease-fire must do more than just end the current fighting. It must address some of the root causes of the conflict so we may attain a peace that is, in the words of this resolution, ''durable and sustainable.''

Security for Israel and an improvement in the lives of the people of Gaza cannot be achieved as long as Hamas uses that impoverished land as a launching pad for attacks against Israelis. The goal of any cease-fire must be more than a return to the status quo. It must be a positive and measurable step toward a final, just resolution of the differences between Palestinians and Israelis.

Our goal must be to achieve an agreement between Palestinians and Israelis that results in a secure, democratic Israel, living side by side with a viable and independent Palestinian state and with both sides finding peace and prosperity. The cycle of violence that feeds the fury of despair must be broken. The hard work of negotiation must be done, and the difficult but necessary decisions must be made so that such an agreement can be achieved.

The United States must be an active, constant and engaged partner in this conflict. With the new energy and fresh thinking of the new administration, we pray that an enduring settlement can be reached.

On days like this, Madam Speaker, and with the resolution that we have before us, we are all reminded that for more than 60 years the commitment of the United States to the security of Israel has been a real one. From the moment in 1947 when President Harry S. Truman took the bold step of recognizing the State of Israel to this very day, America stands shoulder to shoulder with our democratic ally in the Middle East.

We want, as I said, a two-state solution with a Jewish democratic Israel side by side with a secure Palestinian state. That can only occur if Hamas stops the exploitation of the impoverished people of Gaza for its own purposes as it continues its attacks on Israel.

Again, I thank the chairman of the committee, Mr. BERMAN, and the ranking member, Congresswoman ROS-LEHTINEN, for their leadership in bringing this resolution to the floor.

Ms. ROS-LEHTINEN. Madam Speaker, I would like to yield 1 minute to the gentlewoman from North Carolina, Congresswoman VIRGINIA FOXX.

Ms. FOXX. The main goal of any democratic nation is to ensure the safety and prosperity of its people.

As we all know, Israel has commenced defensive military actions in Gaza aimed at disrupting Hamas' weaponizing capabilities which are being used to terrorize Israeli civilians. Unlike the indiscriminate rocket attacks launched by Hamas, Israel's precision strikes are a defensive last resort necessary to protect her people.

Considering that since Israel's 2005 withdrawal from Gaza Hamas, with the help of Iran, has openly fired more than 6,300 rockets and mortars at Israeli population centers with more than 1,000 of these having been fired within the past month, it's clear that the Israeli Government is taking a measured response that any other responsible country would expect to take in defending its sovereignty. I think that we have to do everything that we possibly can in this country to lend our support to Israel in her defense of the people of Israel, and I want to lend my support to this resolution.

□ 0930

Mr. BERMAN. Madam Speaker, I yield 1 minute to the chairman of the European Subcommittee of the House Foreign Affairs Committee, the gentleman from Florida (Mr. WEXLER).

Mr. WEXLER. Madam Speaker, I rise in strong support of this resolution which expresses Congress' unwavering support for Israel and its unequivocal right to self-defense in the face of an ongoing campaign of terror perpetrated by Hamas.

The world must know that America stands shoulder-to-shoulder with Israel in its ongoing struggle for security and peace. All of us wish to see a stable, secure, and peaceful Middle East, and we mourn for the loss of innocent lives. But it is unconscionable to expect the Israeli Government or any government to sit idly by as deadly rockets rain down on its cities.

The world must recognize how we came upon the deadly circumstances that exist in Gaza now. It was Hamas, not Israel, that abrogated the so-called truce by firing rockets into Israel. Instead of using violence to achieve its destructive goals, Hamas must adhere to the international principles established by the Quartet.

I strongly urge my colleagues to support this resolution and support

Israel's right to self-defense so that we can move toward a more peaceful Middle East. But peace comes with strength and resolve; it does not come by avoiding the unfortunate circumstances that Hamas, not Israel, has placed this region in once again.

Ms. ROS-LEHTINEN. Madam Speaker, I would like to yield 2 minutes to the gentleman from Texas (Mr. PAUL).

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

Mr. PAUL. Madam Speaker, I rise in opposition to this resolution, not because I am taking sides and picking who the bad guys are and who the good guys are, but I'm looking at this more from the angle of being a United States citizen, an American, and I think resolutions like this really do great harm to us.

In many ways what is happening in the Middle East, and in particular with Gaza right now, we have some moral responsibility for both sides, because we provide help in funding for both Arab nations and Israel. And so we definitely have a moral responsibility. And especially now today, the weapons being used to kill so many Palestinians are American weapons and American funds essentially are being used for this.

But there is a political liability which I think is something that we fail to look at because too often there is so much blowback from our intervention in areas that we shouldn't be involved in.

Hamas, if you look at the history, you will find that Hamas was encouraged and actually started by Israel because they wanted Hamas to counteract Yasir Arafat. You say, Well, yeah, it was better then and served its purpose, but we didn't want Hamas to do this.

So then we, as Americans, say, Well, we have such a good system; we're going to impose this on the world. We're going to invade Iraq and teach people how to be democrats. We want free elections. So we encouraged the Palestinians to have a free election. They do, and they elect Hamas.

So we first, indirectly and directly through Israel, helped establish Hamas. Then we have an election where Hamas becomes dominant then we have to kill them. It just doesn't make sense.

During the 1980s, we were allied with Osama bin Laden and we were contending with the Soviets. It was at that time our CIA thought it was good if we radicalize the Muslim world. So we finance the Madrassas school to radicalize the Muslims in order to compete with the Soviets.

There is too much blowback. There are a lot of reasons why we should oppose this resolution. It's not in the interest of the United States, it is not in the interest of Israel either.

I strongly oppose H. Res. 34, which was rushed to the floor with almost no prior notice and without consideration by the House Foreign Affairs Committee. The resolution clearly takes one side in a conflict that has nothing to do with the United States or U.S. interests. I am concerned that the weapons currently being used by Israel against the Palestinians in Gaza are made in America and paid for by American taxpayers. What will adopting this resolution do to the perception of the United States in the Muslim and Arab world? What kind of blowback might we see from this? What moral responsibility do we have for the violence in Israel and Gaza after having provided so much military support to one side?

As an opponent of all violence, I am appalled by the practice of lobbing homemade rockets into Israel from Gaza. I am only grateful that, because of the primitive nature of these weapons, there have been so few casualties among innocent Israelis. But I am also appalled by the longstanding Israeli blockade of Gaza—a cruel act of war—and the tremendous loss of life that has resulted from the latest Israeli attack that started last month.

There are now an estimated 700 dead Palestinians, most of whom are civilians. Many innocent children are among the dead. While the shooting of rockets into Israel is inexcusable, the violent actions of some people in Gaza does not justify killing Palestinians on this scale. Such collective punishment is immoral. At the very least, the U.S. Congress should not be loudly proclaiming its support for the Israeli government's actions in Gaza.

Madam Speaker, this resolution will do nothing to reduce the fighting and bloodshed in the Middle East. The resolution in fact will lead the U.S. to become further involved in this conflict, promising "vigorous support and unwavering commitment to the welfare, security, and survival of Israel as a Jewish and democratic state." Is it really in the interest of the United States to guarantee the survival of any foreign country? I believe it would be better to focus on the security and survival of the United States, the Constitution of which my colleagues and I swore to defend just this week at the beginning of the 111th Congress. I urge my colleagues to reject this resolution.

Mr. BERMAN. Madam Speaker, I am pleased to yield 1 minute to the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. I thank my colleague for yielding.

Madam Speaker, I will vote for this resolution today, but I'm disappointed that we are doing, once again, what we've done so often. Of course we all condemn Hamas and support Israel, but we should be saying and doing so much more. I applaud the statements of the chairman and of our Speaker, and I wish they were part of the resolution.

We must call for greater U.S. engagement to achieve a durable cease-fire and to restart the Israel-Palestinian peace process. We all know the Israeli-Palestinian conflict will never be settled militarily. My fear is that this action by Israel, justified as it is and provoked by Hamas, will not enhance Israel's security but only further endanger it.

Achieving peace in the Middle East is in Israel's best interest, and it is in America's best interest; but the violence that now permeates Gaza only puts off the serious and difficult work of diplomacy that is a predicate to peace, and it obscures the remarkable progress that is even now being made in the West Bank. And in the meantime, the humanitarian crisis in Gaza has grown to unspeakable proportions, and millions of innocent Palestinians and Israelis are suffering.

I urge my colleagues not only to make statements of support for Israel but to call for a cease-fire and to press for peace.

Ms. ROS-LEHTINEN. Madam Speaker, I am pleased to yield 3 minutes to the gentleman from Texas who says, ''That's just the way it is,'' Judge POE.

Mr. POE of Texas. I thank the gentlelady for yielding.

Madam Speaker, Hamas is a rogue group of outlaws that hibernate in Palestinian civilian areas of Gaza and fire Iranian missiles into Israel. Israel has received hundreds of these missile attacks in the last few days, thousands in the last few years.

Israel has been patient, maybe overly patient. Make no mistake about it, Hamas is the aggressor. So Israel not only has the right but moral obligation to defend its people by fighting back.

You see, Hamas is one of the two twin tribes of terror that operate in the Middle East. The other being Hezbollah. These bandits operate in the Middle East with the sole purpose to kill Israelis. Hamas murders in the name of religious hatred for Jews and Israel. Israel defends itself while some world leaders criticize Israel for doing so. These world leaders, especially those in the United Nations, are out of touch with the way the world really is. The Middle East is in turmoil because of terror groups like Hamas, and they are the aggressor.

The recent aggression by Hamas is no doubt sponsored by the little fellow from Iran, Mahmoud Ahmadinejad. He is the real world threat to peace in the Middle East. He has openly stated that Israel must be completely destroyed. And eventually, world leaders must deal with this issue. But people cry ''peace, peace—peace at any price'', but there can be no peace as long as Hamas continues to murder Israelis.

Israel is our ally. The United States should stand by its allies. Israel is defending its people. It is obligated to do so, and I commend them for representing and defending their people.

And that's just the way it is.

Mr. BERMAN. Madam Speaker, I am pleased to yield 1 minute to the gentlelady from California (Ms. HARMAN), who is very active on these issues.

Ms. HARMAN. I thank the gentleman for yielding and commend him on bringing up this resolution so promptly.

Madam Speaker, I've seen Israel up close and personal on almost two dozen trips. I've seen thousands of spent missiles stockpiled in Sderot, witnessed destruction of homes and buildings, and know a government official from Israel who was seriously wounded. I have also spent time on Israel's border with Lebanon, including a trip there

during the 2006 Hezbollah war while rockets flew overhead.

Israel, indeed any country, has a right to defend herself from attack. The U.S. must stand by our only democratic ally in the Middle East. Hamas' ability to strike Israeli cities is continuing evidence that it has been receiving illicit arms for use against Israel—no doubt with the complicity of its sponsors in Iran.

However, Israelis are not the only victims. The Palestinian people in Gaza and the West Bank have paid a huge price, too. They have been held hostage by the Hamas leadership since its 2006 coup against the Palestinian authority. And they are being used as human shields.

That said, Israel's effort must minimize civilian casualties and maximize Red Cross access. Measures to permit humanitarian aid must be sustained.

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

Mr. BERMAN. Madam Speaker, I yield the gentlelady an additional 10 seconds.

Ms. HARMAN. As this resolution states, our President must work actively to support a durable, enforceable, and sustainable cease-fire, promote a two-state solution, and encourage and strengthen moderate Palestinian voices.

This House is doing its part today. Following Senate action yesterday, we signal bipartisan, bicameral support for this effort.

Ms. ROS-LEHTINEN. Madam Speaker, I am so pleased to yield 5 minutes to the gentleman from Virginia (Mr. CANTOR), our distinguished Republican whip.

Mr. CANTOR. I thank the gentlelady.

Madam Speaker, colleagues, I don't think there is any of us who would doubt a nation's right to defend its citizens and to defend its population. That's why I rise in support of this resolution. I thank the sponsors, the gentleman from California, the gentlelady from Florida, for bringing this forward.

At this time it is very, very important for us in the United States to stand tall in defense of our democratic allies, Israel's right to defend its borders, to defend its people.

I stand here in support of Israel because I have been there. I've seen Sderot. One of the most memorable visits to Israel that I've been on, I visited with a family, a family that lived in a town called Gush Katif. It was a town in the southern portion of the Gaza Strip. I visited with them almost 3½ years ago when it was just after Israel's unilateral pullout of the Gaza Strip.

This family had two children, parents—professional parents—who had just gone through the wrenching process of uprooting their family, leaving their home, in hopes of a better life. The parents said to me one of the most difficult jobs was to explain to their children why they needed to leave their life and their home. These parents said they told their children they were going to leave because they needed to be sure that Israel had every chance imaginable for peace so they could leave in peace.

I actually cannot imagine what those parents are going through now. Three-and-a-half years later they've settled in the area of Sderot, and life could not be any more frightening for them or their children.

When they moved out of the Gaza Strip, they joined the group of citizens of Israel who have to live by the 15-second rule. They have to know, their children have to know, where a safe spot is within 15 seconds of a siren going off. That's the unimaginable fear that they live in day in and day out. Even when these people take vacation and leave Israel, their children, immediately upon arriving at their destination, ask the question, Where is the safe place? Where do I need to run and hide from the rockets?

That's the mentality. That's the culture that has bred because of the incessant, tireless firing of rockets by Hamas aimed at civilians.

Madam Speaker, that is the issue. Israel has a foe on many of its borders, certainly to the south, that is determined to kill its civilians. I don't think any of us would want any of our population in this country to be subjected to that type of terror, nor would we sit here and allow it. That's why Israel has taken the action that it has.

□ 0945

After trying to stop the rockets through third-party negotiations, cease-fires, and even lodging complaints at the United Nations, Israel has taken defensive action. And today, we speak as one body in support of our democratic ally, Israel. We stand up to reaffirm the vibrant relationship that our two countries share, a relationship underpinned by shared values like respect for human life, democracy, and a relationship strengthened by our indispensable strategic interests.

Mr. BERMAN. I am pleased to yield 1 minute to the chairman of the Democratic Caucus, the gentleman from South Carolina (Mr. CLYBURN).

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

Mr. CLYBURN. I appreciate the gentleman yielding me the time.

Madam Speaker, I rise in strong support as an original cosponsor of H. Res. 34, which recognizes Israel's right to defend itself against attacks from Hamas terrorists in Gaza and reaffirms the United States' strong support for Israel.

Since Israel unilaterally withdrew from Gaza in 2005, the Hamas terrorist organization has launched thousands of missile attacks against Israeli civilian targets.

I mourn the loss of life on both sides of this conflict, including the innocent Palestinians who have cynically and deliberately been used by Hamas terrorists as human shields.

In order to end the violence in Gaza, Hamas needs to recognize Israel's right to exist and renounce terror. As the only true democracy in the Middle East, the 111th Congress recognizes Israel's struggle to protect its people, maintain peace with its neighbors, and defend the freedoms of a democratic society.

I encourage all of my colleagues to support this resolution.

Ms. ROS-LEHTINEN. Madam Speaker, at this time, I would like to yield 3 minutes to the gentleman from California (Mr. ROYCE), a senior member of the Committee on Foreign Affairs.

Mr. ROYCE. I thank the gentlelady.

I would just like to quote for a minute from Hamas. They say Allah is the goal, the Prophet its model, the Quran its constitution, jihad its path, and death for the cause of Allah its most sublime belief. Now, that is the charter; that is the opening of the charter for Hamas itself. These are the words that drive these ideological jihadists. And it's an offshoot of the Muslim Brotherhood, which was the Egyptian group whose ideology actually spawned al Qaeda. So Hamas, in this case, as we know, wants to replace Israel and wants to replace it with an Islamic state.

Now, Israel withdrew its soldiers and all of its settlers from Gaza in 2005, and in return Hamas came to power in the Gaza Strip. Over 6,000 rockets have been fired into southern Israel, leaving a quarter of a million Israelis just seconds away from a rocket attack. And I wonder how Americans would feel if citizens in San Diego or in Buffalo had a matter of 20 seconds to rush to a bomb shelter.

I had an opportunity in August, a year and a half ago, back when rockets like these were being fired into Haifa, to see the results of that targeting of civilian neighbors. And I was in Rambam Hospital, and indeed on that very day there were attacks on the city; 80,000 ball bearings in each one of these rockets designed to inflict maximum casualties on the civilians, and this is what Israel faces. And of course Israel has been harshly criticized for its so-called disproportionate response. But what is proportional? Should Israel fire 6,000 rockets into Gaza indiscriminately? Israel would not do that. On the contrary, it seems as though Israel has gone out of its way to even contact noncombatants who live next to the rocket launchers in advance to warn them of approaching danger.

Hamas has been deliberate in the locating of its security forces in residential neighborhoods. They put these rocket launchers in areas that are intended both to deter Israel from attacking in the first place, as well as to turn world opinion against the democratic state when it does try to silence with counter-battery fire these rockets.

Madam Speaker, no one wants to see human suffering. I would like to see this come to an end. And the longer

this goes on with Hamas, the longer international attention will be taken away from the even more serious threat of Iran's nuclear program. More delays in terms of taking out Hamas only work in favor of the Islamic state over in Iran at this point, and they are helping provide the rockets.

Mr. BERMAN. Madam Speaker, I am pleased to yield 1 minute to the majority leader for the House of Representatives, the gentleman from Maryland (Mr. HOYER).

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

Mr. HOYER. I thank the gentleman from California and I thank the gentlelady from Florida for bringing this resolution to the floor.

Today the House will stand in support of Israel as it faces enemies bent on its destruction.

For 8 years, Hamas, aided by Iran and others, has sent deadly rockets and mortars into Israel; so many have already talked about that. In 2005, Israel dismantled its settlements and withdrew its military from Gaza, and still the rockets came, more than 6,000, as has been related, since Israel's withdrawal.

I was in Israel on August 15 of 2005 with a delegation, a meeting with Ariel Sharon. It was a courageous act that the Israelis took; it was a controversial act that the Israelis took. It took great political courage to do what the Israelis did. And there were many citizens in that democracy that demonstrated against that action because they feared what would happen is what is happening now. Each one of them, the rockets that have been sent, those 6,000—intended to kill the maximum number of civilians and falling indiscriminately on southern Israel cities and towns—was a war crime by any definition. Mr. ROYCE spoke of that, as to what our response would be if Mexico or Canada—which obviously has not done so nor would they—but if they did that, what our own citizens would demand of us. Mexico would not exist, nor would Canada, quite simply put. We would not tolerate, and no amount of criticism leveled on us would in any way modify our response.

The harm of these missiles is undeniable, I've seen it firsthand. When I traveled to the southern Israel town of Sderot, I met families whose children had lost the ability to speak, who no longer had control of their bodily functions. That is the profound and ever-present fear that covers much of Israel today.

Let us be quick to intone, however, our sympathy for the children and for the families of the Palestinians living in Gaza. Let us not forget that the problem with these conflicts is that it is the innocent who suffer the most. How tragic it is, I believe, that for over six decades the Palestinian people have been led by those who rationalize the use of terror and rationalize the premise of the destruction of Israel, established by the United Nations of the world. How tragic it is that the Palestinians have not had among their number a Gandhi, a Mandela, a Martin Luther King, Jr., who said the way to solve this problem is not through terror and violence, but the way to solve this problem is through reason and an appeal to moral suasion in the world community. How tragic it is that the Palestinian children and the Israeli children and their families—men, women, older people—on both sides have been subjected to the terror sold by Hamas, Hezbollah and other terrorist organizations. But the reality exists today that Hamas is in control and is threatening, and that is the danger that Israel nor any nation could endure.

As Secretary Rice said last week, and I quote, ''Hamas has held the people of Gaza hostage ever since their illegal coup against the legitimate President of the Palestinian people.'' To the Hamas terrorists, the ordinary people of Gaza are not fellow citizens, but all too often propaganda props.

As reporter Jeffrey Goldberg writes, and I quote, ''Hamas terrorists unblinkingly and ostentatiously use their own civilians as human shields. I have seen this up close, and it's repulsive.''

For Hamas, the lives of Palestinians are valued as cheaply as the lives of Israelis. How sad it is for both those people. Having exhausted diplomatic options and confronted with an enemy sworn to its destruction, Israel has been given no choice but to take military action in order to relieve the threat against its people.

How sad it is, my fellow colleagues, that the international community responds strongly today, but has failed to respond strongly to the decades of terrorism visited on Israel—and yes, visited on the United States—by those who employ terror and destruction and murder against innocence.

By offering this resolution, we recognize Israel's right to act in self-defense as we claim for ourselves and for every nation of the world—that same right claimed by America and any other sovereign nation when faced with a similar threat.

We urge both sides to protect the lives of civilians. I believe the Israelis are trying to do that, and they have always tried to do that. It is demonstrably true that that is not true of Hamas or Hezbollah or other similar terrorist organizations.

We urge the administration to work towards a durable—and that is the operative word, ''a durable,'' not a temporary cessation, not a 5-minute or 5-day or even 5-month cessation from terror—but a durable, sustained cessation of the terror, a durable cease-fire that puts an end to the fighting and to its cause—Hamas' ability to threaten Israel and to produce the weapons of terror.

Only when Israel's enemies forswear violence and recognize Israel's right to exist will we be any closer to a just and lasting peace, which the people need. And when I say the people need that, I don't mean the Palestinian people or the Israeli people, but the people need on both sides of the line, but which Hamas, Hezbollah, Islamic Jihad and other such terrorist groups have refused for decades now to take place, a peace in which the Palestinian and Israeli people can live in their own states side by side. That is our objective, that is the objective of this resolution. Let us stand with Israel's right to defend itself and its people and defeat terror.

Ms. ROS-LEHTINEN. Madam Speaker, I am proud to yield 2 minutes to the gentleman from Indiana (Mr. PENCE), our distinguished Republican Conference chairman.

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

Mr. PENCE. Madam Speaker, for a millennia, Israel was a dream; in 1948, it became a reality. But in recent days, the periphery of Gaza has become a nightmare for Israeli men, women and children.

I rise today in strong support of H. Res. 34, a bipartisan measure which recognizes Israel's right to defend itself against attacks from Gaza and reaffirms the United States' strong support for our partner.

□ 1000

Time is of the essence. This very morning Hamas continues to fire rockets into Israel despite the United Nations cease-fire resolution passed last night. Israel has a right and Israel has a duty to defend her people against the attacks of a terrorist group that victimizes the people of Gaza and Israelis on her borders. In the face of those evil acts no nation could tolerate, I commend Israel for working to minimize civilian casualties.

But in these dire circumstances, America must stand with Israel. We must show the resolve of our relationship as peaceful democracies, and we must show the resolve of a relationship borne of the intimate and deepest held values of both of our people, for the history of Israel is a history of struggle.

Over 60 years ago, the State of Israel, under the leadership of a small band of courageous Zionists, declared independence in its ancient homeland. It was promptly recognized by the United States, and it was promptly attacked by its Arab neighbors. The more things change, the more they seem to stay the same.

Israel prevailed against the long odds then, again in 1967 and in 1973 and countless other times, and Israel will prevail again today; but she will not do so alone.

We and all the freedom-loving nations of the world must stand with Israel and condemn the violence that's been perpetrated against her people. We cannot stand idly by while a gathering menace grows in the region and a

menace perpetrates such acts of evil against our cherished allies.

We must come together to rededicate ourselves to the preservation and protection of Israel as a Jewish state and of Jerusalem as her eternal capital, and I commend all of my colleagues for bringing this timely resolution to the floor.

Mr. BERMAN. Madam Speaker, for a unanimous consent request, I yield to the gentleman from Rhode Island (Mr. KENNEDY).

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

Mr. KENNEDY. Madam Speaker, I rise in support of Israel's right to defend its citizens from the terrorism and extremism of Hamas.

Our government has a responsibility to stand in solidarity with Israel as it endures a difficult moment in its history.

Imagine if an American town or city was hit by a barrage of rocket and mortar attacks? How would we respond? How would we react?

Just as America would not tolerate violence against its people, Israel should not have stand idly by and watch while rockets rain down on its citizens.

Israel has correctly taken steps that will ensure that terrorism against its nation will be punished with the hope that one day its nation can live in peace.

Fifteen Israelis have lost their lives since the beginning of Hamas's rocket and mortar attacks in late December.

While I deplore the cowardly attacks from Hamas against the Israeli people, I am aware of the suffering of Palestinian people living in the Gaza Strip.

Since the conflict began, hundreds of Palestinians civilians have lost their lives.

But make no mistake about it, this conflict was created by Hamas's unwavering commitment to violence against both Israelis and Palestinians.

Since coming to power in 2006, Hamas has done nothing but terrorize Israelis and intimidate the Palestinian people with its iron-fist militancy.

This terrorist organization openly recruits suicide bombers to launch attacks in Israel but in Arab nations as well.

Just last week, a female suicide bomber killed over 100 innocent Iraqi Muslims without causing the slightest outcry from Hamas.

In Gaza, where Hamas has ruled for several years, Palestinians are without decent schools, affordable healthcare and any semblance of a bright economic future.

This is because Hamas's mission is not to lift up Palestinians, it is to inflame passions and stir hatred against the State of Israel.

Hamas represents a great threat to international peace and to the stability of Israel and will continue to do so as long as it remains a significant force in the Middle East.

For too long Hamas has terrorized both Israelis and Palestinians alike. It falsely believes that it can use terrorism and intimidation to bully Israelis to the bargaining table.

Mr. BERMAN. Madam Speaker, I'm pleased to yield 2 minutes to the gentleman from West Virginia (Mr. RAHALL).

Mr. RAHALL. I thank the distinguished chairman of the Foreign Affairs Committee for yielding me the time and certainly respect his work on this resolution. We have talked about this issue numerous times over our careers in this body.

Madam Speaker, I am saddened by the recent escalation and fighting over the past few weeks in the Middle East. I condemn the Hamas attacks and recent air strikes in southern Lebanon into Israel. My hope is that all sides can take a step back, deescalate the fighting, and work together to renew the cease-fire agreement that expired on December 19. At the same time, humanitarian aid and assistance should be allowed to reach those in the region that need it the most, particularly civilian victims of the conflict.

Military action alone is not going to be a solution to the problems in the Middle East; we all know that. Working towards a lasting, peaceful solution to these conflicts by addressing the root causes is in the best interests of the United States.

The current fighting is not in the best interests of the United States. Only the extremists on both sides are the winners. Those moderates in the middle, both in Israel and on the Palestinian side, are the real losers in the current fighting.

Make no mistake about it. This campaign was planned some time ago, not just at the expiration of the cease-fire in December. Recent events in Israel show that the prime minister election coming up in February certainly have been a major factor in these air strikes, witnessing meteoric rise of Defense Minister Ehud Barak from almost nothing in the polls to now leading for prime minister of Israel.

So make no mistake about it, there are a variety of factors on all sides that come into play. There's no political will on the Palestinian side. There's no political side on the Israeli side to reach a real agreement in addressing the root causes.

This resolution, while there's nothing in that it can be denied, is not in my opinion in the best interests of resolving this conflict. We applaud what happened in the United Nations last night, but we know that what happens in the United Nations is far different than what happens on the ground in the region.

We urge the Egyptians, along with the Palestinian Authority, to reach an agreement in Cairo, as they are negotiating as we speak between Israel and Hamas, so that we can start addressing the smuggling of arms and the root causes of the conflict in the region.

Mr. BERMAN. Madam Speaker, I'm pleased to yield 4 minutes to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. I thank the gentleman.

I support Israel's security and its right to exist in peace, without the fear of rocket attacks from Hamas. And I abhor the violence which has been visited upon the people of Israel who are subject to such attacks. However, I would submit that the resolution, which this Congress will vote on, is in incomplete, that it doesn't sufficiently take sufficiently take notice of the Arms Exports Control Act, which the United States is governed by in terms of its transmittal of arms to Israel, nor does it take notice of the humanitarian conditions sufficiently, nor establish a true path towards peace. And for that reason, I will oppose this resolution.

Israel is an established democracy and a firm U.S. ally. It's also signed agreements governing the use of U.S. military assistance. The Arms Export Control Act of 1976, which governs shipments of weapons from United States to foreign nations, requires that each Nation receiving a shipment of arms from the United States must certify that the weapons are used solely, solely for defensive purposes, not increase the escalation of conflict, nor prejudice the development of peace agreements. And I think in each case, the Israeli use of arms given by the U.S. has failed that test.

Israel has had Gaza under a punishing blockade. A blockade is in itself an act of war, at which time Israel has had complete control of access to Gaza. The Israeli government even made a truce with Hamas in bad faith, because at the same time it was making the truce, it was preparing to attack Gaza, to pursue its policy of regime change, an all-out attack on Hamas to oust Hamas, without any regard to the law and to the consequences to the civilian population of Gaza.

The people of Gaza have no army, no navy, no air force. Israel using F–16 jets and Apache helicopters acquired from the United States is engaged in a military offensive inside Gaza, escalating the conflict in Gaza, and prejudicing the development of peace agreements, contrary to the letter of the stated policies and purposes of U.S. military assistance to Israel.

Now, we know from news reports that the United Nations gave the Israeli Army the coordinates of U.N. schools and that schools have been hit by Israeli tank fire, killing dozens. The U.N. put flags on emergency vehicles and coordinated the movements with the Israeli military, and those vehicles came under attack, killing at least one emergency worker.

The Israeli Army evacuated 100 Palestinians to a house, and then bombed the house, killing 30 people. They don't have bomb shelters in Gaza. Emergency workers have been blocked by the Israeli Army from reaching hundreds of injured persons. Today's Washington Post headline documents that.

We all want peace, but we're not going to get peace until we recognize that there are two parties to this dispute and that we have to also review Israel's conduct as well. That path to peace has to begin with stopping the war, having a cease-fire, constructing a truce, ending the blockade, getting humanitarian assistance through to all the people, rebuilding the infrastructure of the Palestinians, rebuilding

their economic possibilities, bringing Hamas and Israel together for talks, using that as the basis to the path for peace in the Middle East.

This resolution is, therefore, incomplete and I will oppose it, but I urge this Congress to take these concerns up again next week so that we can address the humanitarian issue and, by doing so, open up the possibility of this Congress playing a more constructive role in helping to achieve peace in the region by reaching out to all the parties, notwithstanding the devastating conflict that has been visited on both sides.

Ms. ROS-LEHTINEN. Madam Speaker, I am pleased to yield 30 seconds to the gentleman from Colorado (Mr. LAMBORN).

Mr. LAMBORN. Madam Speaker, Israel has a responsibility to protect its citizens. Hamas has blatantly ignored any cease-fire agreements by assailing Israel with thousands of rocket and mortar attacks during the last 8 years, nearly half during this last year, including the 6-month so-called cease-fire.

Israel has the right to defend its people from terrorist attacks and is only taking the actions currently taken in direct response to Hamas policy.

Madam Speaker, I support this resolution, H. Res. 34, and I urge its adoption.

Mr. BERMAN. Madam Speaker, I'm pleased to yield 1 minute to the chairman of the subcommittee that covers the jurisdiction of terrorism and arms and human rights, the gentleman from California (Mr. SHERMAN).

Mr. SHERMAN. Hamas claims to be beleaguered, but it has rejected the U.N. Security Council cease-fire resolution passed last night. Hamas has done everything it can to increase civilian casualties, including the use of human shields. Yet even U.N. estimates say that over two-thirds of the Palestinian casualties have been gun-toting militants, and, other estimates put that number at over three-quarters.

When Hamas launches rockets from a neighborhood, an Israeli sergeant has seconds to decide whether to return fire, and there's always a pundit to vilify that decision. But moral culpability for civilian casualties does not lie at the feet of sergeants. Moral culpability for the horrors of war lies with politicians who seek extreme and unjust ends, through violent means.

While Israel seeks to live in peace alongside a Palestinian state, Hamas seeks to kill or expel every Jew from the Middle East. Hamas proudly waves the banner of genocide and ethnic cleansing.

Vote for the Resolution.

Ms. ROS-LEHTINEN. Madam Speaker, I would like to yield 1½ minutes to the gentleman from California (Mr. ROHRABACHER), a senior member of the Foreign Affairs Committee.

Mr. ROHRABACHER. I rise in support of this motion, and let us note that those of us who are seriously saddened by the bloodshed and the carnage that is going on and the loss of innocent lives in Gaza, people being killed and bodies of children being torn apart, we see this horror story. But let us note and we don't have to be reminded that, yes, this is a fight and Israeli planes are dropping those bombs. But if we are serious about ending this tragedy, we must be brutally honest and not give in to ignoring the hard truths which our allies overseas seem to be doing.

In this case, the hard truth is the real blame for this carnage is not Israel. It can be traced back to Hamas, to radical Islamists and those who supplied them their rockets and their weapons. The radical Islamists who ruthlessly and without remorse did what they knew would bring retaliation and slaughter on their own people, they are the ones to blame. The hatred in their hearts, the hatred of Israel, the irreconcilable hatred of those people obviously outweighs the commitment to the safety of their own women and children in Gaza. They are the ones who are to blame for the carnage that is going on right now, and we should not hesitate to condemn that if we really want to bring a peace in the Middle East.

Yes, bloodshed is horrible, and yes, we must also recognize that Israel is doing no more in this case than what any sovereign nation would do if they were attacked. By protecting its own people from attack, this retaliation which has caused this loss of life in Gaza, we must recognize the real villains in this story are not the Israelis. The Israelis are open to peace. The real villains are those people who have ignored the opportunities for peace and, instead, shoot rockets into Israel, knowing there will be retaliation.

Today we are saddened by the loss of innocent lives in Gaza; people being killed and wounded, bodies of children torn apart, all of this is a horror story. If we are serious about ending this tragedy we must be brutally honest, and not give in to ignoring hard truths. In this case the hard truth is that the real blame for this carnage in Gaza is traced to actions taken by Hamas, radical Islamists, and those who supply them with rockets and other weapons.

There was a tremendous opportunity for peace when Israel withdrew its troops from Gaza in 2005. Instead of moving forward and building a Palestinian homeland, irreconcilables have launched nearly 7,000 rockets and mortar rounds into Israel since Israeli troops left.

The hate-filled radicals who launched missiles into Israel—Hamas triggermen, not Israeli pilots—are the ones who are really responsible for the horrible mayhem we are witnessing in Gaza.

The radical Islamists ruthlessly and without any remorse did what they knew would bring retaliation and result in the slaughter of their own people. The hatred of Israel in the hearts of these Hamas radicals clearly outweighs their commitment to the safety and well being of their own people. That's a hard fact. And that after shooting rockets into Israel, they hide among and behind non-combatants—women, and children—makes their actions even more despicable.

An honest assessment leads to the conclusion that Hamas doesn't want peace with Israel and has no desire for a two state solution. Hamas wants a war that will destroy Israel. This commitment is the real cause of the current bloodshed in Gaza. Once Israel left Gaza, Hamas should have used its resources, their money, our money, on health care, education, roads and economic development in Gaza. Instead they have chosen death and destruction.

Recently China's representative to the U.N. Security Council voiced concern about, "large-scale Israeli air attacks against Gaza." Now, that takes chutzpah! According to a January 1st report in the Jerusalem Post, many of the rockets fired into Israel "were manufactured in China. These Chinese rockets were smuggled into Gaza after the Sinai border wall was blown up by Hamas in January." Making matters worse the State Department and the White House hasn't mentioned a word about the China connection to the turmoil in Gaza, just as they're mum about Chinese complicity in crimes elsewhere.

Yes, the bloodshed is horrible, and yes, Israel is doing what any other sovereign nation would do. It is protecting its people by retaliation when attacked. Those who shoot rockets into Israel know there will be retaliation, thus they are the responsible party for the bloodshed we are now witnessing. It's the hard truth we can't ignore if we are to someday end this terrible heart-wrenching violence.

Humanitarians do the cause of peace no favor by blaming Israel for retaliating, instead of fixing responsibility on those who initiated the violence by attacking Israel.

Mr. BERMAN. Madam Speaker, at this time, I would like to ask unanimous consent that there be an additional 6 minutes of debate on the resolution under consideration and that it be equally divided between both sides.

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

There was no objection.

□ 1015

Mr. BERMAN. Madam Speaker, could I inquire about the time remaining on each side?

The SPEAKER pro tempore. The gentleman from California has 7¼ minutes and the gentlewoman from Florida has 3 minutes.

Mr. BERMAN. Thank you, Madam Speaker.

I am pleased to yield 1 minute to the gentleman from New York, the chairman of the Western Hemisphere Subcommittee, Mr. ENGEL.

Mr. ENGEL. I thank the gentleman.

Madam Speaker, I rise in support of the resolution. I support the right of democratic Israel to defend itself against terrorism by Hamas.

We know that missiles have been raining down on Israel, more than 7,000 in the past few years, and that the Palestinians, Hamas, are using its people as human shields. We say to Hamas you will not be allowed to use terrorism as a negotiating tool. The hypocrisy of the negotiating community

and the U.N. and demonstrators around the world, we say to those people, you will not hold Israel to a different standard than any other country when it comes to protecting the safety of its citizens.

To those who say that Israel is using disproportionate force, is it disproportionate to want to protect your citizens from terrorist attacks? We want to see two states, a Palestinian state and an Israeli state, living side by side, a Jewish-Israeli state, an Arab-Palestinian state. We want to see that. Hamas does not, Israel does.

There are three things that Hamas needs to do before it is a player in the international community. It needs to recognize the right of Israel to exist. It needs to abide by previous agreements signed by the Palestinians, and it needs to reject terrorism as a negotiating tool.

There is strong and bipartisan support in this Congress for the democratic State of Israel, and we stand by Israel when it has tried to defend its citizens from being attacked by terrorism. That is why we have bipartisan support, and that is why the United States will always stand with the democratic nation of Israel, the only democracy in the Middle East.

Ms. ROS-LEHTINEN. Madam Speaker, I would like to yield myself such time as I may consume.

Madam Speaker, I would like to make five simple points that get to the heart of what is happening right now.

First, Israel is a democratic Jewish state that respects human rights and desires peace with its neighbors, innocent civilians, innocent Palestinians included. The jihadists in Gaza continue to terrify thousands of innocent Israelis with their attack, while Israel continues to facilitate the transfer of humanitarian aid into Gaza.

Second, Hamas is a hate filled, violent, Islamic militant group that is backed by Iran and Syria regimes and seeks Israel's destruction.

Third, like any sovereign nation, Israel has the right to defend herself, her existence and to protect her citizens from attack, whether by Hamas or Hezbollah or other radical Islamists.

I have been to Sderot, and I have watched as air raid warnings forced the entire population, including children, to hide from an incoming attack.

Fourth, the actions and aims of violent Islamist extremists and their state sponsors is not just a threat to the Middle East peace and security, but to global peace and security. Today it's Hamas, tomorrow Hezbollah, the Taliban, al Qaeda, and so on.

Fifth, the U.S. and Israel are in this together. We have a saying in Spanish about close alliances that describes the U.S. and Israel friendship perfectly, we are two wings of one bird.

We depend on each other for our security and our existence. America and Israel are engaged in a broader conflict throughout the world, a struggle between liberty and tyranny, between those who love life and those who preach death. We did not seek this struggle, but we must win it.

As we stand at this important day in our living history, let us remember the consequences of inaction in the face of evil. For many years, responsible nations turned the other way, refused to accept the reality of what Israel was subjected to.

But no responsible nation could stand by and allow such attacks to continue, allow thousands and hundreds of its people to continue to live in constant fear of being murdered at any moment. No responsible nation could defer its security of its people to entrenched bureaucrats, the European Union, the United Nations, who constantly chastise Israel for taking all necessary actions to protect her own people.

Despite the U.N.'s rhetoric, there is no moral or legal equivalent between militant Islamic extremists who target civilians and a democracy that responds by targeting them. This false moral equivalence only persuades militants to persist in the unlawful action against civilians.

So, Madam Speaker, I hope that the House will carefully consider this resolution, will look at the actual language of the United Nations' resolution that points no finger at Hamas and its violent action and only points its finger at the democratic State of Israel. It's an unbalanced resolution. The United States was correct in not voting in favor of it.

Israel must not abide by it. We all want peace, but Israel wants peace with security as well.

With that, Madam Speaker, I yield back the balance of our time.

Mr. BERMAN. Madam Speaker, for the purpose of making a unanimous consent request, I am pleased to yield to the chairman of the Energy and Commerce Committee, Mr. WAXMAN.

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

Mr. WAXMAN. Madam Speaker, I thank the gentleman for yielding.

Madam Speaker, I rise in strong support of H. Res. 34, a resolution that expresses solidarity with Israel in its efforts to defend itself from Hamas. The resolution also calls on the President to work for a durable and sustainable ceasefire, stresses the need to address the humanitarian situation in Gaza and emphasizes the importance of protecting innocent civilians to the maximum extent possible.

The Hamas leadership has held the Palestinian people hostage to its terrorist aspirations. Peace negotiations have been stalled by its bloody coup against Fatah and Gaza is now in shambles because of its relentless rocket fire against Israel. If Israel is unable to stop Hamas from rearming again, hope will continue to fade for achieving an enduring two state solution with a democratic Jewish Israeli state living beside a viable, independent and democratic Palestinian state.

In the summer of 2005 Israel disengaged from Gaza entirely, unilaterally removing settlements and military installations at a great financial and political cost. One year later Israel went to war with Hezbollah, despite the Israeli Army's complete disengagement from Southern Lebanon six years earlier.

The Israeli people face a grim reality that Hamas and Hezbollah seek their destruction despite Israel's overtures of peace and tranquility. Although that does not mean Israel will not continue to take risks for peace, it is imperative that Israel and the United States continue to take all measures necessary to fight these terrorists and safeguard Israel's security.

Mr. BERMAN. Madam Speaker, I am pleased to yield 1 minute to the gentlelady from Nevada (Ms. BERKLEY).

Ms. BERKLEY. I thank the gentleman from California for yielding.

Madam Speaker, I rise today in strong support for this resolution and for Israel's right to defend itself. No nation could be expected to stand idly by as its citizens are bombarded by missiles launched 20, 30, 40 times a day by a terrorist organization on its orders.

These daily attacks have caused death and inflicted enormous physical and emotional damage on the people of Israel. Their government, the Israeli government, has shown extraordinary restraint in not retaliating until now.

For those of my colleagues who expressed concern or outrage for Israel's actions, where was their concern and outrage when Israeli children were killed by indiscriminate Hamas rockets? Where is their outrage when Israel asked Egypt to close the tunnels to stem the flow of weapons coming from Egypt to the Gaza? Where is their outrage then?

Hamas is all too happy to fire their missiles from schools and mosques and houses, putting their own families at risk in order to maximize civilian casualties. Their own leaders cynically embrace a culture of death, not only for Israel, but their own people.

I urge support for this resolution. We should be standing by the only democracy in the Middle East, Israel.

Mr. BERMAN. Madam Speaker, I am pleased to yield 1 minute to the gentlelady from California, Mrs. SUSAN DAVIS.

Mrs. DAVIS of California. Madam Speaker, I rise today in support of Israel's right to self-defense and a broader U.S. diplomatic role in the Middle East. The Israeli government has a right and a responsibility to defend Israeli citizens, and we have an obligation to support our ally in times of crisis.

But this body also has an obligation to advance the dialogue beyond the conflict of today toward how we can achieve a stable peace in the future. This conflict shows that the United States cannot manage the situation from the sidelines.

This approach only serves Iran and radical elements in the region. Rather, we must maintain a high diplomatic presence that allows responsible parties to capture every opportunity for peace.

I believe that the new administration and the new Congress represent an opportunity to regain our position as an

honest broker in the region. For this to happen, the tone coming from Washington must be in sharp contrast to the last 8 years.

Congress helped set that tone, which is where I hope my colleagues will use this tragedy as an opportunity to call for an end to this conflict and a broader, American, diplomatic presence in the region.

Mr. BERMAN. Madam Speaker, I am pleased to yield 1 minute to a member of the committee, the gentlelady from Texas, Ms. SHEILA JACKSON-LEE.

Ms. JACKSON-LEE of Texas. I thank the distinguished chairman.

Madam Speaker, I rise to support H. Res. 34. War is ugly. That is why it took more than 6,000 or so rockets before Israel decided to defend herself. There is no doubt that we, as Members of Congress, wrap ourselves around the need for humanitarian aid and relief. We too feel the pain of loss of life.

But I think it is important to understand the resolution. It gives a wonderful roadmap for the decision of peace, a two-state solution, Israel and Palestine.

But what it does say, and what all of us have to commit ourselves to, is that no nation can stand for the extinguishing of other people in another sovereign nation. All Hamas has to do is to stand for the dignity and integrity of the Palestinian people, to allow Israel to survive and stand, to commit to its existence and to promote the survival of its people.

We must rally around people, women and children and families. But we cannot engage in peace unless all stand down.

This resolution is a roadmap for that. It is to encourage Egypt to continue in the peace process. It is to close the tunnels. It is to make sure that we are supporting the dignity of all.

I support this resolution. I beg the people of Palestine to stand up for dignity, peace, democracy and freedom for all.

Madam Speaker, thank you for your leadership in bringing this timely resolution to the floor today. I want to also thank the minority leader, Congressman BOEHNER for working with us in a bipartisan manner on this important issue.

Let me start off by saying that I support House Resolution 34—recognizing Israel's right to defend itself against attacks from Gaza, reaffirming the United States' strong support for Israel, and supporting the Israeli-Palestinian peace process.

I support this bipartisan resolution because I believe that we must support a countries right to defend itself against terror attacks. I believe that we must not show support for Hamas, when it launches rockets indiscriminately, at civilians or when it incorporates elements of terrorists infrastructure into civilian population centers.

This resolution promotes a durable and sustainable cease-fire in Gaza, which would not allow a reestablishment of the status quo ante where Hamas can continue to launch rockets out of Gaza. Moreover, a durable and lasting cease-fire would ensure that innocent Palestinians especially women and children are protected and humanitarian assistance is allowed to flow freely.

We all want to see peace take place in this region. While diplomatic means should always be sought first, there comes a time when a nation must defend itself. Sadly, this defense often comes with many innocent civilian casualties for which we all extend our deepest condolences.

I encourage our friends in Israel to take greater steps to protect the innocent Palestinians living in and along the Gaza strip and allow more humanitarian goods and services to enter the area to help the people of Gaza, especially elderly, women, and children. These are the victims on both sides of this conflict.

John F. Kennedy said years ago that "those who make peaceful revolution impossible will make violent revolution inevitable." As the rockets have continued to be fired into Israel, we have seen Hamas refuse to comply with the urgings of the United States, the European Union, Russia, and even the United Nations requests for a cease-fire. I urge Hamas to reconsider for the sake of the Palestinian people.

Although, violence begets violence and yet even in our great Nation we provide for defense of self. I do not support violence, however we would not expect a child to continue to be bullied, to continue to be beat up, to continue to have violence inflicted upon him without understanding when that child decides to fight back.

As missiles have been fired into their homes, shops, and restaurants the people of Israel have finally decided to respond.

I support the people of Israel and their right to be free from violence, free from terror, and free watching their friends and families die. I also support the innocent Palestinians right to be free from violence and have access to humanitarian relief. I am sad that the innocent Palestinians' have to suffer for the violent acts of Hamas. Along with many of my colleagues, I continue to call for a cease-fire and an opportunity for diplomatic negotiations to succeed that would include a two state solution of Palestine and Israel.

Mr. BERMAN. Madam Speaker, I am pleased to yield 1½ minutes to the gentleman from Minnesota (Mr. ELLISON).

Mr. ELLISON. Madam Speaker, I come to the floor today torn about this resolution. Though I welcome resolutions by the Congress to express support for the people of Israel and Gaza at this difficult time, this resolution does not do enough to move towards a stable and durable peace in the Middle East.

I feel that I cannot vote against the resolution, because I believe every country has a right to defend itself. I have been to Sderot, and I have seen firsthand both the physical and emotional destruction caused by the rockets.

Last fall I voted for a resolution specifically condemning the rocket attacks into Israel. However, I feel I cannot vote for this resolution either, because it does not sufficiently address the human suffering by Palestinians in Gaza. Over 750 people have been killed, 250 of them children, 50 of them women, with over 3,000 people injured.

Mosques have been bombed, schools as well. Even before the recent military operation, life for the people in Gaza has become increasingly unlivable under a crushing blockade. The Red Cross has been obstructed, 800,000 people without water, 1 million people without electricity.

That is why I intend to vote "present" today. Hopefully we can urge this Congress to not simply declare its support of its ally, but will actually move its ally and the rest of the region toward a more durable, sustainable, final solution to this conflict.

History has shown that ground troops and air strikes have not resolved conflict in the Middle East. If we try to resolve conflict with military might and nothing else, then we will be no safer than we were before. No one will be. Diplomacy is necessary to save lives and yield a lasting peace with security.

The United States must play a more active role in pursuing real peace in the Middle East.

Mr. BERMAN. Madam Speaker, to close the debate, I am pleased to yield to the chairman of the Middle East and South Asia Subcommittee of the House Foreign Affairs Committee, the gentleman from New York (Mr. ACKERMAN).

The SPEAKER pro tempore. The gentleman from New York is recognized for 2¼ minutes.

Mr. ACKERMAN. I thank the chairman.

Madam Speaker, my colleagues, I spent Sunday in Sderot with Mayor Bloomberg of New York. We were being briefed by some people on the Israeli side of the border with Gaza when suddenly, after 14 missiles had already fallen that morning before we got there, the sirens started screaming, and we were rushed and told we had 20 seconds to get into a fallout shelter before the missile hit, rather petrifying.

I cannot imagine what I would have done had I children out on the street, as happens each and every day, sometimes hourly in that little town, trying to live peacefully across the border from its neighbor.

□ 1030

I listened very, very carefully to our colleagues, especially to the gentleman from Ohio, who has run twice on our side for the Presidency of the United States, and the gentleman from Texas, who ran twice for the Presidency of the United States on the other side of the aisle, and I was wondering, had they become President, either of them, and God forbid our country was struck by missiles, and they had taken the oath to defend our country, how many missiles would have had to have fallen before we struck back?

Countries have rights to defend themselves. It is not just one missile or two missiles or three missiles. From the beginning of this decade, each year over 1,000 missiles have been launched from Gaza on Israel. Thousands of missiles. And yet they have held their

strength, they have held their warnings that they issued, with the patience of Job. A country that was founded to protect the lives of Jews from destruction and annihilation after World War II held its calm, held itself together, until the missiles started falling 50 a day, 80 a day, 100 a day. And they warned the Palestinians that they would strike back, and they have, as is their right, as is their responsibility to their citizens.

We are all upset at the loss of innocent lives in this altercation and any altercation. But, you know, it reminds me of my two boys when they were growing up and they would get in a little hassle with each other, and I would separate them and say, Who started this? And Ari would say, Corey hit me back first.

If you don't want to be hit back, don't hit. That is the message. Israel has the right to defend itself, and we stand with Israel as it exercises that right to live in peace with its neighbors.

Mr. MCMAHON. Madam Speaker, I rise in strong support of H. Res. 34, this bipartisan legislation sponsored by our Congressional leadership and to stand with Israel and its efforts to protect innocent Israeli civilians against attacks by Hamas.

No country would permit attacks against innocent people, regardless of the political agenda or concerns that motivate such actions, and we in the international community cannot do so here.

We all know Israel as a country of peace, and the only way Israel and its neighbors will be able to enjoy a true and lasting peace will be through the agreed upon process working toward a two-state solution. We cannot let a group of terrorist extremists derail the hard work that our President, Israel, and leaders throughout the region have worked so hard to achieve.

In their oath of loyalty, members of Hamas declare that ''death in the cause of God is their supreme desire.'' And since Hamas unilaterally decided to breach its agreed upon truce and renew its attacks on Israel on December 24, we have seen the horrors that occur when this extreme ideology is put into effect against innocent people—both Israeli and Palestinian alike.

Residents of Israeli communities near Gaza have endured over 6,000 rockets crossing into their borders, threatening their lives, and breaching a 6-month cease-fire.

Hamas continues to concentrate its bases of operations close to Palestinian residential neighborhoods and humanitarian centers—sometimes even firing rockets from rooftops of school buildings.

And while there are some who say that Hamas is merely a problem just for Israel, Hamas' utter disregard of innocent human life ultimately affects us all here in the United States, and all peace-loving people around the world.

In the face of increasing international terror, we in the United States must condemn the actions of Hamas. Hamas refuses to employ peaceful methods in dealing with Israel and refuses to acknowledge its right to exist.

The unyielding disregard for human life that Hamas displays is not only a terrorist strategy against Israel, but an ideology that Hamas strives to spread to others in that region and to the global community as a whole.

Israel has an absolute right to defend its citizens and borders. I therefore urge my colleagues to support House H. Res. 34, stand by our friend and ally Israel, and condemn Hamas for obstructing the basic human rights of both groups and the road to a peaceful coexistence between Israelis and Palestinians.

Mr. CAPUANO. Madam Speaker, I voted in favor of H. Res. 34, Recognizing Israel's right to defend itself against attacks from Gaza, because not to support that right would undermine Israel's rights as a sovereign state. That said, I continue to deplore the eagerness of this House to assign blame in a tragic and complicated historic conflict. It is true that Hamas began to fire rockets into Israel just days after the expiration of the 6-month cease-fire agreement. This properly elicited a reaction from Israel aimed at protecting its citizens. It is regrettable, however, that Israel was unable—in the 3 years after its unilateral withdrawal from Gaza—to work to strengthen those Palestinians who seek peace. I hope that a cease-fire observed by all parties, credibly verified and effectively monitored, will be followed by vigorous diplomacy. When calm is established, I urge the Government of Israel to engage in confidence-building measures to increase the likelihood of a negotiated settlement.

I urge my colleagues in the House to address the human tragedy in Gaza and southern Israel rather than to choose sides among suffering people. We must not forget that there are innocent Palestinian civilians suffering along with Israeli civilians. We would do well to acknowledge the plight of those on both sides of Gaza's border and the need to address the humanitarian crisis in a manner that allows free access to the necessary staff, supplies, and resources.

Mr. HOLT. Madam Speaker, I am voting for H. Res. 34, which expresses vigorous support and unwavering commitment to the welfare and security of the State of Israel. The indiscriminate rocket attacks by Hamas are an unacceptable assault on Israel's citizens and her sovereignty. Like all nations in the world, Israel has the right and responsibility to respond in self-defense. The United States has a responsibility to stand with Israel, our closest ally in the Middle East, during this crisis.

At the same time, the United States has a responsibility to ensure that the humanitarian needs in Gaza are being addressed promptly and responsibly. The present resolution, H. Res. 34, is not so clear on that. The United States should have done more to ensure that they were being met even before the recent fighting, just as the United States should have done more to stop the mortars and rockets fired from Gaza over recent years. I am troubled deeply by reports that the humanitarian situation, bad as it has been, continues to deteriorate. Israel must make every effort to protect the innocent and prevent the destruction of civilian communities. All parties must work as quickly as possible to enact a durable and sustainable cease-fire that will allow for a lasting improvement of the humanitarian situation in Gaza and for the long-term security of Israel.

It is critical to recognize that even a durable and sustainable cease-fire is only a temporary solution to the ongoing Israeli-Palestinian conflict. We should remember that extremism incubates in societies afflicted with poverty, hopelessness, and humiliation. We must work tirelessly to diminish the appeal and influence of terrorists by lifting up all of those trapped in these conditions. It is equally necessary that we continue to assist moderate Palestinians and strengthen governments that are committed to securing a lasting peace with the State of Israel.

I continue to believe that the United States has a vital role to play in brokering an enduring peace agreement. My thoughts and prayers are with all the innocent civilians suffering in Israel and Gaza. For their sake, the United States must recommit itself to bringing Israelis and Palestinians back to the negotiating table. This includes the need to create a viable representative of the Palestinians that can negotiate in good faith. And it includes the need to get the Israelis to make the daily welfare of ordinary Palestinians one of the principal criteria for any negotiations. The future security of the Middle East depends on negotiating a just, permanent, and peaceful settlement between Israelis and Palestinians that both guarantees Israel's security and establishes a Palestinian state.

Mrs. BLACKBURN. Madam Speaker, I rise in strong support of H. Res. 34, legislation that not only recognizes Israel's legitimate right to defend itself from terrorist threats, but also expresses this body's steadfast commitment to a strong, vibrant, and long-lasting relationship between the United States and Israel, the only functioning democracy in the Middle East. While rockets, mortars, and homemade weapons continue to rain down on Israel from Lebanon and inside Palestinian controlled territory in Gaza, this resolution places the world on notice that the U.S. House will not waver during Israel's hour of need.

The violence and terror inflicted on the people of Israel by agents of Hamas and their sympathizers represents a continuation of the organization's blood-stained history, and is little more than an extension of a decades-long campaign designed to destroy the State of Israel. It is a moral imperative to stand alongside the people of Israel while their government repels and quells the violence inflicted by Hamas, and today's consideration of H. Res. 34 provides much needed leadership that the international community would be wise to follow.

Make no mistake: the violence, death, and destruction suffered by both the innocent citizens in Israel and the Palestinian people is a tragedy that no man, woman, or child should be forced to endure. Yet this tragedy suffocating the innocents on both sides is not born of a decision taken by the Israeli government, it is singularly the result of a long-planned paramilitary campaign of terror initiated by a terrorist organization.

Madam Speaker, I rise not only to support this timely resolution, but also to join the chorus of voices in this chamber calling for the terrorists in Gaza to put an end to their campaign. Let the violence stop, and the healing process begin. Only then can the diplomatic process have a chance to work towards the international community's goal of a democratic, free, and vibrant State of Israel living side-by-side a peaceful and stable Palestinian community.

Mrs. SCHMIDT. Madam Speaker, I rise today to applaud this House for standing with our friend, the nation of Israel.

Madam Speaker, Israel has a right and a duty to defend herself from the savage attacks of Hamas launched from Gaza.

The Israeli government continues to work for peace, but the relentless attacks have left her with little choice but to use military force to stop the Hamas militants hiding among innocent civilians in Gaza.

Madam Speaker, Hamas must end its attacks on the people of Israel for peace to take root; I applaud this House for its strong support of our friend Israel.

Mr. HONDA. Madam Speaker, I rise today to offer my comments on H. Res. 34, a resolution which reaffirms our commitment to Israel and its right to defend itself against attacks from Gaza and Hamas.

I have always been a strong supporter of Israel, and consider myself a good friend to Israel. Israel's right to exist as a country is unquestionable in my mind, and I support its right to defend itself from those who would do harm to its people.

I also strongly support a durable and sustainable cease-fire in Gaza, and support a resolution to the conflict through diplomacy and negotiations between Israel and the Palestinian Authority. I have consistently supported efforts to increase peacemaking efforts in the region, including asking the President to appoint a special envoy to the Middle East.

For these important reasons, I voted in favor of H. Res. 34. This resolution rightly reiterates our support for the safety, security, and welfare of Israel. However, Madam Speaker, H. Res. 34 is not perfect, and my vote for it today is not unequivocal. The resolution does not adequately address the civilian casualties in Gaza, or the worsening humanitarian situation there. The world has a responsibility to join together to help solve this crisis. I also hope that the incoming Administration will turn this hope into reality.

The human consequence of this violence has taken a tragic toll on Gaza civilians, where access to basic humanitarian needs is limited, and dangerous. Some reports by the International Committee of the Red Cross describe the movement of ambulances and aid workers as extremely difficult, and attribute that difficulty to Israel's restrictions. In addition to this challenge, existing hospitals are running out of fuel, power, and supplies to treat victims.

We are right to support Israel's right to defend itself, but we must not forget that innocent Gaza civilians are living under harsh, even desperate, conditions right now. Both the Israeli and Palestinian people deserve to live a life free of the threat of attack or psychological fear. It has always been my hope that our involvement in the region may be used to improve the lives of the people affected by the Israeli-Palestinian conflict.

Once again, Madam Speaker, my vote in favor of H. Res. 34 reflects my strong support for Israel, but the severe humanitarian plight of Gaza civilians is something we must not ignore.

Mr. BLUMENAUER. Madam Speaker, I appreciate the widespread concern for the crisis unfolding in Gaza since December 27. The recent conflict in between Palestinians and Israelis is as tragic as it was predictable. The fundamental lesson in the Middle East is clear: without political processes that strive continuously for peace, events and the acts of extremists can overpower the desire of people across the region to reject violence.

I voted "present" because words matter and this resolution did not express adequately the scope of the humanitarian crisis. To that end I am joining other colleagues in urging the administration to work to meet the immediate humanitarian needs while we work for a cease-fire.

Any country facing such attacks would wish to respond firmly and decisively, yet it is frustrating to witness the region locked into a downward spiral of conflict. This path will give neither side what it wants, but will continue to destabilize the situation and further impede efforts at a resolution.

This cycle of violence must be broken. Yet, nearly a decade of failed Bush policies has left America in a weakened position at the table, less able to help deliver peace or improve the humanitarian situation on the ground. At least the administration declined to vote against a January 8 United Nations Security Council resolution calling for an immediate cease-fire in Gaza.

Forceful U.S. diplomatic reengagement now is critical. Though a secure Israel and an independent Palestinian state living side by side seems remote today, I have high hopes that the new Obama administration will exhibit a strong reversal of course and reengage the region. Our efforts here today are inadequate to this task. We must not only work for a cease-fire that halts this backslide into chaos, but move forward toward an ultimate solution that recognizes the legitimate needs of both Israelis and Palestinians. We know where we need to go, we must have the will to achieve it.

Mr. LARSON of Connecticut. Madam Speaker, I rise today in strong support of House Resolution 34, a resolution that recognizes Israel's right to defend itself from attacks by Hamas and reaffirms the United States's support of the Israeli-Palestinian peace process. I was extremely pleased to join with Speaker PELOSI, Republican Leader BOEHNER, and other bipartisan leaders of the House in introducing this important legislation.

Israel withdrew from the Gaza Strip in 2005 in hopes of reducing violence between Israelis and Palestinians. Unfortunately, just the opposite has occurred. Since Israel's withdrawal, Hamas have terrorized Israel by firing more than 6,000 missiles from Gaza into Israel's southern region. Israel, thankfully, has shown a remarkable level of restraint throughout these attacks. It was not until December 2008, when Hamas brazenly refused to continue a ceasefire, instead choosing to ratchet up its attacks, that Israel used military force in response.

The resolution before us today emphasizes the United States's belief that Israel has the right to self-defense. No other country in the world would or could have shown the level of restraint that Israel has over the past years. Moreover, none should ever be required to.

House Resolution 34 also recognizes the burgeoning humanitarian situation in the Gaza Strip. While Israel has provided humanitarian assistance throughout this conflict, the situation will not be fully addressed until a stable and lasting peace can be achieved between the Israelis and Palestinians. For that reason, the resolution states the United States's full support of a ceasefire that ends rocket attacks by Hamas, prevents additional arms and explosives from entering Gaza, and jumpstarts a diplomatic initiative in the region.

Madam Speaker, passage of this resolution will send the right message at the right time to our friends in Israel and our allies around the world. I urge its quick passage.

Mr. BARROW. Madam Speaker, I rise in support of H. Res. 34, supporting Israel and its government's right to defend itself against attacks from Hamas.

The relationship between the United States and Israel is based on a shared commitment to democratic values. Israel has stood on the front lines in confronting those who would use terror against civilians as a means of bringing about political change. During that time, the United States has stood for the political independence and physical security of Israel.

A government's first responsibility is to defend its citizens, and Israel has the same right and obligation to protect her people. If our people were being terrorized daily by a barrage of rocket fire, we would certainly act to defend ourselves, and we would expect no less of our Government.

Those who truly value peace and democracy are united in the belief that the only remedy to this crisis is a successful peace process. Working for peace is not an alternative to security, but is part of security. Without a peace process, and ultimately without peace, Israel remains insecure. That's why I rise in support of H. Res 34, recognizing Israel's right to defend herself, and that's why I voice my continued support for peace negotiations between Israel and Hamas. I hope that we can all look forward to the day when our countries will be able to devote less of our national treasures to the vital work of survival and self defense, and be able, instead, to devote ourselves to more profitable enterprises.

Mr. BACA. Madam Speaker, I rise today to support House Resolution 34, a resolution to recognize Israel's right to defend itself against attacks from Gaza, reaffirming the United States' strong support for Israel, and supporting the Israeli-Palestinian peace process.

Israel continues to be the United States' strongest ally in the Middle East.

Now Israel faces a tough situation with her neighbors.

Since 2005, Israel attempted to promote peace with the Palestinians by withdrawing its civilians and soldiers from Gaza in hopes of lessening day to day conflicts.

However, since then Israel has received over 6,000 attacks from the area of Gaza, including a flurry of attacks last month when Hamas abandoned a 6-month ceasefire.

The Hamas leadership continues to hold Palestinian civilians as hostages to its terrorist agenda and Israelis now find themselves within range of Hamas rockets.

The bloodshed and conflict of this situation will only lead to more devastation if nothing is done.

The United States supports Israel and all efforts to promote a cease-fire and a durable and sustainable resolution of the Israeli-Palestinian conflict.

I urge my colleagues to vote in favor of H. Res. 34, and stand for justice and humanity.

Ms. WASSERMAN SCHULTZ. Madam Speaker, I am proud to be a cosponsor of this essential Resolution, recognizing Israel's right to defend itself against attacks from Gaza, reaffirming the United States' strong support for Israel, and supporting the Israeli-Palestinian peace process.

As Israel faces intense international criticism for exercising its legitimate right to self-defense, southern Israel is being repeatedly and

consistently showered with Hamas rockets and northern Israel has been hit by rockets from Lebanon.

Like all sovereign nations, Israel has not only a right, but moreover, an obligation, to ensure the safety and security of her citizens.

Let me be very clear. Israel's response, her defense of her people, is in reaction to the hundreds of Hamas missiles that were targeted at Israeli citizens throughout the flimsy ceasefire of 2008.

Hamas's leaders, choosing terror against Israel over the welfare of the Palestinian people, have chosen violence over peace.

And while Hamas has been going out of its way to kill innocent Israelis, Israel has been going above and beyond—even putting itself at risk—to protect innocent Palestinians.

Specifically, Israel drops leaflets and makes phone calls to targeted Palestinian areas to warn citizens they are in danger, even if this means losing the element of surprise and putting the lives of its own soldiers at risk.

In contrast, Hamas deliberately attacks Israeli civilians and uses its own people as human shields.

In addition, Israel has been facilitating the transfer of significant amounts of humanitarian supplies to the Gaza Strip; delivering 15,000 tons of aid over the past week and a half.

Hamas, on the other hand, has stolen some of those humanitarian medical supplies from civilians to give to their gunmen.

Undeniably, the suffering is great in Israel and Gaza. Now is the time for us all to stand together in support of Israel and peace. I urge my colleagues to support this critical resolution, and pray that Hamas stops firing rockets into Israel, and starts working towards peace instead of terror.

Ms. LORETTA SANCHEZ of California. Madam Speaker, I rise today to express my concerns regarding H. Res. 34. I do not think that this resolution provides a complete picture of the conflict in Gaza and as a result, I will be voting present on this resolution. I am particularly concerned that this resolution does not address the core cause of the crisis, and I am not confident that this resolution will be beneficial to improving the situation in Gaza.

I have grave concerns about Hamas's alarming history of violence. However, in order to resolve this crisis it is imperative that we encourage both Israel and Hamas to pursue a peaceful resolution and come to a sustainable cease-fire.

Today marks the 14th day of the Gaza war. Over 700 people have been killed by both Israeli and Hamas military actions. International aid workers are reporting that they are unable to access the Gaza civilians and the United Nations has suspended its aid operations following the death of a U.N. official. I believe that a bipartisan resolution should have more fully addressed these challenges and stressed the need for both parties to cease all fire and fulfill their obligations under the Road Map peace plans.

This weekend I will be meeting with a number of relevant organizations and community leaders from my district to discuss the current crisis in Gaza. Through these meetings I hope to continue to learn more about the status of the ongoing situation and consider the ways in which the United States can develop a proactive plan that will both end this current conflict and bring long-term peace and stability to the region.

Mr. DINGELL. Madam Speaker, since 2001, thousands of rockets and mortar have been indiscriminately fired into southern Israel at innocent civilians. When Israel withdrew from Gaza in 2005, these rocket attacks continued. In December 2008, the negotiated cease fire ended and Hamas responded by firing over 60 rockets into Israel in a single day. Hundreds of thousands of Israelis are terrorized daily by fear of attack while an extremist group who calls for Israel's destruction continues to operate.

The Israeli government determined it had no choice but to respond to Hamas militarily. Sadly, the cost has been great. Since Israel began its two-week offensive on the Gaza strip, over 750 Palestinians have died. An UN-operated school was bombed and dozens of innocent children were killed. In an unusual move, the International Red Cross issued a statement that ''the Israeli military failed to meet its obligation under international humanitarian law to care for and evacuate the wounded.'' Gazans are trapped with little ability to seek shelter or help for the wounded.

Does Israel have a right to defend itself? My answer is unequivocally, yes. I cannot argue with most of the statements contained in this resolution. I do not condone the tactics Hamas uses in its efforts to destroy Israel, nor is it acceptable that an elected government refuses to recognize Israel's right to exist and exploits its own citizens to further its extreme agenda. But I cannot also pretend this resolution, H. Res. 34, will help bring about a cease-fire in Gaza, resolve the extreme humanitarian crisis Gazans face, or bring us closer to a final resolution sought by the Quartet, Israel, the Palestinian Authority, and Middle Eastern nations.

That a peaceful resolution and a two-state solution seem to grow more distant with each passing day is a very real consequence of the Bush Administration's inaction and failure of leadership. Eight years ago, President Bush came to office and pledged to negotiate a ''road map to peace.'' As we can clearly see, the few efforts President Bush made during his tenure have fallen far short.

Last night, the United Nations passed a cease-fire resolution. Today, the crisis continues. In this ongoing battle, words and actions are very different things. That is why President-elect Obama must reengage the peace process immediately upon taking office. He has the support of many of the Middle Eastern nations, who have attempted to fill in as mediators while the Bush Administration was asleep at the wheel and who also have an interest in rallying against the growing threat of Iran. President-elect Obama faces many challenges when he enters office, but with the help of his capable appointed Secretary of State, and my dear friend, Hillary Clinton, I believe the United States can once again take the lead in achieving a peaceful two-state solution for the Israelis and Palestinians.

Mr. YOUNG of Florida. Madam Speaker, I rise in strong support of House Resolution 34, which reaffirms our Nation's strong unwavering support for Israel and its right to defend itself against missile attacks from Gaza.

As an ardent supporter of Israel and its fight against terrorism, I am well aware of the ongoing conflict between Israel and the Palestinians and am monitoring developments closely.

As any nation, Israel has every right to protect itself from terrorist attacks within its borders and across its borders to ensure the safety of its citizens from the threat of terrorism. As a sovereign nation, Israel has the right to defend itself just as our Nation and any of our allies would.

Throughout the past year, Hamas has launched an estimated 3,000 rockets into Israel and during that time the range of these rockets has increased striking further and further into Israel. The ultimate goal is peace, security and prosperity for the people of this troubled region, but there can be no peace when terrorists attack the Israeli people.

Israel is carefully targeting the Hamas leadership and its rocket launching capability, but as long as Hamas hides and operates within civilian locations there will be civilian casualties. That is regrettable, but as long as Hamas launches rockets into Israel, there will also be civilian casualties there.

Our Nation will continue to respond to terrorist attacks and threats on our Nation and our people and I would not expect the Israeli government to react any differently to these ongoing threats.

Madam Speaker, Israel remains our staunchest friend and ally in Middle East and we stand together with them as they endure this most recent assault against their freedom and liberty.

Mr. BURTON of Indiana. Madam Speaker, I am proud to be an original cosponsor and strong supporter of House Resolution (H. Res.) 34 which expresses the United States House of Representatives strong support for and commitment to Israel and recognizes that Israel has a fundamental right to defend its citizens against violent attacks.

Back in 2005, I spoke to this House to express my profound concern about Israel's withdrawal from the Gaza Strip. I feared that Islamic radicals would exploit that opportunity to jump-start the peace process and instead use Gaza as a launching pad for attacks on Israel; undermining the peace process, exacerbating global and regional terrorism and moving the Middle East one step closer to all out war. I am sad to see that circumstances have proven that my concerns were justified.

There can be no negotiations with—and no concession to—terrorists like Hamas; who refuse to even accept Israel's right to exist. If the world wants calm to return to the Middle East it must speak with one voice—as this House is speaking with one voice today—and tell the leaders of Hamas, and their handlers in Tehran—that blame for this bloodshed falls squarely on their shoulders. To end that bloodshed—and to bring humanitarian relief to the people living in Gaza, Hamas must immediately end the rocket and mortar attacks against Israel and verifiably dismantle its terrorist infrastructure.

Israel and the United States have shared a special bond since the founding of the modern Jewish State in 1948. As a lone State fighting for freedom and democracy in a region dominated by authoritarian and military regimes, Israel is the only country in the Middle East that the United States can fully count on to stand firm against the terrorists and oppressors.

As we continue to fight against the proliferation of weapons of mass destruction in the region by rogue regimes, and work to halt the States who continue to sponsor terrorism, Israel stands as a lone and vital ally. Similarly, Israel stands as an important strategic partner

with regard to our joint efforts to stop the spread of Islamic radicalism.

We all support the cause of peace; we all want to see the Israeli-Palestinian conflict resolved but will we ever reach that goal if the rockets and mortars do not stop; that is the first step.

I strongly urge my colleagues to support H. Res. 34.

Mrs. LOWEY. Madam Speaker, I rise today as a proud cosponsor and strong supporter of H. Res. 34, a Resolution ''Recognizing Israel's right to defend itself against attacks from Gaza, reaffirming the U.S.'s strong support for Israel, and supporting the Israeli-Palestinian peace process.''

I believe unequivocally that Israel has the right and responsibility to defend itself and its citizens. I stand in support and solidarity with Israel's efforts to end Hamas' campaign of terror. For years, Hamas has fired thousands of rockets into Israel, murdering Israeli civilians and terrorizing peaceful communities. Earlier this year I traveled to the Western Negev and saw first-hand the trauma suffered by women and children who faced nearly daily rocket attacks from Gaza. While war is never a preferred option, after repeated calls to Hamas to end rocket attacks, Israel had no choice but to respond militarily to Hamas' breaking of the cease-fire.

During its operation in Gaza, Israel has taken extraordinary steps to prevent civilian casualties, including providing advanced warning to civilians about pending attacks of Hamas targets. I am dismayed and disgusted with Hamas' tactics of co-locating their terrorist infrastructure amongst the civilian population. My heart goes out to the families of the innocent civilians killed and wounded on both sides of the conflict; however, Hamas bears the responsibility for the loss of life and the humanitarian situation of residents of Gaza.

Hamas, which continues to deny Israel's right to exist, will stop at nothing to deny peace to the region, including exploiting and endangering Gaza civilians. I believe that Israel's operation to dismantle Hamas's terrorist infrastructure will provide space to reinvigorate support for the Israeli-Palestinian peace process. It is my hope that the Israeli operation will make it clear to Hamas that its attacks on Israeli communities must end so that negotiations toward a peaceful coexistence in the region can continue.

Ms. LEE of California. Madam Speaker, I rise today to express my strong support of the right of Israel to exist and to defend itself and to condemn unequivocally the rocket attacks launched by Hamas on Israel. I believe there can be no military solution to this conflict, only a political solution reached by the parties assisted by the United States acting as an honest broker. Seldom do I vote present but I will in this case. Let me explain why.

First, the resolution ought to make it clear that the only way to remove the threat to Israel, and to the larger region, is to resolve these issues through an immediate cease-fire and commit the United States to high-level and sustained diplomacy in support of the Road Map and initiatives. This resolution does not address how to end the escalating violence.

Second, the resolution should offer concrete steps to be taken immediately to alleviate the humanitarian crisis in Gaza. The resolution is silent on this point.

The bottom line is there is absolutely no military resolution to the issues confronting this region—notwithstanding the acts of self-defense to which Israel has resorted.

That is why I renew my call for the administration to redouble its efforts in discharging its indispensable role as honest broker in the peace process needed to realize the two-state solution and secure Israel's right to peaceful co-existence and the right of the Palestinians to live in dignity.

Mr. CROWLEY. Madam Speaker, I rise today to express my overwhelming support for Israel's right to defend her people against terrorist attacks.

Over the past 6 months, we have seen a relative calm between Israelis and Palestinians due to an Egyptian brokered cease-fire.

Unfortunately, however, this calm was used by Hamas to rearm themselves with more technologically-advanced rockets and weapons, which were smuggled through tunnels from Egypt and over the Syrian border.

When the cease-fire expired on December 19, 2008, Hamas refused to extend it and began to fire its updated arsenal of rockets deep into Southern Israel.

Sadly, rocket fire is nothing new to the Israelis, who have seen 6000 rockets land in Southern Israel since unilaterally withdrawing from Gaza in 2005.

Hamas had a choice this past December—extend the cease-fire or continue hostilities. They chose war over peace.

Israel was forced by Hamas' action to make a choice too, either live with the threat of rocket fire against her people or take action to keep its people safe from harm. They made the choice any reasonable nation would make—to defend its citizens.

It is time for the Palestinians in Gaza to have better representation—representation that puts the peoples' well-being before Hamas' unachievable goals.

The U.S. Congress and the people of the United States will not allow a terrorist organization, like Hamas, to destroy the thriving democracy that is Israel.

We stand with Israel and her goal of peace.

Mr. PETERS. Madam Speaker, I rise today in support of H. Res. 34, the Gaza Conflict Resolution.

Israel has been under attack, and like any sovereign nation it has the right to defend itself. I steadfastly support Israel as it continues to undertake operations to ensure the security of its citizens. Israel is America's friend and ally and I support its pursuit of security and its objective of self defense in the face of continued attacks on its existence. Hamas is a terrorist organization and its actions undermine the hopes and aspirations of the Palestinian people.

The U.S. must do everything it can to help reach a resolution that begins with an immediate end to Hamas rocket fire on Israel and includes efforts to provide for the humanitarian needs of all civilians. The U.S. should continue to be thoroughly involved in the region in order to ensure Israel's security and help achieve sustained peace.

In support of these goals, I urge passage of this resolution.

Ms. MCCOLLUM. Madam Speaker, the resolution before the House today, H. Res. Israel's bombardment of the citizens of Gaza, sanctions the incursion of Israeli troops into Gaza to clear this occupied territory of Hamas fighters regardless of the human cost, and calls for ''supporting the Israeli-Palestinian peace process'' while innocent Palestinian women and children are being killed in Gaza. This resolution strongly and justifiably condemns Hamas, but the resolution's intent and substance are void of any relation to the hellish reality that is being inflicted on the citizens of Gaza right now or the deprivation inflicted upon Gaza families by Israel's harsh denial of food, medicine and fuel over the past year.

This is only the latest battle in a long war for respect and security between Israel and the Palestinian people. Israeli citizens have suffered for years under an intermittent but terrifying rocket bombardments launched by militants in the Gaza Strip. Since 2001, 20 Israelis have been killed by these rockets, hundreds injured, and the lives of many thousands more disrupted by the constant fear of random and indiscriminate violence from the sky. When this summer's tenuous cease-fire broke down, the rocket attacks increased precipitously, prompting Israel's current military operation in Gaza.

I recognize Israel's right to protect its citizens from the persistent and growing threat of rocket attacks. However, as an unwavering proponent of peace, and as an advocate for the rights and security of the Israeli and Palestinian people, I seriously question the proportionality of Israel's response and regretfully predict that Israel's military action will produce only short-term security gains while severely undermining the prospects of peace in the months and years ahead.

Despite the fact too many Israeli citizens are under great stress from Hamas rockets, these weapons do not represent an existential threat to Israel. Rather than a serious military challenge, these rockets are like a drug gang that uses drive by shootings as a tactic to terrify a neighborhood. When is the solution to this type of terror for authorities to lay waste to the neighborhood?

Recent weeks of Israeli air and ground assaults have resulted in nearly 800 deaths, half of these innocent civilians. A population of 1.5 million Gazans, already weakened by previous months of economic blockade, are suffering from a lack of food, water, electricity and essential medicine. With border crossings closed, civilians are literally caught in the crossfire between Hamas militants and the Israeli army with no ability to escape. The difficult situation that existed in Gaza prior to Israel's attack has quickly deteriorated into a humanitarian disaster.

The world is watching as Israel's bombardment in Gaza continues to escalate. Public opinion around the world is hardening against Israel as desperate images of destruction reach the media. For example, a high-ranking Vatican official has compared the conditions in Gaza to ''a big concentration camp.'' An Israeli official condemned the comments and chastised the Catholic leader's words as ''far removed from truth and dignity.'' But after 13 days of warfare it is reported by officials in Gaza that more than 750 people are dead, of which 40 percent are women and children.

Last night, the United Nations Security Council voted and approved a resolution for ''an immediate, durable and fully respected cease-fire'' leading to a ''full withdrawal'' of Israeli forces from Gaza. The resolution also called for humanitarian aid to pass into Gaza and an end to trafficking of weapons into the

occupied territory. The United States, represented by Secretary of State Rice, did not join the 14 other nations approving the measure, our Government abstained.

The Bush administration has failed to successfully work for an immediate cease-fire. And this resolution fails to call for an immediate cease-fire in Gaza. What this resolution does do is allow Israel to continue its efforts to eliminate the threat of Hamas, which will only lead to further civilian deaths. With nearly 800 Gazans already dead and Israel's international image equally bloodied, there is no victory left for either side to achieve, the present battle has become a competition for biggest loser.

An immediate cease-fire is the only option. The current fighting must end before the foundations of the peace process are undermined any further and the prospects of a two state solution are dealt a final blow. The United States Government must recapture its role as an honest broker in the Israel-Palestinian conflict and urgently commit its full energy and resources to achieving a ceasefire and sustaining its engagement to ensure the causes of the present violence—arms smuggling, rocket fire, economic blockade—are resolved.

The continued isolation of Gaza is an unacceptable option in light of the depravation and increasing desperation of the mothers, fathers and children of Gaza. If the humanitarian needs in Gaza are not quickly and comprehensively addressed, the world faces the prospect of a radicalized generation of Palestinian youth—over 56 percent Gazans are under the age of 16. America should lead an international effort, initiated immediately after declaration of a ceasefire, to heal and rebuild Gaza. The memory of the present conflict cannot be erased from the minds and hearts of Palestinian youth, but we can ensure those memories include a generous and meaningful response from the world.

The goal of the United States, and the world, must be to work for peace. And the path to peace will never be forged through violence.

For these reasons, it is my intention to vote present on H. Res. 34.

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, I rise in support of H. Res. 34, the Gaza Conflict Resolution. We must end the current violence and bloodshed among both Palestinians and Israelis. This resolution reaffirms our support for Israel but additionally reaffirms our commitment toward a continuing peace process.

With this resolution, we call for an end to the rocket and missile attacks from Hamas and ask that they recognize previous cease fire agreements between Israel and Palestine.

In response to the attacks, however, Israel, as a sovereign nation, does maintain the right to defend its borders and citizens from aggression. This basic right to protect our people is not one that we should undermine. Our country knows too well that a response must be made when we are attacked and our way of life disrupted. However, there must be humanitarian considerations in any conflict, and there must be steps taken to protect civilians and prevent attacks on innocent school children.

In both countries, as a result of the attacks and subsequent response, civilians are being killed, injured and witnesses to horrific tragedy. Humanitarian aid has only recently been allowed into Palestine and there is no doubt that there is terrible human suffering on all sides.

It is my hope that this resolution will help offer a roadmap to a peaceful solution, and that there will soon be an end to the violence. We cannot forget that beneath the politics, there is great human tragedy.

I will support this resolution, but believe that we must focus on ending this continuing violence and search for a peaceful solution for all parties involved.

Mr. DEFAZIO. Madam Speaker, I rise in opposition to H. Res. 34. While I fully support the right of Israel to defend itself and its citizens, the resolution before us today appears to endorse the failed strategies and policies of the Bush Administration in finding a peaceful resolution to the Israeli-Palestinian conflict. The Bush Administration quashed a real effort towards peace begun by the Clinton Administration and turned a blind eye towards 8 years of unnecessary and avoidable turmoil.

The peace process lost many years of progress and the incoming Obama administration faces a great challenge to reconstruct the broken peace process. President-elect Obama and his designee for Secretary of State, HILLARY CLINTON, must take immediate steps to engage key international players in an attempt to restart talks towards a two-state solution to the conflict. This will be difficult and slow, but necessary to find long-term peace for a region strained by violence.

The House resolution before us today does not reflect the complexities of the current conflict and would not help the incoming Obama administration in bringing about the necessary changes in U.S. foreign policy to promote a lasting peace in the region. The world is excited and hopeful with a new administration that has promised a return to a cooperative U.S. foreign policy. This resolution fails to reflect that hope. Therefore, I voted present on H. Res. 34.

Mr. PUTNAM. Madam Speaker, no one can view the reports of innocent lives lost on both sides of the Israeli border without a sense of mourning and a strong desire to see the violence stop. Some criticize the degree to which Israel has responded to the most recent rocket attacks, but it is inconceivable that any nation would tolerate rockets or missiles being fired at it by another nation.

Nations not only have the right to self-defense, but an obligation to protect their citizens. Recognizing this fundamental right, the Israeli government responded to the Hamas rocket fire in the only manner available to them—by attacking the buildings that house Hamas leaders and the sites where it is believed weapons have been stockpiled.

Unfortunately, in addition to killing militants, civilians have also died as a result of Hamas' exploitation of hospitals, schools, and mosques to store weaponry and conceal terrorist activities. The loss of civilian lives during any military engagement is tragic, but it should not go unnoticed that Hamas selfishly relishes in martyrdom at the expense of the innocent Palestinians.

The actions of Hamas are unacceptable and must come to a stop immediately. Hamas initiated the attacks and now cynically cries foul when Israel responds. Those who blame Israel are playing into the hands of the extremists who are opposed to substantive peace.

I wholeheartedly believe that we must find a solution that brings peace to the region. Bear in mind that reaching an agreement in the Middle East has been a goal among peace-loving nations since the founding of Israel.

The key point in the conflict, nonetheless, has been the refusal of a number of governments and militant organizations, including Hamas, to accept the fundamental premise that Israel has the right to exist. Without agreement on this point, peace will be impossible to achieve.

The onus is on Hamas to suspend its attacks on Israel and to call for a renewed cease-fire. Perhaps, then serious negotiations can resume with the goal of bringing peaceful coexistence in the Middle East. As one of our closest allies, we should continue to support Israel in their quest for peace and endeavor to stop terrorism in the region.

Mr. MICA. Madam Speaker, I strongly support Israel's right to defend itself against the Hamas terrorist attacks. Until Israeli citizens can live without fear of these attacks, Israel is justified in its effort to maintain national security for its citizens.

While we all hope for peace in this region, it must not come at the expense of Israel's sovereignty or right to exist. The Gaza Strip, from which Israel unilaterally withdrew in 2005, poses a growing security threat to Israeli civilians. Over 10,000 rocket and mortar shells have been fired from Gaza since 2001, and this indiscriminate bombardment has escalated since Hamas seized power in their violent coup in 2007. About 860,000 Israeli civilians, or more than 12 percent of Israel's population, live in daily fear of a Hamas rocket attack.

Hamas ended the 6-month cease fire on December 19th by increasing its random rocket bombardment of Israeli civilians. Israel was compelled to take on the responsibility of defending its citizens against these terror tactics. In response to being attacked, it launched a defensive air attack against Hamas' terrorist rocket launchers and their terrorist infrastructure. Israel responded with a ground assault to minimize collateral losses in the civilian neighborhoods the Hamas terrorists hide in to launch these rockets.

Critics of Israel demand it sit down with Hamas to negotiate a lasting peace. I ask them all, how do you find a diplomatic solution with an enemy that will not recognize your right to exist? What terms can you offer that will bring peace with such an enemy other than outright capitulation?

Madam Speaker, let us stand together as an institution to show our Nation's support for Israel's right to defend itself against attacks from Gaza and pledge our continued commitment to Israel's right to defend itself as a free, independent and sovereign state.

Mr. BERMAN. Madam Speaker, When a nation's towns and villages are attacked, without provocation, by nearly 9,000 rockets over the span of 8 years, there could hardly be a more solid case for the use of force in self-defense. At least 700,000 Israelis—10 percent of that small nation—are now within range of missiles and rockets operated by an Islamist terrorist group committed to Israel's destruction.

I have no trouble justifying the war Israel has undertaken. I am deeply troubled, however, by the suffering, destruction, and loss of innocent life that war inevitably entails—in this case, a war forced upon Israel by a terrorist enemy that not only targets Israeli civilians but also bases itself among Gazan Palestinian

homes, schools, mosques, and hospitals in order to use innocent civilians as human shields and as tools of a propaganda war.

It is imperative that a way be found to stop the killing on both sides—but in a manner that will ensure that this round will be the last round.

I know the United States and several other nations are working on developing such a plan. Our ally Egypt should be particularly commended for its serious efforts in this regard.

What we need is not merely a cease-fire but a transformative cease-fire. We need to ensure not just that Hamas stops firing rockets into Israel; we need to make sure that it stops receiving weapons and weapons parts and stops smuggling them into the Gaza Strip. We should support Egyptian efforts to prevent this illegal arms trade from crossing the Sinai toward the Gaza border.

Ideally, the legitimate Palestinian Authority under President Mahmoud Abbas should be restored to its role as the effective authority in Gaza in the aftermath of any cease-fire. The Palestinian Authority was illegally expelled from Gaza by Hamas in June 2007, and it should be restored to its rightful role.

As for Hamas, it has no prospect of legitimization in the international community unless it renounces violence and disarms, recognizes Israel, and accepts the validity of all previous agreements between Israel and the Palestinians.

Our resolution supports Israel's right to defend itself against unprovoked terror and re-affirms this body's unwavering commitment to Israel's security and survival as a democratic, Jewish state. It condemns Hamas for its 8-year artillery war against Israel and appropriately assigns Hamas responsibility for the destructive consequences of the ongoing war in Gaza. And it insists that a cease-fire be established that is durable and sustainable and that prevents Hamas from acquiring more arms and provoking another round of fighting.

I commend the Speaker and the bipartisan leadership for authoring this important resolution. It provides a sensible way of understanding how we got to the current situation and of how we should move forward. That is why I support this resolution, and I urge my colleagues to do likewise.

Mr. MORAN of Virginia. Madam Speaker, I will vote "present" on Resolution 34. While the intent of this resolution is to speak out against terrorism and to reiterate U.S. support for Israel's security, I am deeply concerned that the message it send may be contrary to the best interests of both Israel and the Palestinians. A solution to this crisis in the Middle East must be diplomatic; it will not be achieved by military force.

The resolution contains many facts, but it omits others that are important. The United Nations Office for the Coordination of Humanitarian Affairs reported January 8 that since the Israeli military operation "Cast Lead" began, 758 Palestinians have been killed, including 60 women and 257 children. More than 3,000 Palestinians have been injured. Israeli media reported that 11 Israelis have been killed, most of them soldiers, 3 from "friendly fire." Of paramount concern today is to stop the loss of life, to allow medical supplies and personnel to enter Gaza, and to provide emergency care to those who have been injured.

The citizens of Gaza, most of whom are refugees, have nowhere to go. They are prevented from fleeing into Israel or Egypt and are cornered in one of the most populated areas in the world.

This resolution emphasizes Israel's right to defend itself. Of course it has that right. But we also need to stand strongly in solidarity with both Israelis and Palestinians who want peace and an end to the horrific cycle of violence that manifests itself so horribly in Gaza today. I agree that the ultimate goal of the United States is a sustainable resolution of the Israeli-Palestinian conflict that will ensure the welfare, security, and survival of the State of Israel as a Jewish and democratic state with secure borders, and a viable, independent, and democratic Palestinian state living side by side in peace and security with the State of Israel. Unfortunately, I do not believe this resolution moves us closer to this goal, and because of this, I vote present.

Mr. SKELTON. Madam Speaker, let me take this means to express my support for H. Res. 34. Israel, which has been our ally since President Truman recognized this country in 1948, could no longer tolerate relentless attacks on its citizens by Hamas and took military action to prevent future attacks. Israel must defend itself, as would any nation in the face of such provocation.

The United States and the international community must work to support an enduring cease fire that ends missile attacks by Hamas, prevents illegal arms and explosives from entering Gaza, and sets in motion a diplomatic solution that will allow Israelis and Palestinians to live in peace. Only when the cycle of violence in this troubled region is broken will Israelis and Palestinians be able to enjoy the peace and prosperity that people everywhere deserve.

Mr. MCGOVERN. Madam Speaker, I will vote in support of H. Res. 34, the Gaza Conflict Resolution. Certainly, everyone recognizes Israel's legitimate right to defend itself, the need for a ceasefire, and the demand that Hamas stop its rocket attacks against Israel, recognize the right of Israel to exist, and join the rest of the Palestinian people in negotiations with Israel to reach agreement on a two-state solution to the Middle East conflict and establish peace for all the peoples of the region. Earlier this month, I issued a statement outlining these same key concerns.

However, I would like to clearly express my frustration and dissatisfaction with what has not been included in this resolution.

I strongly believe the resolution should have included and expressed support for the concerns raised by the International Committee of the Red Cross, ICRC and United Nations field staff on the ground inside Gaza about potential violations of international humanitarian law, IHL by both parties. I am particularly concerned about potential violations of IHL by Israel because I am such a strong supporter of Israel.

I am also disappointed that the resolution did not reference the resolution passed by the U.N. Security Council on January 8, calling for an immediate ceasefire. While the UNSC resolution is flawed by its failure to condemn Hamas rocket attacks, it is an important call for a cessation of hostilities, which H. Res. 34 also demands.

Finally, I am deeply saddened and disturbed by the increasing toll on Israeli and Gazan citizens as this most recent escalation in the conflict over Gaza continues. Military operations must stop; the rocket attacks must stop; and all regional and international actors must engage Hamas and Israel to agree to a durable and verifiable cessation of hostilities.

Mr. PRICE of North Carolina. Madam Speaker, the resolution before us correctly condemns the actions by Hamas to target innocent civilians in southern Israel and to thwart the ceasefire that had been in place for the previous 6 months. It correctly calls for a new, sustainable ceasefire and affirms the U.S. commitment to a just and durable peace based on a two-state solution. But the resolution does not begin to do justice to the humanitarian disaster gripping Gaza, and it offers little more than lip service on behalf of a serious peace process. Focusing on affixing blame for the current crisis, it fails to emphasize the steps required to lead us toward a long-term solution.

I recently wrote an article which appeared in the January 6 Charlotte Observer and Miami Herald in which I proposed immediate actions the U.S. must take to return us to a trajectory leading to a just and lasting peace. I ask permission that it be included in the RECORD. After the conflict ends and the dust settles, after all the recriminations and resentments have been aired, we will be left with the crucial question of whether and how to resume efforts toward a lasting peace, This is the only goal that can meet our and Israel's long-term security needs in the region. We must act urgently, knowing that the steps we take now will determine just how steep that future road to peace will be.

U.S. MUST ACT NOW IN GAZA

(By Representative David Price)

For observers of the Israeli-Palestinian conflict committed to a peaceful and lasting two-state resolution, the conflict between Israel and Hamas in Gaza brings the temptation to throw one's hands in the air in despair. Mistaken assumptions and lessons left unlearned seem to guide each of the protagonists down a course antithetical to the long-term interests of both Israelis and Palestinians.

We can't help but lament another cycle of retributive violence—both for the terrible toll it takes on both sides and because we know it is not the way forward. Yet exasperation and passivity are indulgences that the United States and the world can ill afford.

FIGHTING VS. GOVERNING

For its part, Hamas has again proven that it would rather fight than govern or tend to the needs of Gazans, making it exceedingly difficult to envision it as a serious partner at the negotiating table. Israel, while unquestionably justified in its move to put an end to the daily barrage of rockets falling upon its citizens, seems to have forgotten the lessons of the 2006 Lebanon war, during which its use of massive force alienated the Arab world and turned Hezbollah into freedom fighters in the eyes of many Lebanese. And the Bush administration once again offers little—only an unconditional green light to follow the fight, now a full-scale ground war, wherever it leads.

It is difficult to imagine how the current conflict might ultimately lead to a just and lasting peace. Hamas, though militarily debilitated, is not likely to disappear as a political force or to suddenly prove more pliable in negotiations. It may become more rather than less difficult to bring Gaza under the authority of President Mahmoud Abbas and Fatah, lest they be seen as capitalizing on the misery wrought by the fighting.

And Israel, while addressing a key short-term security objective, risks far-reaching damage to the peace process that is essential to its most critical long-term security objective: a resolution to the conflict. Equally troubling, the overwhelming force of its bombardment has buttressed support for extremist elements, like Hezbollah and the Iranian government, that threaten Israeli and regional security.

As ominous as the picture may be, it is strongly in the interests of our own country to ensure that the architecture of the peace process is not irreparably damaged. To do so, the United States should take several immediate steps, even as the Bush administration draws anemically to a close.

HUMANITARIAN CRISIS LOOMS

First, the administration, working with the international community, must take swift action to avert a massive humanitarian crisis in Gaza. Gazans have been on the verge of a humanitarian meltdown for months; the bombing of border tunnels—which have been used to smuggle food and humanitarian supplies, in addition to weapons—pushes Gaza further toward collapse.

Secondly, the administration should urgently engage Israel, along with regional allies like Egypt, Jordan, and Saudi Arabia, in putting together the framework for a sustainable long-term cease-fire, not simply a temporary halt to fighting. Such a framework must protect Israel from the persistent rocket fire on Sderot and from Hamas's stockpiling of deadly weapons. But it also must provide relief from the devastating embargo on Gaza. To be effective, it must involve Egypt and regional partners as mediators and monitors.

COLLATERAL CONSEQUENCES

Coming on the heels of the 2006 Lebanon war, Israel's military actions in Gaza have had the unfortunate collateral consequence of generating substantial domestic political unrest for many of Israel's friendliest Arab neighbors, particularly Egypt. The United States will need to walk a fine diplomatic line, encouraging Arab nations to lead Hamas toward a sustainable ceasefire while empowering them to advocate for the just peace their citizens demand.

Finally, both President Bush and, as soon as he takes office, President-elect Obama should explicitly express the United States' unwavering commitment to a viable peace process and undertake diplomacy toward that end. How the present conflict is waged, and on what terms it is halted, will be especially consequential on the Palestinian side of the equation.

The U.S., Israel and moderate Sunni regimes have not done enough to help President Abbas and Fatah gain credibility, and that task is now even more urgent and challenging. As for Hamas, while its military capabilities may be downgraded by the conflict, its political stock may rise. The organization and its constituency must be taken into account, directly and indirectly, in any viable process. Regional mediations and renewed Israeli-Syrian talks should figure prominently in such efforts.

These steps will not resolve the conflict. But they will help preserve the possibility of a future peace, a possibility that is now teetering on the brink.

Mr. POSEY. Madam Speaker, I rise in support of House Resolution 34 which recognizing Israel's right to defend itself against attacks from Gaza, reaffirming the United States' strong support for Israel, and supporting the Israeli-Palestinian peace process.

When Israel withdrew from Gaza in 2005, there was hope from many that this was an opportunity for peace. Sadly, this has not been the case. Since then more than 3 years have passed and approximately 6,400 rockets have been fired from Gaza into Israeli civilian communities by Hamas and other pro-Palestinian organizations. Their goal: to kill, maim, terrorize and traumatize innocent Israeli civilians.

My friends, this total disregard for human life must be condemned in the strongest possible terms. These terrorist groups, some of which we know are supported by Iran and Syria, have left the Israeli Government no choice but to defend the lives of their citizens.

And to make matters worse, Hamas has been using its own people—families and children—as human shields when launching their sinister rocket attacks. Hamas terrorists have chosen to launch missiles into Israel from civilian sites intentionally placing the lives of Palestinians at risk. This shows their total disregard not only for the lives of Israelis, but for the lives of Palestinians as well.

The world must come together and condemn the use of these outrageous and cowardly tactics against civilian communities and recognize Israel's right as a sovereign and democratic nation to protect its citizens and borders from unprovoked terrorism. I urge my colleagues to stand up and support H. Res. 34 and recognize Israel's right to do whatever it takes to protect the lives of its citizens.

Mr. MILLER of Florida. Madam Speaker, I rise today to recognize Israel's right to defend itself and to express my desire for a peaceful and lasting resolution to the current conflict.

In September of 2005, the Israeli government completed an evacuation of all Israeli citizens from Gaza. This historic evacuation, ordered by then-Prime Minister Ariel Sharon, was not widely popular throughout Israel but Mr. Sharon felt it was an important and necessary step in the quest for a 2-state solution. Soon after the evacuation, in January 2006, Hamas won 2/3 of the parliamentary elections in Gaza and took over as the democratically-elected government of the Palestinian people.

Since their election, Hamas has ignored the conciliatory actions of Israel and they have seen their popularity plummet because of this and their steadfast refusal to recognize the existence of Israel. So much was expected of the new Palestinian leadership following the death of Yassir Arafat but the leadership of Hamas has failed its people, and continues to be corrupt. This failed leadership came to a head on December 19th when Hamas ended the six-month cease fire with Israel and fired over 50 rockets into Israel.

After continued rocket attacks into heavily populated areas, Israel had no choice but to retaliate with force against Hamas and protect Israeli citizens. Hamas leadership knew Israel would respond, but still may have been surprised by the forcefulness with which the Israelis defended their citizens. Once the Israelis made clear they would not tolerate the rocket attacks, Hamas leaders followed a time-honored terrorist tradition of hiding amongst and under the people they should have been leading and protecting.

Following Israel's continued defense of its homeland, some have demanded Israel stop its targeted strikes into Gaza. This would only allow Hamas foot soldiers to continue resupplying their terrorist network and would offer little assurance that Hamas will refrain from targeting Israeli civilians. It is regrettable that Hamas continues firing rockets into Israel and as recently as Wednesday, rockets were fired into Israel from Lebanon.

I will continue to support the right of Israel to defend itself and encourage the people of Gaza to demand that their elected leaders cease the unjustified rocket attacks and the conscious choice to act as terrorists. Furthermore, I commend Egypt on its continuing role as an evenhanded facilitator of peace negotiations and urge other Middle Eastern nations to follow suit.

Mr. MORAN of Kansas. Madam Speaker, I rise in support of Israel's right to defend its citizens and H. Res. 34. Confronted with repeated, indiscriminate attacks on its citizens, Israel is engaged in an effort to ensure its people can live in peace and without fear of rocket and mortar attacks. As one of our strongest allies, it is critical Israel knows it has the support and backing of the United States in this effort. I support Israel's right to defend itself and encourage my colleagues to join me in sending a strong message of support to Israel by voting for this legislation.

In addition to expressing vigorous support for the welfare, security and survival of Israel, the resolution also encourages the Administration to work actively to support a durable and sustainable cease-fire in Gaza that prevents Hamas from retaining or rebuilding its terrorist infrastructure. It is my hope that both groups will implement a swift end to this conflict that ensures future peace and stop unnecessary civilian casualties.

Mr. GEORGE MILLER of California. Madam Speaker, I rise today regarding H. Res. 34, concerning the fighting now taking place in the Gaza Strip between Israel and Hamas.

Like every Member of the House, I support the right of Israel to defend itself and its people. I join my colleagues in strongly denouncing the ongoing, indiscriminate, and destabilizing rocket attacks being launched by Hamas against the civilian population of southern Israel, and in denouncing Hamas' clear intent to continue to terrorize the people of Israel.

I call on Hamas to end its rocket attacks against Israel immediately.

Like every one of my colleagues here, I am also deeply saddened and troubled by the latest round of fighting in the Middle East, the loss of life to children and their families, the vast destruction of homes, and the enormous suffering that is being caused by the escalation of this conflict.

Today the House was asked to insert its voice into this latest conflict between Israel and Hamas. H. Res. 34 states, in part, that the House ''recognizes Israel's right to defend itself against attacks from Gaza, reaffirming the United States strong support for Israel, and supporting the Israeli-Palestinian peace process.''

I support much of the language in this resolution but I regret that H. Res. 34 in its entirety is not the correct statement for the House to make at this time.

America's support for Israel and its right to exist is unquestionable.

What is in question and what is the most important issue for the House and the international community to consider is how the Israeli people will be able to live in peace and without the constant threat of attack from Hamas or others, and how the United States and all other nations can assist in achieving that outcome.

The resolution today does not adequately address that concern, nor does it adequately address the complex political facts on the ground in the Middle East. Therefore, I have chosen to vote ''present'' on this resolution. I do not oppose Israel's right to defend itself and therefore I will not vote against the resolution. But I do not believe this resolution helps to resolve the current conflict and therefore I cannot vote for it.

What the House of Representatives should do at this moment in time is to throw its considerable weight behind the call for an immediate cease-fire between Israel and Hamas. A cease fire is in the best interests of Israel and the United States and I call on Israel and Hamas to agree to an immediate cease fire.

The fact is that there has been a failure of political leadership that has led to this renewed and devastating fighting in Gaza. The Bush Administration has failed to adequately or successfully address the Middle East conflict, and the international community has failed to adequately address the conflict between Israel and Hamas.

Experts on the Middle East had warned that a conflict of this nature would eventually come if conditions on the ground did not change. Their warnings went unheeded and now a new and costly war has broken out.

Hamas' rocket attacks against Israel are indefensible. But neither can the disproportionate military response by Israel be defended. The latest fighting was preceded by a lengthy and crushing blockade by Israel of Gaza that caused a humanitarian crisis. Hamas chose to break the cease fire and continue shelling Israel. And Israel chose to use the breaking of that cease fire to launch an all out attack on Gaza.

Lost in all of this is the answer to the question of how the Israeli people can be assured the protection they deserve. The rocket attacks against Israel continue despite the enormous firepower brought against Hamas by Israel. There is no clear answer as to how Israel will bring this conflict to an end in Gaza nor is it clear what are Israel's ultimate goals in this conflict.

Only a cease fire and a new international commitment to negotiate a cessation of hostilities between Hamas and Israel can protect the people of Israel. This is also in the best interest of the United States, which is so closely identified with Israel throughout the world.

I urge my colleagues in the House, who clearly are concerned about the protection of the Israeli people, to use their voices to call for an immediate cease fire and to urge all interested parties to make the cessation of hostilities between Hamas and Israel a priority.

Mr. GENE GREEN of Texas. Madam Speaker, I rise today in support of H. Res. 34. This important resolution recognizes Israel's right to defend itself against attacks from Gaza, while at the same time supporting the Israeli-Palestinian peace process and recognizing that the humanitarian needs in Gaza should be promptly addressed.

For fourteen days, now, Israel has launched airstrikes and now, a ground invasion in response to thousands of Hamas-sanctioned rocket attacks on Israeli towns from the Gaza Strip. The strikes began less than a week after the expiration of a six-month-long ceasefire deal with Hamas—during which time, Hamas continually violated the cease-fire and shot rockets into southern Israel. Israel has a right to defend itself from these attacks and when Hamas announced that it was ending its ''period of calm,'' Israel began to do just that.

I have visited Israel on several occasions, and have seen the struggles Israelis face daily. I have even been to Sderot, Israel and have seen how close these attacks are and how they affect the families that live there. During these visits, I have seen the Israelis' perseverance and determination to create a peaceful and prosperous state despite Hamas' continued refusal to work towards a peaceful resolution. Hamas must end this violence and commit itself to a real truce. Without this, I believe that there is little chance for peace in the region.

Israel and the United States have been close friends and allies for the past sixty years. Our relations have evolved from an initial American policy of sympathy and support for the creation of a Jewish homeland in 1948 to a key partnership based on common economic interests, common security interests, and most of all common values. We must continue to cultivate this relationship and encourage peace in the region.

Mr. MARKEY of Massachusetts. Madam Speaker, I rise in strong support for H. Res. 34, a resolution recognizing Israel's right to defend itself, reaffirming the United States support for Israel, and supporting the Israeli-Palestinian peace process.

I am deeply concerned about the situation in Gaza, and I am deeply saddened by the loss of innocent life on both sides. Every innocent death or injury in this conflict is a tragedy.

The United States must play a central role in bringing the parties together to stop the violence, and must forcefully engage to restart the peace process so that the dream of two states living side by side in peace finally can be made a reality. For too many years, the war in Iraq has distracted the United States from what should be its number one priority in the Middle East: bringing peace to the Israeli-Palestinian conflict. Finding a just, lasting, and equitable solution to the conflict is not only vital for Israelis and Palestinians; it is also very much in our national interest. I am very hopeful that the incoming Obama administration will reengage the United States at the highest levels to complete the peace process.

The resolution we are considering today appropriately recognizes the fact that Hamas has been designated by the United States as a terrorist organization. Hamas continues to reject the very right of Israel to exist and refuses to renounce violence. Hamas has launched thousands of rockets and mortars against Israeli population centers since 2001. Instead of laying the foundation for an independent state following Israel's withdrawal from Gaza more than three years ago, Hamas turned Gaza into a launch pad for rockets targeting Israeli civilians. Hamas has launched more than 6,000 rockets and mortars at Israel since Israel's withdrawal from Gaza in 2005.

Israel has the right and obligation to protect its citizens from the thousands of rockets that have rained down on its cities and towns since Israel's withdrawal from Gaza. These rocket attacks must stop.

Hamas is not only indiscriminately firing rockets at Israeli civilians; it is also damaging the future for all Palestinians who seek a normal life for themselves and their families. Peace will only result from a political process of engagement and negotiation, not from volleys of rockets.

The incoming Obama Administration has a golden opportunity to breathe new life into the peace process, and I am committed to working with President Obama to stop the violence, get the peace process back on track and establish the security that all residents of the region urgently need.

Madam Speaker, I urge my colleagues to support the resolution.

Mrs. MALONEY. Madam Speaker, I rise to express my support for H. Res. 34.

The resolution places the blame for the situation in Gaza exactly where it belongs, squarely on the shoulders of Hamas.

It makes clear that Israel has a right to defend itself and that the path to peace in the region lies in the recognition of Israel's right to exist, the dismantling of Hamas' terrorist infrastructure and the release of Gilad Shalit.

For the last eight years, more than 10,000 missiles have fallen on Israel's civilian population centers, killing 28, injuring more than 700 and traumatizing tens of thousands.

Hamas violates international law by embedding its weapons in civilian centers and using its people as human shields.

Its cynical choice to reap public relations success from the bodies of their own civilians is reprehensible.

These are the irresponsible acts of madmen and cowards, not rulers who can hope to lead a nation.

I hope that President-elect Obama will be willing to spend political capital in calling upon the international community to work together to prevent Hamas from rebuilding.

I urge my colleagues to support this resolution and to take a strong stand against the morally bankrupt actions of Hamas.

Ms. MOORE of Wisconsin. Madam Speaker, Israel is a strong ally of our country and has a right to defend itself and I have voted on a number of times—along with a large majority of my colleagues in the House—to make clear our support of that right. According to one estimate, as many as one million Israelis live in range of rockets that have been fired from Gaza by militants. No one questions the responsibility or right of a sovereign nation to protect its people.

However, the deaths of innocent civilians wherever they may occur concerns me. I join my colleagues in condemning all acts of violence and hostilities against civilians and acts of terrorism. While Hamas may be indifferent to the suffering of Palestinians and Israelis as a result of its actions, the rest of the world must not share that indifference.

It is distressing to see this volatile region again paralyzed by a new chapter of a seemingly endless cycle of retributive violence in which no side really wins and innocent civilians lose the most. We must push to break this destructive cycle. The U.S. regional actors, and the international community all need to move quickly to defuse this situation and help to reach a cease-fire by all sides while addressing the security and humanitarian issues that cannot be allowed to continue to fester.

The unfolding humanitarian crisis in Gaza and the firing of rockets into Israel do not serve the best interest of anyone truly concerned with securing permanent peace in the region. That is why it is even more important that this House take up a resolution that makes a serious call for and helps strongly support ongoing diplomatic efforts to bring an

end to the violence, demands greater U.S. leadership and engagement in those efforts, and recognizes the great loss suffered by the Israeli and Palestinian people as a result of the violence and urges a swift end to that violence. Unfortunately, the bill before us today is not such a resolution.

Hamas' own actions time and time again show that it is a threat to regional and international peace. This is not in dispute. The House has rightly condemned Hamas time and time again including passage last March of H. Res. 951—which I supported.

However, I have several concerns about other aspects of the resolution before us today. At a time of increasing international concern about the situation in Gaza highlighted by diplomatic efforts under way at the UN, by the EU, and the Arab League—particularly a proposal put forth by Egypt and France—and the passage just last night by the UN Security Council of a resolution calling for an immediate cease-fire, I fear that his may be the wrong time for a resolution that does little to support efforts to halt the conflict.

The Security Council resolution called urgently for an ''immediate, durable and fully respected cease-fire, leading to the full withdrawal of Israeli forces from Gaza.'' I am disappointed that the resolution before the House today does not support the UN's call for an immediate and verifiable cease-fire by both sides.

When a clear international consensus and diplomatic efforts are beginning to coalesce and work towards a solution, why would the U.S. Congress want to consider a resolution that takes a sharply different tack?

The resolution before us also differs in a number of ways even from a similar resolution that the Senate passed just yesterday. That Senate resolution takes a much more serious approach and puts a greater and much needed emphasis on the proactive role the U.S. needs to play to bring this latest crisis to a close. The U.S. has a vast array of diplomatic and other tools that are at the disposal of the President and his foreign policy advisers to help resolve international crises such as this. Now is the time to open that toolbox and actively use those tools.

If anything has been clear from the last eight years it is that when U.S. does not lead and stay in engaged in regional diplomacy, the situation in the region will not get better.

The EU, the UN, the Arab League all recognize that Israel's military operations must be supplemented and supplanted by a diplomatic resolution that will last. That is why the Egyptians and the French are expending considerable efforts—in the absence of U.S. leadership—to forge a cease-fire agreement that meets Israel's needs, namely ending the firing of rockets into Israel and preventing Hamas from rearming while also addressing the humanitarian needs of Gazans. Just yesterday, Secretary Rice expressed verbal support for this initiative, stating that these efforts ''should not just be applauded, but must be supported'' by the international community. But the resolution fails to even bring it up.

The resolution before the House today also expresses support for ''diminishing the appeal and influence of extremists in the Palestinian territories and strengthen moderate Palestinians who are committed to a secure and lasting peace.'' However, this resolution by its lack of a call for U.S. engagement and lack of recognition of the suffering of civilians actually undermines this goal—one that I have long advocated and supported—both in its tone and substance. The resolution ignores or fails to apprehend the tremendous damage that is being done to the efforts of moderates—either presently or in the future—by the ongoing conflict that according to one report has generated ''incredible bitterness and anger'' in the region. To expect our moderate friends in the Middle East to succeed in such an environment is foolhardy at best.

A cease-fire does not diminish or hinder Israel's right to defend itself. It does help get us back on the path to finding a political and diplomatic solution that will address Israel's security needs and lead to long-term security and peace. A cease-fire is not an end itself but is desirable as a means to halt violence and chaos in the immediate term while creating room to assure humanitarian aid and for renewed and sustained multilateral negotiations for a sustainable peace.

Congress must speak out to help stop this latest crisis in the Middle East but in a way that our message is fair, tough, and smart and that makes clear that the U.S.—while supporting Israel's right to self-defense— can be and is an honest broker in the region. I fear that this resolution fails to meet that standard.

The best support that we can give our close friend and ally Israel is by being an impartial and honest broker that can work with all interested parties in the region, Israelis and Palestinians alike. I am wary about continuing to take actions that hinder the ability for the U.S. to be seen as such a mediator and which may throw more obstacles in the way of the incoming administration foreign policy aims.

The ongoing military operations by Israel cannot and should not substitute for a credible long-term diplomatic solution reached with the help of the international agreement between the Israelis and Palestinians that meets the needs and aspirations of both sides that will prevent the return to an endless cycle of violence that guarantees that ''security'' and peace remains elusive.

Innocent people on both sides want nothing more than to live normal lives with peace and dignity. While I cannot support this resolution in its current form, I strongly encourage the administration and the international community to undertake robust diplomacy to mediate a cross-border cease-fire and to continue to engage in constructive activities, statements, and resolutions will help bring peace to the region and address Israel's real security needs.

Mr. FARR. Madam Speaker, have a long record of supporting Israel and I have no intention of reversing course. My wish continues to be that Israel will one day soon enjoy a lasting peace with its neighbors.

The resolution before the House today is not an easy vote for me. I refuse to vote nay because I continue to support Israel's right to exist and to defend itself. But I cannot vote yea because in the midst of a humanitarian nightmare in Gaza, this resolution is silent on the need for an immediate cease-fire and the need to actively relieve human suffering.

The resolution is right to condemn the rocket attacks against Southern Israel. These attacks are crimes against humanity. The Hamas rockets endanger thousands of lives, terrorize the Israeli populace and deny the people of Israel and Gaza the peace they both deserve.

However, to introduce a resolution in the midst of a raging war that has the impression of assigning blame does not measure up to the moment.

We're watching another desperate episode in the cycle of Middle East violence, yet our call for a cease-fire is timid.

We're watching human suffering at a stomach-turning scale, and our call to relieve suffering is weak.

A spasm of violence is consuming lives and we're failing to do all that we can to be honest brokers of peace.

I agree with almost all the language in this resolution, so I cannot vote against it. However, I cannot vote in favor of the resolution because it does not do enough to set the stage for lasting peace. My conscience dictates a vote of present, which is the only vote for peace.

The SPEAKER pro tempore (Mrs. TAUSCHER). The question is on the motion offered by the gentleman from California (Mr. BERMAN) that the House suspend the rules and agree to the resolution, H. Res. 34.

The question was taken.

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

Ms. ROS-LEHTINEN. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

LILLY LEDBETTER FAIR PAY ACT OF 2009

Mr. GEORGE MILLER of California. Madam Speaker, pursuant to section 5(a) of House Resolution 5, I call up the bill (H.R. 11) to amend title VII of the Civil Rights Act of 1964 and the Age Discrimination in Employment Act of 1967, and to modify the operation of the Americans with Disabilities Act of 1990 and the Rehabilitation Act of 1973, to clarify that a discriminatory compensation decision or other practice that is unlawful under such Acts occurs each time compensation is paid pursuant to the discriminatory compensation decision or other practice, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 11

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 ''Lilly Ledbetter Fair Pay Act of 2009''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) The Supreme Court in Ledbetter v. Goodyear Tire & Rubber Co., 550 U.S. 618 (2007), significantly impairs statutory protections against discrimination in compensation that Congress established and that have been bedrock principles of American law for decades. The Ledbetter decision undermines those statutory protections by unduly restricting the time period in which victims of

discrimination can challenge and recover for discriminatory compensation decisions or other practices, contrary to the intent of Congress.

(2) The limitation imposed by the Court on the filing of discriminatory compensation claims ignores the reality of wage discrimination and is at odds with the robust application of the civil rights laws that Congress intended.

(3) With regard to any charge of discrimination under any law, nothing in this Act is intended to preclude or limit an aggrieved person's right to introduce evidence of an unlawful employment practice that has occurred outside the time for filing a charge of discrimination.

(4) Nothing in this Act is intended to change current law treatment of when pension distributions are considered paid.

SEC. 3. DISCRIMINATION IN COMPENSATION BECAUSE OF RACE, COLOR, RELIGION, SEX, OR NATIONAL ORIGIN.

Section 706(e) of the Civil Rights Act of 1964 (42 U.S.C. 2000e–5(e)) is amended by adding at the end the following:

''(3)(A) For purposes of this section, an unlawful employment practice occurs, with respect to discrimination in compensation in violation of this title, when a discriminatory compensation decision or other practice is adopted, when an individual becomes subject to a discriminatory compensation decision or other practice, or when an individual is affected by application of a discriminatory compensation decision or other practice, including each time wages, benefits, or other compensation is paid, resulting in whole or in part from such a decision or other practice.

''(B) In addition to any relief authorized by section 1977A of the Revised Statutes (42 U.S.C. 1981a), liability may accrue and an aggrieved person may obtain relief as provided in subsection (g)(1), including recovery of back pay for up to two years preceding the filing of the charge, where the unlawful employment practices that have occurred during the charge filing period are similar or related to unlawful employment practices with regard to discrimination in compensation that occurred outside the time for filing a charge.''.

SEC. 4. DISCRIMINATION IN COMPENSATION BECAUSE OF AGE.

Section 7(d) of the Age Discrimination in Employment Act of 1967 (29 U.S.C. 626(d)) is amended—

(1) in the first sentence—

(A) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively; and

(B) by striking ''(d)'' and inserting ''(d)(1)'';

(2) in the third sentence, by striking ''Upon'' and inserting the following:

''(2) Upon''; and

(3) by adding at the end the following:

''(3) For purposes of this section, an unlawful practice occurs, with respect to discrimination in compensation in violation of this Act, when a discriminatory compensation decision or other practice is adopted, when a person becomes subject to a discriminatory compensation decision or other practice, or when a person is affected by application of a discriminatory compensation decision or other practice, including each time wages, benefits, or other compensation is paid, resulting in whole or in part from such a decision or other practice.''.

SEC. 5. APPLICATION TO OTHER LAWS.

(a) AMERICANS WITH DISABILITIES ACT OF 1990.—The amendments made by section 3 shall apply to claims of discrimination in compensation brought under title I and section 503 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12111 et seq., 12203), pursuant to section 107(a) of such Act (42 U.S.C. 12117(a)), which adopts the powers, remedies, and procedures set forth in section 706 of the Civil Rights Act of 1964 (42 U.S.C. 2000e–5).

(b) REHABILITATION ACT OF 1973.—The amendments made by section 3 shall apply to claims of discrimination in compensation brought under sections 501 and 504 of the Rehabilitation Act of 1973 (29 U.S.C. 791, 794), pursuant to—

(1) sections 501(g) and 504(d) of such Act (29 U.S.C. 791(g), 794(d)), respectively, which adopt the standards applied under title I of the Americans with Disabilities Act of 1990 for determining whether a violation has occurred in a complaint alleging employment discrimination; and

(2) paragraphs (1) and (2) of section 505(a) of such Act (29 U.S.C. 794a(a)) (as amended by subsection (c)).

(c) CONFORMING AMENDMENTS.—

(1) REHABILITATION ACT OF 1973.—Section 505(a) of the Rehabilitation Act of 1973 (29 U.S.C. 794a(a)) is amended—

(A) in paragraph (1), by inserting after ''(42 U.S.C. 2000e–5 (f) through (k))'' the following: ''(and the application of section 706(e)(3) (42 U.S.C. 2000e–5(e)(3)) to claims of discrimination in compensation)''; and

(B) in paragraph (2), by inserting after ''1964'' the following: ''(42 U.S.C. 2000d et seq.) (and in subsection (e)(3) of section 706 of such Act (42 U.S.C. 2000e–5), applied to claims of discrimination in compensation)''.

(2) CIVIL RIGHTS ACT OF 1964.—Section 717 of the Civil Rights Act of 1964 (42 U.S.C. 2000e–16) is amended by adding at the end the following:

''(f) Section 706(e)(3) shall apply to complaints of discrimination in compensation under this section.''.

(3) AGE DISCRIMINATION IN EMPLOYMENT ACT OF 1967.—Section 15(f) of the Age Discrimination in Employment Act of 1967 (29 U.S.C. 633a(f)) is amended by striking ''of section'' and inserting ''of sections 7(d)(3) and''.

SEC. 6. EFFECTIVE DATE.

This Act, and the amendments made by this Act, take effect as if enacted on May 28, 2007 and apply to all claims of discrimination in compensation under title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.), the Age Discrimination in Employment Act of 1967 (29 U.S.C. 621 et seq.), title I and section 503 of the Americans with Disabilities Act of 1990, and sections 501 and 504 of the Rehabilitation Act of 1973, that are pending on or after that date.

The SPEAKER pro tempore. Pursuant to section 5(a) of House Resolution 5, the gentleman from California (Mr. GEORGE MILLER) and the gentleman from Minnesota (Mr. KLINE) each will control 30 minutes.

The Chair recognizes the gentleman from California.

Mr. GEORGE MILLER of California. Madam Speaker, I yield myself 5 minutes.

Madam Speaker, the 2007 Ledbetter v. Goodyear Supreme Court ruling was a painful step backwards in the civil rights in this country. Today, the House will vote once again to say that the ruling is unacceptable and must not stand.

Nondiscrimination in the workplace is a sacred American principle. Workers should be paid based upon their merits and their responsibilities, not on the employer's prejudices. Yet, more than 40 years after the passage of the Civil Rights Act of 1964, the Supreme Court decided to dramatically turn back the clock.

Lilly Ledbetter worked for Goodyear for nearly two decades. Just as she was retiring as supervisor in 1998, she found out that her salary was 20 percent, 20 percent lower than that of the lowest paid male supervisor. Not only was Ms. Ledbetter earning nearly $400 a month less per month than her male colleagues, she also retired with substantially smaller pension and Social Security benefits. A jury found that Goodyear in fact had discriminated against Ms. Ledbetter because she was a woman. She was awarded $3.8 million in back pay and damages. This amount was reduced to $360,000 because of the damage gap of title VII of the Civil Rights Act.

Despite the fact that the jury found Goodyear guilty of discrimination, a sharply divided Supreme Court in a 5–4 opinion decided that while Goodyear discriminated against Ms. Ledbetter, her claim was made too late. They had discriminated against her, but she was too late in making her claim.

Why was she too late? Because they said that she had filed outside the 180 day statute of limitations because she did not file after they had taken their secret executive action to pay Ms. Ledbetter less than her male counterparts. The fact of the matter is, she did not know that all of the time that she was working because of the secrecy of that act. The practical result, the practical result of the decision by this court, would be that as long as they could continue to hide the act, if they could get past 180 days, Ms. Ledbetter could be discriminated against and she would not be able to recover anything.

The law has said for a very long time that when a decision was made which was discriminatory in its nature, every paycheck issued since that time was a continuation of the original discriminatory act and Ms. Ledbetter had 180 days and other plaintiffs had 180 days to file from the last paycheck that was issued. Ms. Ledbetter did that, but the Supreme Court saw otherwise.

So, what the Supreme Court is saying is that employers would be allowed to continue to discriminate against employees without any consequences if they could hide it for 180 days. That is simply unacceptable in the American workplace, it is unacceptable to women in this country, and it is important that we pass the Lilly Ledbetter Fair Pay Act, which would reset the law as businesses and most courts and employees and the EEOC had understood it to be before the court's dramatic ruling.

Under H.R. 11, every paycheck or other compensation resulting in whole or in part from an early discriminatory pay decision or other practice would continue as a violation of title VII. That is as it should be. That is as it was before the court spoke.

In other words, each discriminatory paycheck would restart the clock for filing a charge. As long as workers filed their charges, as Ms. Ledbetter herself

did, within 180 days of the discriminatory paycheck, their charges could be considered as timely.

No worker should have to put a full day's work in and get a paycheck at the end of the week that is based upon their gender, race or religion, without any recourse to justice. That is what this legislation will stop. It is fundamental and it is important.

This legislation also ensures that these simple reforms extend to the Age Discrimination in Employment Act, the Americans with Disabilities Act and the Rehabilitation Act to provide these same protections for victims of age and disability discrimination. Connecting pay discrimination poses significant challenges to workers, made all the harder by the Supreme Court's Ledbetter decision.

The reality is that most workers don't know what their coworkers are making. Employers often prohibit employees from discussing their pay with each other. We fix these problems also with the passage of the Paycheck Fairness Act.

The court's misguided decision is already having very harmful consequences far beyond Ms. Ledbetter's case. According to The New York Times, the Ledbetter decision has been cited in over 300 cases in the last 19 months that have denied people the opportunity to provide for recovery.

In this economy, especially in this economy, when every dollar counts to every worker in this country, to provide for themselves or their families, to provide for the wherewithal to go through the daily life in America, we cannot have people discriminated against because of their gender. We can pass the Lilly Ledbetter Pay Act, and that will end that practice in the American workplace.

Mr. KLINE of Minnesota. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise today to oppose this seriously flawed legislation before us. Not only would it amount to a radical change to our civil rights laws, it has come to us without the benefit of the serious consideration and debate due such a significant policy shift.

The enthusiastic supporters of the Ledbetter Act want us to believe that we are simply voting on a straightforward bill to reverse a Supreme Court decision involving discrimination in the workplace.

Unfortunately, Madam Speaker, that isn't the whole story. While this bill would reverse a Supreme Court decision for the benefit of Lilly Ledbetter, it would also dismantle the longstanding statute of limitations established by the 1964 Civil Rights Act. That statute of limitations was deemed to be critical in that Supreme Court decision.

In so doing, this bill would set into motion unintended consequences that its supporters simply are not willing to acknowledge, including radically increasing the opportunity for frivolous and abusive litigation and exposing employers to open-ended lawsuits indefinitely. Further, this bill would also permit individuals to seek damages against employers for whom they never worked by allowing family members and others who were never directly subjected to discrimination to become plaintiffs, even after the worker in question is deceased.

In the current economic climate, as the gentleman from California said, especially in this economic climate, we cannot afford to enable endless litigation and potentially staggering record keeping requirements on employers. We also should be wary of the devastating effect this bill would have on pensions by exposing employers to decade-old discrimination claims that they have little ability to defend. This legislation could risk the retirement security of millions of hard-working Americans.

Madam Speaker, it is very clear that this legislation amounts to a significant change in our civil rights laws. What is less clear are the answers to a number of relevant questions, many of which remain unanswered because of a complete disregard for the normal legislative process.

As you may know, not one legislative hearing was conducted on this bill in the last Congress. This bill has instead been brought to the floor in haste, completely bypassing any deliberation by me and my colleagues on the Committee on Education and Labor. Surely such a monumental change to our civil rights laws deserves more reflection.

My concerns and unanswered questions can only lead me to say that the Ledbetter bill makes for bad policy created through a poor legislative process. I urge my colleagues to vote against this legislation.

Madam Speaker, I reserve the balance of my time.

Mr. GEORGE MILLER of California. Madam Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. ANDREWS), a subcommittee Chair of the Education and Labor Committee.

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

Mr. ANDREWS. Madam Speaker, I thank my chairman for yielding.

I wanted to clear up what I think were three inaccuracies in my friend from Minnesota's statement about the bill.

First of all, this bill will not extend an endless statute of limitations. It restores the statute of limitations the law recognized until the ill-considered Ledbetter decision. It essentially says you have 180 days after each paycheck to make your claim. If you don't make your claim, your claim expires. It doesn't extend the statute beyond that.

Second, with respect to pensions, the bill makes it clear in the ''findings'' section that the same law that applied to pensions is not touched by this bill at all. The courts have generally recognized that when the pension structure is put in place and the person gets their pension, the clock starts running, and if the time expires after that, your ability to make the claim expires after that.

Finally, with respect to the point that is made about people who never worked for the employer being able to sue, I think that is simply not an accurate statement. What is true is if someone suffers discrimination and their estate is owed money for what they would have earned when they were working, the estate is absolutely entitled to recover that sum of money because the man or woman who died would have recovered that.

□ 1045

So this is a good bill. There was an extensive hearing on this issue previously. I would urge the House to do the right thing and adopt this bill. It should not become the law of the land that if you're an employer and can hide discrimination for 180 days you get away with it. If the Ledbetter decision stands, that's what the law is. Let's change that law and adopt this bill.

Mr. KLINE of Minnesota. Madam Speaker, I would like to ask unanimous consent that we yield the remainder of our time to the ranking member on the Education and Labor Committee (Mr. MCKEON) to control the time.

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

There was no objection.

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

Madam Speaker, I rise in opposition to this ill-considered and overreaching legislation. Proponents of this bill claim it simply reverses a May 29, 2007, U.S. Supreme Court decision and clarifies congressional opposition to wage discrimination. In reality, however, this bill will set into motion a series of unintended consequences that will ripple through the economy and plague workers, small businesses, and the judicial system with a vast new legal minefield.

At the outset, let me make it clear that opposition to discrimination of any type, be it gender discrimination, racial discrimination or any other type of discrimination inside and outside the workplace, is not confined to one party or the other. Every Member of this Chamber stands in strong opposition to the unfair treatment of any worker.

At the same time, I believe we must stand firmly behind a process that ensures justice for all parties, and that includes protecting against the potential for abuse and over-litigation. It is my commitment to those principles that requires me to vote no on this bill today.

For more than 40 years, title VII of the 1964 Civil Rights Act has made it illegal for employers to determine an

employee's pay scale based on his or her gender. This is a principle upon which all of us, Democrats and Republicans alike, can agree. As such, current law provides that any individual wishing to challenge an employment practice as discriminatory must first file a charge with the Equal Employment Opportunity Commission within the applicable statute of limitations, which is either 180 or 300 days, depending on his or her state of employment after the alleged workplace discrimination occurred.

The statute of limitations was clearly established in the law to encourage the timely filing of claims which helps prevent the filing of stale claims and protects against the abuse of the legal system. Consider these ''worst case'' scenarios, for example:

Without a statute of limitations in place, an employee could sue for pay discrimination resulting from an alleged discriminatory act that might have occurred, 5, 10, 20 or even 30 years earlier.

And without a statute of limitations in place, it is entirely conceivable that a worker or retiree could seek damages against a company run by employees and executives that had nothing to do with the initial act of the alleged discrimination that occurred dozens of years ago.

The bill before us would dismantle the statute of limitations and replace it with a new system under which every paycheck received by the employee allegedly discriminated against starts the clock on an entirely new statute. While fair-minded in principle, this dramatic change in civil rights law would have an incredibly far-reaching impact, one that supporters of the bill have yet to take the time to thoroughly and appropriately consider. Indeed, if this bill becomes law, the worst case scenarios I just described could become commonplace. And let's not kid ourselves: our Nation's trial lawyers would seize upon that.

Madam Speaker, this bill is not a matter of tinkering around the edges as its supporters would have the American people believe. Rather, it is a fundamental overhaul of longstanding civil rights laws.

The last major change to these laws occurred more than 15 years ago, and after several years of debate. Yet, here we are, just hours into the 111th Congress, and without having held legislative hearings, a committee markup, or even an open-debate process on the floor, voting on a highly flawed bill without any regard to its long-term ramifications.

I'm opposed to discrimination in the workplace, and I believe that workers must have a protected right to avail themselves of legal protections when such discrimination occurs. That right exists today in carefully crafted civil rights law that ensures fairness and justice for all parties. Unfortunately, the bill before us is neither fair nor just, and for that reason, I will oppose it. I urge my colleagues to do likewise.

I reserve the balance of my time.

The SPEAKER pro tempore. Without objection, the gentleman from New Jersey is recognized.

There was no objection.

Mr. ANDREWS. Thank you, Madam Speaker.

I am pleased at this point to yield 2 minutes to the gentlelady from California (Ms. WOOLSEY) in favor of this restoration of 40 years of civil rights legislation.

Ms. WOOLSEY. Lilly Ledbetter went to work at Goodyear Tires every day for 19 years. She was one of the few female supervisors at the plant, and she was an outstanding one, at that. She received awards for her work.

However, all of those years she was paid less than her male colleagues, 20 percent less by the time she retired, because of gender discrimination.

A jury agreed that she had been discriminated against and awarded her over $3.8 million in back pay and damages. But the Supreme Court, the Federal Supreme Court, reversed the decision because it found that Lilly didn't file her claim within 180 days of the initial decision to discriminate, even though she had absolutely no idea at the time that she was being paid less than her male counterparts simply because she was a woman.

The Lilly Ledbetter Fair Pay Act restores the common and longstanding understanding of employees, employers and the circuit courts alike that, when it comes to discriminatory pay, the protection of title VII extends not only to pay decisions and practices, but to each and every paycheck as well.

Unfortunately, Lilly will not reap the benefits of this legislation. As a result, she will continue to feel the effects of the Court's wrongheaded decision for the rest of her life, through smaller pension and Social Security benefits. But this bill will help other women, and it will also be a reminder that absolutely no employer can tell their employees to keep their pay a secret. They can tell you that, but, in fact, they have no right and no legal standing.

So, along with bringing that to light, this wonderful bill is a tribute to Lilly Ledbetter, who has paved the way for other women.

Mr. MCKEON. I have no further speakers, so I will reserve our time.

Mr. ANDREWS. Madam Speaker, I am pleased to yield at this time 2 minutes to one of the civil rights champions of this Congress, the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT of Virginia. Madam Speaker, I rise today in support of the Lilly Ledbetter Fair Pay Act. This legislation reverses the Supreme Court's decision in the Ledbetter case in which the Court ruled that workers filing suit for pay discrimination must do so within 180 days of the original decision to discriminate against them. After the 180 days from the initial decision to discriminate, the employer could continue its discriminatory practices and the employee would no longer have any legal remedy.

Prior to the Supreme Court decision, employees could file suit against employers who were guilty of discriminatory pay practices within 180 days of any discriminatory act, not just the initial decision to discriminate, so that each paycheck in which women were paid less than men for performing the same job would restart the 180-day period. The Supreme Court's ruling in Ledbetter changed this, so that now, if the discrimination is not discovered within 180 days, employers are now allowed to continue to discriminate, even if the pattern of discrimination is well known and acknowledged.

Unfortunately, the fact is that many women, like Lilly Ledbetter, do not learn about the discrimination until much later. So under the Supreme Court decision these women have no remedy under civil rights laws. This bill corrects the injustice and does so, it does not make a so-called dramatic change. Most of the country operated under this policy anyway.

And also, the bill retains the 2-year limit on past wages, so the burden of proof remains also on the plaintiff. So any delay which erodes evidence would be a higher burden for the plaintiff. So there's no incentive to delay bringing suit.

Madam Speaker, this is a commonsense application of what everyone thought the law was anyway. I commend Chairman MILLER for bringing the bill to the floor, and urge my colleagues to support it.

Mr. ANDREWS. Madam Speaker, I am pleased to yield, at this time, 1 minute to the gentlelady from Hawaii (Ms. HIRONO) who truly understands what's wrong with the situation where you get paid based on your gender.

Ms. HIRONO. Madam Speaker, I rise in strong support of H.R. 11, the Lilly Ledbetter Fair Pay Act of 2009. And I want to thank Chairman GEORGE MILLER for his continuing leadership and dedication in bringing this bill to the floor.

H.R. 11 is needed because the U.S. Supreme Court, in 2007, ruled in Ledbetter v. Goodyear that did not take into consideration the reality that discovering discriminatory pay at the outset is difficult for employees. The Court's imposition of 180 days to file a discrimination claim is totally unrealistic and unfair.

When Lilly Ledbetter came to testify before the Education and Labor Committee in 2007, I was moved by her story of justice denied. Ms. Ledbetter was deprived of lost wages compensation because she did not know she was being paid less than her male colleagues until many years had passed since her employers made the initial decision to discriminate.

This bill restores fairness to any employee who has been paid less than their coworkers. I urge my colleagues to support the Lilly Ledbetter Fair

Pay Act, as well as the Paycheck Fairness Act also being debated this morning.

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

As we debate this legislation, Madam Speaker, I must point out that the myths propagated by our friends in the majority are almost too much to take, so I'd like to take a few moments to dispel some of their more disingenuous claims.

We've heard them claim, for example, that H.R. 11 merely restores prior law by reversing the Supreme Court's Ledbetter decision. If indeed this bill was intended simply to reverse the decision, it would have been written to do just that. However, it wasn't. As we have discussed, current law provides that an individual wishing to challenge an employment practice as discriminatory must first file a charge with the Equal Employment Opportunity Commission within the applicable statute of limitations.

Let's be perfectly clear. This was the law both before and after the 2007 Supreme Court decision. This bill would dismantle that statute of limitations and replace it with a new system in which every paycheck received by the employee allegedly discriminated against starts the clock on an entirely new statute. In other words it restores nothing. Rather, it totally guts current law and leaves the door open for trial lawyers to have a veritable field day.

Supporters of this bill also tell us that with hundreds of charges of gender-based pay discrimination filed with the Equal Employment Opportunity Commission each year, numerous claims will never be brought to justice without this legislation.

Once again, nothing could be further from the truth. The right to each and every EEOC pay discrimination claim exists today, just as it has since the 1964 Civil Rights Act. This bill does not restore any rights because these rights never were taken away. Current law allows an individual to challenge an employment practice as discriminatory by first filing a charge with the EEOC within the applicable statute of limitations. This bill does not establish any new rights, and its supporters know this perfectly well.

Finally, the bill's supporters claim that unless this bill becomes law, victims of pay discrimination will have no recourse unless they file a claim within 180 or 300 days of that decision. Unfortunately, the majority refuses to acknowledge clear protections against such a scenario.

First, employees who believe they are victims of pay discrimination may also have recourse under the Equal Pay Act, which is not subject to the Equal Employment Opportunity Commission 180 to 300 days filing requirements.

□ 1100

Through a variety of legal doctrines, courts already allow plaintiffs to file claims outside the statute of limitations where it is fair and equitable for them to do so. For example, a court may choose to do so in a case where an employer withheld critical information or otherwise misled an employee into sleeping on his or her rights.

In short, Madam Speaker, the lack of candor from this bill's proponents is clouding the debate, and I feel it is my duty to set the record straight.

With that, I reserve the balance of my time.

Mr. ANDREWS. Madam Speaker, I am pleased at this time to yield to the majority leader of the House of Representatives, who will lead us to reverse this unfortunate Court decision today, the gentleman from Maryland (Mr. HOYER) for 1 minute.

Mr. HOYER. I thank the gentleman from New Jersey. I thank Chairman MILLER from California. I thank my friend Mr. MCKEON as well for the consideration of this debate.

We've passed this bill before, properly so. Unfortunately, it didn't pass the Senate. It wasn't signed by the President. That will not happen this time. We will pass this bill. My belief is the Senate will pass this bill, and the President of the United States will sign it. Why? Because it's the right thing to do.

I listened to my friend in his conversation, but frankly, it somewhat belies the fact that there came a case to the Supreme Court, and the Supreme Court had to rule on the case, and the Supreme Court ruled on the statute of limitation.

The value of work, of course, Madam Speaker, lies in a job well done, not in the gender of the worker. I don't think there is a man or a woman in this Chamber who would disagree, but all too often in America, sexism, frankly, cheats women out of equal pay and equal worth. It still robs women of their equal right to earn a livelihood, to provide for their families and to secure the dignity of their labor. It does much of its worst work in the dark.

Frankly, women in this body all know that they make the same thing as the men in this body. Why? Because it's public information, but if it were secret information, notwithstanding the fact that we had a number of women vote against this the last time it was up, I would be shocked that they would do so again if they were put in the position of making $25,000 less than those of us who are males, doing exactly the same job. That is the position, of course, Lilly Ledbetter found herself in.

So many of us know by now that Lilly Ledbetter was precluded from recovery. For almost two decades, from 1979 to 1998, she was a hardworking tire plant supervisor. For much of her career, she suffered from two kinds of discrimination simultaneously—from sexual harassment when a manager said to her face that women didn't belong in a factory to the supervisor who tried to coerce her into a sexual encounter. There was pay discrimination as well. There's no doubt about that. Now, she couldn't recover for it because the Supreme Court said she hadn't acted. By the end of her career, she was making nearly $7,000 less than the lowest paid man in the same position.

Both kinds of discrimination were founded on the belief that women in the workplace are second-class citizens. I hope there are no women in America who believe that, and I would hope there are no men in America who believe that. I say that as a father of three women, as the grandfather of two granddaughters and as the great grandfather of a 2-year-old young woman.

Of the two, the unfair pay may have been the most damaging, between the sexual discrimination and the pay discrimination. The sexual discrimination, obviously, is abhorrent, but the pay discrimination diminished Lilly Ledbetter's opportunities in our country.

There has been a lot said on this floor about "it's their money, and they know how to spend it better," and we've talked about that in terms of tax bills. "It's their money, and they know how to spend it better." If that's the case, then I would hope that this bill would pass unanimously to make sure that their money, which they earn fairly, is paid to them so they then can use it as they see fit.

Ms. Ledbetter might have been in the dark to this day; they may have kept it a secret because people, particularly in the private sector, don't go around, saying, "Well, I make X and you make Y." In fact, a lot of employers tell their employees, "Don't tell people what you make." Lilly Ledbetter didn't know how badly she was being discriminated against.

A coworker, however, gave her proof of what her employer was doing to her. Such silent discrimination is surprisingly common because it is so difficult to identify. After all, how many of us know what the salaries of our coworkers are? As I said, we do. My friend from California knows that she makes the same thing as Mr. MILLER makes, and that's appropriate. They are both elected; they both have the same job; they both work hard, and they're paid the same.

Lilly Ledbetter took her employer to court, but the Supreme Court finally ruled against her. So, apparently, there is a problem somewhere, not because she was making it all up but because she had failed to file suit 180 days after her first unfair paycheck. Now, that adopts the premise that the subsequent paychecks somehow were not in violation of the law. They were. Every time she was paid discriminatorily, it was another violation of the law. In fact, the 180 days should have run from the last violation of the law, which, of course, was the last time she was paid in a discriminatory fashion. You have 6 months to find out you're being paid unfairly or you're out of luck for a lifetime.

The Supreme Court's flawed ruling ignored the real-world facts of discrimination, and it has the potential to harm thousands of women, indeed, hundreds of thousands and millions of women and their children and their families and our communities and society, leaving victims of pay discrimination without any recourse.

As Justice Ginsburg said—and she put it in as a strong dissent—''Pay disparities often occur . . . in small increments; cause to suspect that discrimination is at work develops only over time. Comparative pay information, moreover, is often hidden from the employee's view . . . Small, initial discrepancies may not be seen to meet the Federal case, particularly when the employee, trying to succeed in a nontraditional environment, is averse to making waves.''

That's what Justice Ginsburg said. So, apparently, Justice Ginsburg thought there was a problem to which we ought to respond, which is what is happening today.

''The ball,'' Justice Ginsburg concluded, ''is in Congress' court . . . The legislature may act to correct this Court's parsimonious reading.''

That is what we are doing today. That is the right thing to do for our country. It is the right thing to do for women. It is the right thing to do for our families, and that is the aim of the Lilly Ledbetter Fair Pay Act.

This bill gives employees a fair time limit to take action against discrimination. A 180-day limit will still stand, but the clock is reset after each violation of the law, as it should be, not simply after the first one, and that change fits our commonsense understanding of pay discrimination. It is not a single act but an ongoing practice that is renewed every time the employer signs an unfair paycheck.

Madam Speaker, pay discrimination anywhere is an attack on the dignity of every woman in every workplace in America. When workers face unfair pay, they should find us standing by their side, not throwing up technicalities and roadblocks on the way to equality.

For that reason, I urge every one of my colleagues, male and female, Representatives of all of the people who ought to have equal opportunity under the law. This accomplishes that objective. Vote for this important piece of legislation.

The SPEAKER pro tempore. Without objection, the gentleman from California (Mr. MILLER) is recognized.

There was no objection.

Mr. GEORGE MILLER of California. May I inquire of the Chair my time remaining?

The SPEAKER pro tempore. The gentleman from California (Mr. MILLER) has 17½ minutes remaining.

Mr. GEORGE MILLER of California. I yield 2 minutes to the gentlewoman from New Hampshire (Ms. SHEA-PORTER), a member of the committee.

Ms. SHEA-PORTER. Madam Speaker, I rise today to voice my strong support for H.R. 11, the Lilly Ledbetter Fair Pay Act of 2009. I thank Chairman MILLER of the Education and Labor Committee for his leadership on this issue.

As a member of the Education and Labor Committee, I had the opportunity to hear firsthand Ms. Ledbetter's story when she testified before the committee in June of 2007. Her experience is, indeed, appalling, but Ms. Ledbetter is not the only victim in this case. The Supreme Court's decision makes it harder for all employees to challenge pay discrimination.

The Lilly Ledbetter Fair Pay Act restores the integrity of our Nation's pay discrimination protections by clarifying that every discriminatory paycheck represents a new violation of the law, restarting the clock on the statute of limitations. It restores the protections, because prior to the Supreme Court's ruling, the EEOC and most circuit courts understood the law the same way, that each discriminatory paycheck restarted the clock.

The Supreme Court's ruling changed all of this, putting all workers at a disadvantage, threatening the integrity of all pay discrimination protections, not just gender-based pay discrimination. We have an opportunity today to clarify the law, to strengthen our anti-discrimination protections and to move one step closer to ensuring the right of every worker to equal pay for equal work.

I am a proud cosponsor of this legislation, and I urge my colleagues to support it as well. I ask them to support it not only for themselves but for those who will come after us. It is critical that we have an understanding, and when the courts face these issues again, it must be very clear what was intended by Congress.

Mr. GEORGE MILLER of California. I yield 2 minutes to the gentleman from Illinois (Mr. HARE), a member of the committee.

Mr. HARE. Madam Speaker, I rise in strong support of H.R. 11, the Lilly Ledbetter Fair Pay Act. I commend my chairman, Chairman MILLER, for bringing this important legislation forward.

Last year, I, too, had the privilege of hearing Ms. Ledbetter testify before the Education and Labor Committee. After 19 years as a Goodyear employee, Ms. Ledbetter discovered she was paid significantly less than every single one of her male counterparts. She sued the company. She took her case all the way to the Supreme Court. Ignoring a previous court's judgment to award Ms. Ledbetter damages for pay discrimination, the Supreme Court threw out the case based on a technicality.

The Court's decision ignores the reality of the workplace where employees generally don't know enough about what their coworkers earn or how decisions regarding pay are made to file a complaint right when discrimination first occurs. Under this decision, employees in Ms. Ledbetter's position are forced to live with discriminatory paychecks for the rest of their careers.

The Lilly Ledbetter Fair Pay Act would correct this wrong by clarifying that every paycheck resulting from a discriminatory pay decision constitutes a violation of the Civil Rights Act and that employees have 180 days after each discriminatory paycheck to file suit.

When the Supreme Court sanctions discrimination through technicalities, it is the job of Congress to clarify the intent of the law. I am pleased that our first action in the 111th Congress is to stand up for American workers by invalidating this misguided ruling.

Once again, I commend my chairman, Chairman MILLER, and I urge all of my colleagues to vote for H.R. 11.

Mr. GEORGE MILLER of California. I yield 2 minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. I rise in support of the Lilly Ledbetter Fair Pay Act, and I commend Chairman MILLER for his leadership and for his tireless efforts that have brought us so far.

We are here today because Lilly Ledbetter got short-changed, short-changed by her employer—the perpetrator of consistent pay discrimination lasting years—and short-changed again by the Supreme Court.

A jury found that, yes, Lilly Ledbetter had been discriminated against by her employer, and they awarded her $3.8 million in back pay and damages. Then under Title VII, this award was reduced to $360,000, ultimately to zero, when the Supreme Court ruled 5–4 against her last year, drastically limiting women's access to seek justice for pay discrimination based on gender, requiring workers to file a pay discrimination claim within a 6-month period only, regardless of how long the pay inequity goes on. When women still earn only about 78 percent of what men earn, this ruling essentially rolled back efforts to ensure equal pay and left women with little remedy.

□ 1115

Justice Ginsberg suggested in her dissent, ''Congress has an obligation to correct the Court's decision.'' That is why we introduced and passed the Lilly Ledbetter Fair Pay Act last year, clearly stating the title VII statute of limitation runs from the date a discriminatory wage is actually paid, not simply some earliest possible date which has come and gone long ago. Instead, you would be able to challenge discriminatory paychecks as long as you continue to receive them.

Earlier this week, Lilly Ledbetter wrote to the entire Congress, ''I may have lost my personal battle, but I have not given up. I am still fighting for all of the other women and girls out there who deserve equal pay and equal treatment under the law.''

Madam Speaker, ensuring pay equity can help families gain the resources they need to give their children a better future, the great promise of the American Dream. Let us make good on

that promise, pass this bill, and make sure women who face the discrimination that Lilly Ledbetter faced have the right to fight against it.

Mr. GEORGE MILLER of California. Madam Speaker, I yield 2 minutes to the gentleman from New York (Mr. MCMAHON).

Mr. MCMAHON. Thank you, Mr. Chairman.

I rise today as a cosponsor of H.R. 11, the Lilly Ledbetter Fair Pay Act. The Supreme Court's Ledbetter decision has made it significantly harder for women and other workers to hold employers accountable for pay discrimination. The Court's reasoning lacks common sense about the realities of workplace discrimination, and completely disregards the intent behind our robust civil rights laws.

Now we in Congress must correct this injustice, and H.R. 11 seeks to do just that.

As a father and husband, I think it's shameful that by 2009 we haven't been able to close the gender wage gap. Should my wife, who was recently elected to serve as Staten Island's first woman Supreme Court justice, receive a lower salary than her male counterparts simply because of her gender?

I worry about my high school-aged daughter and hope that when she enters the workforce, she will have the same opportunities as her male colleagues. As asked by the majority leader, if she were elected to the House today, should she be paid $145,000 while the men receive $165,000? I say, No.

Is this America's promise to our young women? To my wife? To my daughter? Enactment of the Lilly Ledbetter Fair Pay Act will ensure that when women face discrimination in the workplace, they will be able to fight for and protect their rights to fair, equal treatment.

I recently visited Wagner College in my district and met with the next generation of working women. I made a promise to all of the young women of Staten Island and Brooklyn that I would work hard in Congress to change the practices that permit women to earn only 77 cents on every dollar made by men.

I thank the House leadership, and especially the gentleman from California (Mr. GEORGE MILLER) for allowing me to be part of this historic moment here today. Let us put to rest the age-old problem of sex-based discrimination.

I urge my colleagues to vote yes on the Lilly Ledbetter Fair Pay Act, H.R. 11, and on H.R. 12, the Paycheck Fairness Act.

The SPEAKER pro tempore. Without objection, the gentleman from New Jersey is recognized.

There was no objection.

Mr. ANDREWS. Thank you, Madam Speaker.

I am pleased to yield 1 minute to a member of the Rules Committee, the gentlelady from Ohio (Ms. SUTTON).

Ms. SUTTON. I thank the gentleman for the time and for his leadership on this issue.

I thank the chairman of the Education and Labor Committee, Mr. MILLER, for his tremendous leadership, as well as Representative ROSA DELAURO for her commitment. And I rise today in strong support of this bill.

Madam Speaker, I wish this legislation were not necessary. But, sadly, nearly 45 years after the Civil Rights Act of 1964, pay discrimination still exists; and in one fell swoop, in the Ledbetter case, the Supreme Court made it immensely easier for discrimination to prevail at the expense of women and their families across this country, and that is unacceptable.

The Court held that Lilly Ledbetter would have had to file a complaint within 180 days of when her employer began years of discrimination against her even though there was no way that she could have known that she was being discriminated against. The Court, in effect, eliminated any real opportunity for victims of long-term gender-based pay discrimination to be made whole and provided employers who engage in pay discrimination for years to do so without consequence.

Let's pass this bill.

Mr. ANDREWS. Madam Speaker, I am pleased to yield 1 minute to a strong and consistent voice for the rights of all people in this Congress, the gentlelady from California (Mrs. CAPPS).

Mrs. CAPPS. I thank my colleague.

Madam Speaker, I rise in full support of H.R. 11. I was extremely proud last year when the House swiftly acted to pass the Lilly Ledbetter Fair Pay Act. The Supreme Court had made a terribly misguided decision and failed to fully recognize the rights of women to seek remedy for pay discrimination.

And how proud I am today that we are wasting no time and again passing legislation to clarify that victims of pay discrimination should not be punished because they were not aware of the discrimination against them earlier.

The Civil Rights Act exists to protect individuals precisely when they find themselves in the situation Lilly Ledbetter found herself in, and it was never meant to be interpreted in a way that provides a loophole for employers to discriminate—if they can just make sure that their employees are kept in the dark for 6 months.

Lilly Ledbetter will never be compensated for decades of discrimination by her employer, but let us ensure that none of our sisters, our daughters, our granddaughters are ever punished in the same way.

I urge my colleagues the vote yes for the Ledbetter Fair Pay Act.

Mr. ANDREWS. Madam Speaker, I am pleased at this time to yield 1 minute to the gentleman from New York (Mr. NADLER), a strong voice for civil liberties.

Mr. NADLER of New York. Madam Speaker, it's been 46 years since Congress passed the Equal Pay Act of 1963. Yet women still earn on average only 77 cents for every dollar earned by a man, and the promise of pay equity remains unfulfilled. And the Supreme Court's Lilly Ledbetter decision makes it almost impossible to challenge Federal discrimination.

This bill will overturn that decision. Last year, the Subcommittee on the Constitution, Civil Rights, and Civil Liberties, which I chair, held a hearing on the Ledbetter case and heard directly from Lilly Ledbetter who eloquently described the terrible injustice of the Court's decision.

The Court held that although Ms. Ledbetter had lost thousands of dollars of pay because of intentional sex discrimination, she could not sue because the employer had successfully hidden its own misconduct and discrimination for more than 6 months. This decision makes it almost impossible to enforce the right to be paid the same regardless of race or sex, et cetera. This must be changed, and this bill changes that.

The need for the Paycheck Fairness Act is equally clear. Unfair pay disparities require workers and their families to live on less than they rightfully deserve and reduce retirement earnings.

I urge adoption of both bills.

Mr. ANDREWS. Madam Speaker, it is my distinct and humble privilege to yield 1 minute to a person of great strength and dignity and leadership, the Speaker of the House of Representatives, the gentlelady from California.

Ms. PELOSI. Madam Speaker, I thank the gentleman for yielding.

I want to commend him for his extraordinary leadership, his attention to this issue of concern to America's families. I thank him, I thank his chairman, GEORGE MILLER, for championing this issue in the committee and on the floor.

And I want to particularly salute Congresswoman ROSA DELAURO for being a relentless advocate. Ten years ago, she introduced the Pay Equity Act, and she has been working on it for a long time; and over the years, our ranks have grown of those who recognize the importance of this legislation.

I am particularly happy today, my colleagues, because on Tuesday we swore in a new Congress. It was a result of an election where the American people spoke out very clearly for change. And in the very first week of this new Congress, the change that we want to make is in the lives of America's families.

This legislation hits home. It helps America's working women meet the challenges that their families face economically, and it is about ending discrimination. So I thank all of our colleagues who worked so hard over the years to put this forward. We passed it in the House in the last Congress. We passed the Lilly Ledbetter bill, really a real tribute to a heroine, a woman who is a heroine. She took her personal story and she is making change for all working women in American.

That the Supreme Court would have ruled against her after she had won one

court challenge after another speaks to the need for this legislation. And the courts have spoken to Congress' ability to change the law if they do not agree with what the law had been before.

So here we are. This is the day. We campaigned all over the country. This issue of pay equity and Lilly Ledbetter legislation was part of the campaign. This woman from Alabama stood before crowds and talked about her personal experience. It was painful to experience it, yet she used her own situation to make life better for others. I'm sorry she cannot be with us here today, but I hope she knows how deeply grateful we all are to her because her case showcased the need for this legislation.

And again, in terms of pay equity, I'm a mother of four daughters and one son; and for all of them, this is important legislation. Many colleagues in this House—we have many women Members of the House now, many more we want, but we have fathers of daughters, and those fathers of daughters know that their daughters are capable of doing anything they set out to do and that the value that is placed on them in the workplace is the same value that is placed on young men and men of whatever age.

So I speak, really, from the heart on this in terms of what it means to women in their lives, to what it means to women in their homes, what it means to them in the workplace, what it means to them in their role in the economy, and what it means to them in their retirement because if women are not paid fairly in the course of their work years, it has an impact on their retirement as well.

So for the benefit of our economy—because this has an impact on our entire economy—I want to salute all who have brought us to this day. I think it's a happy day for our country, and as Speaker of the House, I'm particularly pleased that in the first week of the new Congress, this is the primary legislation that we are putting forward. Pay equity, fairness to women in the workplace, the Lilly Ledbetter Act. These are our priorities.

I hope that we will have a big strong vote in the Congress today so the message will go out that this Congress has heard the message of change in the election, that this Congress knows the needs of America's women, that this Congress is prepared to be relevant in its action, relevant to the concerns of America's working families.

I thank all of you for what you do, and I urge all of our colleagues to join all of us in supporting this important legislation.

Mr. ANDREWS. Madam Speaker, I am pleased to yield at this time 1½ minutes to the gentlelady from Chicago (Ms. SCHAKOWSKY) who is the Democratic leader of the bipartisan Women's Caucus in the House.

Ms. SCHAKOWSKY. Madam Speaker, I rise today in support of two critical pieces of legislation, the Lilly Ledbetter Fair Pay Act and the Paycheck Fairness Act.

It is high time for the United States to end gender discrimination in the workplace and to start paying women equal pay for an equal day's work.

As the Democratic co-Chair of the Congressional Caucus on Women's Issues, I'm particularly concerned about how the downturn in the economy will impact women and their families. Today in the United States of America, women earn just 78 cents for every dollar earned by a man. African American women earn just 63 cents on the dollar, and Latinas earn only 53 cents for each dollar males earn, and single women earn just 56 cents for every dollar earned by a man.

□ 1130

These alarming statistics, coupled with the fact that women are losing their jobs at a frightening rate, makes passing the Equal Pay Act even more important, and I thank ROSA DELAURO for her leadership on that legislation.

But the Lilly Ledbetter Fair Pay Act provides adequate legal protections for wage discrimination. Lilly Ledbetter worked for 19 years at a Goodyear Tire plant and was routinely paid less than her male colleagues, including in her last paycheck. Unfortunately, the United States Supreme Court, in essence, said to employers, if you can just keep your underpaid women in the dark for 180 days, then you're free to deny her fair pay and leave her to attempt to meet her family's expenses on a salary that denies her rightful payment.

My colleagues, in this 21st century, it's time we made fairness the law of the land.

Madam Speaker, I rise today in support of two critical pieces of legislation, the Lilly Ledbetter Fair Pay Act and the Paycheck Fairness Act. It is high time for the U.S. to end gender discrimination in the workplace and start paying women equal pay for an equal day's work.

As the Democratic Co-Chair of the Congressional Caucus on Women's Issues, I am particularly concerned about how the downturn in the economy will impact women and their families. Today, in the U.S.A. women earn just 78 cents for every dollar earned by a man. African American women earn just 63 cents on the dollar, Latinas earn only 53 cents for each dollar males earn and single women just 56 cents for every dollar earned by a man. These alarming statistics coupled with the fact that women are losing their jobs at a frightening rate makes passing pay equity legislation even more important.

I thank ROSA DELAURO for her leadership on this legislation. The Paycheck Fairness Act will help put women's wages on par with those of their male colleagues.

We must also pass the Lilly Ledbetter Fair Pay Act to provide adequate legal protections from wage discrimination. Lilly Ledbetter worked for 19 years at a Goodyear Tire plant and was routinely paid less than her male colleagues including her last paycheck. Unfortunately the U.S. Supreme Court in essence compounded this problem when it overturned the lower court and denied her the right to seek relief from our legal system by telling her she waited too long to seek relief even through she had no way of knowing she was paid less. The Supreme Court's decision means that if an employer discriminates in paying a women but she isn't aware of it for six months, the employer can continue to discriminate for years or even decades under an immunity shield that gives that woman no legal recourse.

In other words, if employers can just keep under paid women in the dark for 180 days, they are free to deny her fair pay and leave her to attempt to meet her family's expenses on a salary that denies her rightful payment. Women should be allowed to seek legal remedies for employment discrimination and the Lilly Ledbetter Fair Pay Act would remove existing barriers that prevent women from turning to the courts for help.

It is time that we help the many women this 21st century. Its time we make fairness the law of the land.

Finally, I would strongly recommend to all my colleagues if you want to do the right thing, if you want to be on the side of the women in your district, and if you do not want to be on the wrong side of history, cast a proud yes vote for the Paycheck Fairness Act and the Lilly Ledbetter Fair Pay Act.

Mr. ANDREWS. Madam Speaker, may I inquire as to the time left on each side?

The SPEAKER pro tempore. The gentleman has 4 minutes remaining. The gentleman from California (Mr. MCKEON) has 20 minutes remaining.

Mr. ANDREWS. Madam Speaker, at this time, I would be pleased to recognize for 1 minute a gentlelady who once chaired the Equal Employment Opportunity Commission, who is the House's leading expert on this statute, the gentlelady from the District of Columbia (Ms. NORTON).

Ms. NORTON. I thank the gentleman for his hard work and for his leadership.

It's a rare privilege to cosponsor a bill about a law that I once enforced, but no pleasure at this time because it takes me back to the future, repeating what Congress did on this floor more than 40 years ago, permitting only what the act previously enforced, exactly as it was when I chaired the Equal Employment Opportunity Commission, both before and since that time.

The plaintiff in a discrimination suit carries a heavy burden; Congress never meant it to be an impossible burden. This is secret information—the pay of your coworkers. There is no way for you to know that kind of information any more than you know the health condition of your coworkers. Therefore, what we usually do in enforcement is give an incentive for the employer to contain his liability through self-remediation. The moment he finds the problem, he can contain his liability by in fact correcting the problem. Essentially what the Supreme Court has done is to perversely invite him to hold out for 180 days, and then it's all over, no matter how much discrimination.

This is a bill that must be passed because it already was passed more than 40 years ago.

Mr. ANDREWS. Madam Speaker, I am pleased at this time to yield 1 minute to the gentlelady from New York, a leader on the Equal Rights Amendment Campaign, Mrs. MALONEY.

Mrs. MALONEY. This is a very important bill for working women in our country. The bill overturns the unfair Ledbetter decision where five members of the Supreme Court basically told employers everywhere that if you can just get away with cheating an employee—usually a woman—for 6 months and not have them call you on it, you have our permission to continue to cheat them for the rest of their working life with you, and there is absolutely nothing you can do about it. The message is immoral and against all commonsense. If you cheat and nobody catches you in the first 6 months, it's okay.

A jury of Ledbetter's peers ruled that in fact she had economically been discriminated against. The only question was, can someone cheat you week after week, year after year and receive a get-out-of-jail-free card if they don't get caught in the first 6 months they cheat?

As Ruth Bader Ginsburg said in her stinging rebuke to the Supreme Court, ''The Court does not comprehend or is indifferent to the way in which women can be victims of pay discrimination.''

It's a very important bill. Thank you, Ruth Bader Ginsburg.

Mr. ANDREW. Madam Speaker, I am pleased to yield 1 minute to the energetic and strong young lady from Florida, my friend, Ms. WASSERMAN SCHULTZ.

Ms. WASSERMAN SCHULTZ. Madam Speaker, I met Lilly Ledbetter during a Judiciary Committee hearing in 2007. She told us then how it was only after 20 years of working at Goodyear that she learned of the long-standing pay discrimination against her. Immediately upon learning this, Lilly took her case to court. But instead of following long-standing precedent that each new unfair paycheck represented a new cause of action, the Supreme Court denied Lilly Ledbetter justice.

In the real world, discrimination is subtle and takes years to become evident. However, Justice Alito ruled that victims have only 180 days after the start of a discriminatory action to file suit, even if that employee has no way of knowing about it. This standard is impossible to meet. The Ledbetter Fair Pay Act rights this wrong. It clarifies that an employee is discriminated against each and every time she receives an unfair paycheck.

I thank Chairman MILLER and Congresswoman DELAURO for their outstanding leadership on this issue, and for my two beautiful daughters and the daughters of America, urge my colleagues to support fair pay in the workplace.

Mr. MCKEON. Madam Speaker, may I inquire as to how many further speakers there are?

Mr. ANDREWS. Madam Speaker, we have one further speaker, and then we would anticipate closure from the minority, in which case we would then close.

Madam Speaker, I am pleased to yield 30 seconds to a new Member, who is already making a very positive mark on this very important issue, the gentleman from Virginia (Mr. CONNOLLY).

Mr. CONNOLLY of Virginia. I thank my colleague for giving me 30 seconds.

I think today we right a wrong, a wrong not only about discrimination, but, frankly, a wrong done in the Supreme Court of the United States. The convoluted logic employed by a majority on that Supreme Court is also an injustice we, today, need to overturn. And so I'm so pleased to cast one of my first votes today on behalf of my daughter and all of the daughters of America to right this wrong.

Mr. MCKEON. Madam Speaker, I yield myself the balance of my time.

Madam Speaker, these are serious times. The economy is facing challenges like none we've faced in decades, and this time those challenges are on a global scale.

The U.S. Department of Labor released its December jobs report this morning, and the news is jarring. The U.S. economy shed some 524,000 jobs in the month of December, and total job losses for 2008 have reached 2.6 million. There are now 11 million Americans out of work, and the unemployment rate has climbed upward to 7.2 percent, the highest level since 1993.

The 111th Congress was sworn in this week amid these troubling indicators. What we do on this floor has the potential to help, but it also has the potential to harm. What we do here makes a difference, substantively, of course, but also symbolically. And what signal does it send to the Nation and the world that the first substantive order of business of the 111th Congress is not job creation or tax relief or economic stimulus, but, rather, a trial lawyer boondoggle that could put jobs and worker pensions in jeopardy.

We should have done better, and perhaps we could have done better if we had taken the time to craft a bipartisan bill, or if we would have had an open debate process that allowed all Members of this body to contribute in a thoughtful way.

Had this truly been a narrow fix, as its supporters would have the American people believe, this rush to approval may not have been such a problem. However, this is a major fundamental change to civil rights law, and no less than four separate statutes.

The last change to civil rights law of this magnitude, the 1991 Civil Rights Act, took 2 years of negotiation, debate and partisan accord to accomplish. Instead, what we have before us is a partisan product that is fundamentally flawed. It guts the statute of limitations contained in current law, and in doing so would allow an employee to bring a claim against an employer decades after the alleged initial act of discrimination occurred. Trial lawyers, you can be sure, are salivating at this very prospect.

Madam Speaker, this is a bad bill that is the result of an equally bad process. I urge my colleagues to join me in opposing this bill.

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

Mr. ANDREWS. Madam Speaker, I yield myself the balance of our time.

Madam Speaker, Lilly Ledbetter won an award for being the best at her job in her company. She was woefully underpaid compared to the men along whom's side she worked doing the same job. She said that she was underpaid because she was a woman, the employer said she was underpaid because she wasn't as good at her job. So they both went before a jury of their peers in Alabama, and the jury unanimously decided that Ms. Ledbetter was right and the employer was wrong, and they decided that she should be financially compensated for that wrong. But then she got an unwelcome surprise, that because she hadn't acted at precisely the right moment, because she hadn't acted against a wrong she did not know existed yet, because she did not have the power of a stance, she could not file her claim.

The Supreme Court, with all due respect, turned this law into a trap and a game. Today, we are recorrecting that law, restoring the notion that when a woman goes to work in this country, she should be compensated on how good she is at her job, not her gender. Vote ''yes'' on this bill.

Mr. DINGELL. Madam Speaker. I am pleased to rise today to join with my colleagues in passing H.R. 11, the Lilly Ledbetter Fair Pay Act.

Ms. Ledbetter worked at Goodyear for over 19 years, retiring as a supervisor in 1998. Unbeknownst to Ms. Ledbetter during her time at Goodyear she earned 20 percent less in salary and a smaller pension than the lowest-paid male supervisor. While a jury found in Ms. Ledbetter's favor, agreeing that she had been discriminated against and awarding her $3.8 million in back pay, the Supreme Court did not agree.

In 2007, the Supreme Court overturned this decision finding that Ms. Ledbetter made her claim too late. This decision ignored the fact that Ms. Ledbetter filed her charge within 180 days of a discriminatory paycheck from Goodyear, which is in line with the 180 days requirement under Title VII of the Civil Rights Act.

Today this Congress has an opportunity to pass this legislation that will not only help Lilly Ledbetter recover the wages she rightly deserved, but it will ensure that the women who come after Ms. Ledbetter will not have to suffer her same fate. Under this bill every paycheck or other compensation that is discriminatory in nature would restart the clock for filing a charge. Furthermore, it entitles employers up to two years of back pay, unlike the 180 days of back pay given to Ms. Ledbetter.

During today's economy more and more families are relying on two paychecks to put dinner on the table, buy school supplies for their children or visit the doctor. A smaller paycheck not only hurts female employees who deserve proper compensation, but the families they also must provide for. I urge my colleagues, to join with me in supporting both this bill. A vote in favor will go a long way in ensuring our daughters and granddaughters are treated as equals in the workplace.

Mr. LARSON of Connecticut. Madam Speaker, I rise today in strong support of the Lily Ledbetter Fair Pay Act (H.R. 11), which is the first of two bills the House will consider today focused on ensuring fair and equal pay for women in our workforce.

By now, most of us have heard the heart-rending story of Lily Ledbetter. Despite being intentionally paid 20 percent less than her male colleagues for 19 year, Ms. Ledbetter was denied damages by Supreme Court. In its May 27, 2007, the Court, by a narrow majority, ruled that because Ms. Ledbetter failed to file a claim within 180 days of the initial discriminatory action, she had missed her opportunity to challenge her employer.

Thankfully, we have the opportunity today to overturn the Supreme Court's egregious decision by approving the Lily Ledbetter Fair Pay Act. This legislation clarifies that each discriminatory paycheck represents a new act of discrimination and therefore restarts the 180 day statute of limitation. By restoring the law to as it was prior to the Supreme Court's ruling, we will ensure that women, such as Lily Ledbetter, who are unknowingly discriminated against for years retain the legal right to challenge their employer and obtain compensation for the discrimination that they have endured.

Madam Speaker, the legislation before us today does nothing more than restore common sense to the laws that protect our nation's women from discrimination. I urge all of my colleagues to fully support it.

Mr. CONYERS. Madam Speaker, I rise in strong support of H.R. 11, ''The Lilly Ledbetter Fair Pay Act.'' The time has come for the Congress to reverse the wrongheaded and discriminatory Supreme Court case of Ledbetter v. Goodyear Tire Co. If left intact, this case will not only continue to undermine the validity of our Nation's gender discrimination laws, but also laws that prevent employer discrimination based on race, religion, national origin, disability, or age.

Madam Speaker, I was shocked when I heard the story of Lilly Ledbetter, the Goodyear Tire plant employee who suffered from pay discrimination for nearly two decades. After learning that she had been victimized by her employer, she brought an Equal Employment Opportunity Commission complaint against Goodyear. Unfortunately, in 2007, a majority of our anti-worker, pro-corporate Supreme Court denied her claim, ruling that employees must file a wage-discrimination complaint within 180 days of the very first discriminatory payroll decision. This means that in order to have her day in court, Ms. Ledbetter would have needed to file suit in 1979, even though there was no way she could have known that discrimination was occurring at that point. And even though each successive payroll left her with fewer dollars than her equally qualified colleagues, the Justices of the Supreme Court argued that Ms. Ledbetter had missed her chance at justice.

Ms. Ledbetter, a clear victim of discrimination, was left without recourse in a country founded on a respect for the rule of law. For this, we should be ashamed.

Adding insult to injury, federal and state courts packed with conservative jurists have taken the precedent created by the Roberts Court's Ledbetter decision and expanded upon its logic—for the sole purpose of undermining a wide range of antidiscrimination laws. Because statues which prevent discrimination are extremely similar in form to one another, it has been extremely easy for these jurists to employ the logic found in a gender discrimination case like Goodyear to disenfranchise claimants seeking redress under provisions of the Civil Rights Act, The Americans with Disabilities Act, the Immigration Reform and Control Act, The Age Discrimination in Employment Act, and many other laws aimed at ending anti-discrimination.

If enacted, this bill will clarify that each paycheck resulting from a discriminatory pay decision is a new violation of employment non-discrimination law. As long as a worker files a charge within 180 days of a discriminatory paycheck, the charge would be considered timely.

Madam Speaker, I believe that our courts are our last line of defense when it comes to protecting the fundamental rights enshrined in our Constitution and in our civil rights laws. With our marketplace and court systems unwilling to correct obvious injustices, we need a legislative solution that will ensure that the universal values of fairness, respect, and decency continue to be a part of the American workplace. For the sake of ''equal pay for equal work'' and the continued utility of all of our federal discrimination laws, I urge my colleagues to support this bill.

Ms. MCCOLLUM. Madam Speaker, I rise today in strong support of the Lilly Ledbetter Fair Pay Act (H.R. 11, which addresses gender-based wage discrimination. This is a historic day in the fight for equal rights for women, and I would like to thank Speaker NANCY PELOSI and House leaders for making pay equity for women among the first votes in the 111th Congress.

Families are struggling with the current economic crisis, making it more important than ever that women, who are often the head of the household and make up nearly half the workforce, are compensated fairly and equitably. Leading the legislative session with measures to reverse gender-based wage bias is a clear signal of the level of commitment American families can expect from this Congress.

The disastrous economic policies of the Bush administration failed to address major workforce equity issues over the last eight years. It is unacceptable that on average, women only make 78 cents for every dollar earned by a man, according to the U.S. Census Bureau. That could mean a difference of $400,000 to $2 million over a lifetime in lost wages. Furthermore, the wage disparity grows wider as women age and threatens their economic security, retirement, and quality of life. The new Congress and the incoming administration must act quickly to protect America's workers from wage-discrimination.

The Lilly Ledbetter Fair Pay Act seeks to level the playing field between men and women. This bill is named for a woman who worked for nearly two decades at a Goodyear Tire and Rubber facility in Alabama. She sued the company when she learned that she was the lowest-paid supervisor at the plant, despite having more experience than several of her male counterparts. A jury found that her employer had unlawfully discriminated against her on the basis of sex. However, the Supreme Court said that Ledbetter had waited too long to sue for pay discrimination. This legislation will restore the intent of the Civil Rights Act before the Supreme Court decision and will keep employers from being able to run out the clock by keeping discriminatory practices hidden.

There is no question that our top priority is to get Americans and our economy working again. The Lilly Ledbetter Fair Pay Act recognizes that equal pay is not only an issue of fairness for women, but also one of fairness for working families. In these tough economic times, this bill could make all the difference for working families to make ends meet in their everyday lives. Through these efforts we can help give families the resources they need to give their children a better future. Pay equity should not be a benefit that needs to be bargained for, it is a promise that the government must ensure.

I urge my colleagues to support this bill to ensure economic security for women, their families, and our communities. Through this legislation we can ensure a better future for our daughters granddaughters, and generations to come.

Mr. LANGEVIN. Madam Speaker, I rise in strong support of H.R. 11, the Lilly Ledbetter Fair Pay Act. As an original cosponsor of this bill, I am pleased to see this legislation on the House floor today.

H.R. 11 would correct an injustice and break down barriers to equal pay. From 1979 until 1998, Lilly Ledbetter worked as a supervisor for the Goodyear Tire & Rubber Company. Although Ledbetter initially received a salary similar to the salaries paid to her male colleagues, a pay disparity developed over time. By 1997, the pay disparity between Ledbetter and her 15 male counterparts had widened considerably, to the point that Ledbetter was paid $3,727 per month while the lowest paid male colleague received $4,286 per month and the highest-paid male colleague received $5,236 per month. An anonymous note informed Ms. Ledbetter of this discrimination, which had been going on for years, and she immediately filed a complaint in 1998. A jury found in her favor, but, in a misguided Supreme Court decision, the jury's verdict was overturned. According to the Supreme Court, her complaint was too late.

This decision makes it more difficult for employees to sue for pay discrimination under Title VII, which was not the intent of Congress when the title was written into law. H.R. 11 would clarify that the statute of limitations for suing employers for pay discrimination begins each time they issue a paycheck and is not limited to the original discriminatory action. This change would be applicable not only to Title VII of the Civil Rights Act, but also to the Age Discrimination in Employment Act, the Rehabilitation Act of 1973, and the Americans with Disabilities Act.

Madam Speaker, I urge my colleagues to support this bill to protect women like Lilly Ledbetter from taking their case for equal pay all the way to the Supreme Court, to support single mothers who may worry whether or not

they are being treated fairly by their employers while they provide for their children, and to ensure that daughters entering college can reach their full potential when they graduate.

Mr. GRIJALVA. Madam Speaker, the Supreme Court's recent decision in Ledbetter v. Goodyear was a giant step backwards for America in its commitment to fairness and equality. It is hard to believe that at the end of the first decade of the 21st century, our country is still struggling with gender based employment and wage equity. The Ledbetter decision made a legal remedy for this discriminatory practice considerably more difficult.

As Justice Ginsberg pointed out in her dissent, the decision counsels women to sue early on, ''when it is uncertain whether discrimination accounts for the pay disparity you are beginning to experience. Indeed, initially you may not know that men are receiving more for substantially similar work. Of course, you are likely to lose such a less than fully baked case. If you sue only when the pay disparity becomes steady and large enough to enable you to mount a winnable case, you will be cut off at the court's threshold for suing too late.''

Under this precedent, evidence of an employer knowingly carrying past pay discrimination forward must be treated as lawful. This was clearly not the intent of the legislation.

Today's legislation attempts to remedy the destructive effects of the Court's actions. Under this bill, each sex-based discriminatory salary payment constitutes a new violation of Title VII. As a result, if an individual uncovers a sex based discriminatory act related to compensation that has been going on for years, like Ms. Ledbetter, that individual can seek redress.

If we oppose discrimination in compensation then we must provide a legal recourse for those who have been discriminated against. The Fair Pay Act effectively restores this just and necessary remedy.

Mr. MORAN of Virginia. Madam Speaker. I rise today in support of H.R. 11, The Lilly Ledbetter Act. This legislation was passed by the House in the 110th Congress and we should pass it again today so the Senate can act swiftly and get this important initiative signed into law.

Mrs. Ledbetter was a victim of a system gone awry. When she was hired as a supervisor at Goodyear's tire assembly department in Gadsden, Alabama, her wages were exactly on par with those of a male employee working by her side. Mrs. Ledbetter didn't know her first paychecks matched her co-workers' paychecks. She just assumed they did.

Then, in 1998, an anonymous note informed her that her annual salary was lagging $15,000 behind a certain male co-worker. In fact, she was being paid less than all her male counterparts in the tire assembly department, even recent hires.

Within a month after receiving the note, Ledbetter filed a discrimination charge with the Equal Employment Opportunity Commission. But Title VII of the 1964 Civil Rights imposes a six-month limitation period on discriminatory acts; Ledbetter's evidence was limited to events that took place after Sept. 26, 1997, or 180 days prior to her EEOC charge.

In November of 1998, she filed suit to determine and recoup her losses. Goodyear said Ledbetter's poor job performance was to blame. But she prevailed and was awarded nearly $4 million in pay and punitive damages, which the judge reduced to $360,000. Of course, Goodyear appealed, and the 11th Circuit Court of Appeals' unanimous opinion tossed out the award and dismissed Ledbetter's complaint altogether.

In 2007, in a 5–4 decision, the United States Supreme Court upheld the 11th Circuit's decision, finding that the limitations period for a disparate pay claim cannot be extended or disregarded. But how can a claim be filed if there is no knowledge of the discriminatory act?

Congress must now act on Justice Ruth Bader Ginsburg's dissenting comment that she read from the bench: ''the ball is in Congress's court,'' and ''correct this parsimonious reading of Title VII.'' I agree with Justice Ginsburg; this court ''does not comprehend, or is indifferent to, the insidious way in which women can be victims of pay discrimination.''

Colleagues, let us pass this bill and correct this gross inequity.

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, today, I am pleased to speak about two bills that will go a long way towards establishing gender equity in American workplaces. The Paycheck Fairness Act and the Lilly Ledbetter Fair Pay Act will help close the legal loopholes and restore the initial intent of our civil rights laws.

It has been 45 years since the passage of the landmark Equal Pay Act of 1963, and while pay disparities have narrowed, a strong wage disparity still exists. In fact, according to the U.S. Census Bureau women still make only 78 cents on the dollar to their male counterparts.

We cannot deny that this gender disparity exists, and it is essential that we close the loopholes that allow it to continue. The Paycheck Fairness Act increases enforcement and accountability in cases of discrimination, and provides relief for women who face retaliation for standing up for equal pay. It also requires the Department of Labor to increase their efforts to end pay disparities.

Last year, the U.S. Supreme Court overturned a longstanding prior law making it increasingly difficult for workers to pursue legal remedies for pay discrimination. Today we will work to restore the intent of the Civil Rights Act through passage of the Lilly Ledbetter Fair Pay Act. We will no longer unfairly turn back to the clock on discrimination claims. An incident of pay discrimination occurs each time a worker receives a lesser paycheck because of their gender, and we must treat it as such. We can no longer distort the intent of the law to protect those who seek to discriminate.

These bills are not only for women, but for children and families. For the millions of working mothers in America—many of whom are heads of households—it offers financial stability. This wage disparity is costing women between $400,000 and $2 million over a lifetime.

Lower wages factor into long-term financial planning. Retirement and Social Security are based on income. Retirement aged women today are far less likely to receive a pension, and rely on Social Security benefits to survive. The wage discrimination women are facing today will continue to follow them well into retirement.

We cannot continue to simply accept this disparity, and the Paycheck Fairness Act and the Lilly Ledbetter Fair Pay Act are strong statements that this type of discrimination will not be tolerated. I would like to thank Congresswoman DELAURO and Chairman MILLER for offering these important pieces of legislation, and commend the Democratic leadership for bringing these bills to the floor.

Mr. BLUMENAUER. Madam Speaker, today I am proud to support two important workplace civil rights bills addressing pay discrimination—the Lilly Ledbetter Fair Pay Act and the Paycheck Fairness Act. In the years since the 1963 Equal Pay Act, women have made enormous advances toward economic equality. However, the goal of ''equal pay for equal work'' is not yet reality.

Today, the average full-time working woman earns only 78 cents for every $1 a man makes. Women of color are worse off. African-American women make 69 cents on the dollar, while Hispanic women make only 56 cents. A recent study of college graduates showed that in their first year after graduation, women earned only 80 percent as much as male graduates, demonstrating the gender pay disparities only compound over time.

These pay disparities equal a significant loss of income—anywhere from $400,000 to $2 million over a lifetime—which has a tremendous impact on lives of women and their families, especially as so many are struggling with the economic turndown.

In 2007, the Supreme Court made it virtually impossible for victims of pay discrimination to go to court to vindicate their rights, holding that any challenges to pay discrimination must be filed within 180 days of an employer's initial decision to discriminate. The Lilly Ledbetter Fair Pay Act will overturn the Supreme Court's decision in Ledbetter v. Goodyear Fire & Rubber Co., and restore the long-standing interpretation of civil rights laws that employees can file pay discrimination claims within 180 clays of each discriminatory paycheck they receive.

The Paycheck Fairness Act strengthens the Equal Pay Act to ensure that it provides effective protection against sex-based pay discrimination by closing loopholes and barring retaliation against workers who disclose their wages. Additionally, it also allows women to receive the same remedies for sex-based pay discrimination that are currently available to those subject to discrimination based on race and national origin.

This meaningful legislation will help further advance American women and families' economic security and I am proud to support both.

Ms. ESHOO. Madam Speaker, I rise today to express my strong support for H.R. 11, the Lilly Ledbetter Fair Pay Act. I salute the extraordinary work of Chairman MILLER and Congresswoman DELAURO to bring these important bills to the floor today.

Lilly Ledbetter worked for nearly 20 years at a Goodyear Tire and Rubber facility in Alabama. After 20 years, she received an anonymous note alerting her to pay discrimination against her. She learned that she was the lowest-paid supervisor at the plant, despite having more experience than many of her male counterparts. For 20 years she worked hard and played by the rules only to be paid less and treated unfairly. She then sued Goodyear for pay discrimination. A jury of her peers found that her employer had unlawfully discriminated against her on the basis of sex and awarded her back pay. Her case was appealed and

reached the Supreme Court which held that Ledbetter had waited too long to sue for pay discrimination, despite the fact that she filed a charge with the U.S. Equal Employment Opportunity Commission as soon as she received the anonymous note. The Supreme Court said that under Federal fair pay laws a person must file a discrimination claim within 180 days of the first violation.

Today our opponents will say that this bill is a trial lawyer's dream and that it will bring unnecessary litigation. This is simply not true. The Lilly Ledbetter Fair Pay Act restores the law as it was prior to the Supreme Court's decision. Prior law was fair and worked. Before the Court's ruling, the law was clear—every discriminatory paycheck was a new violation of the law that restarted the clock for filing a claim. Under the Supreme Court's ruling, the Ledbetter decision allows employers to escape responsibility by keeping their discrimination hidden and running out the clock.

The Lilly Ledbetter Fair Pay Act clarifies that each new paycheck resulting from a discriminatory pay decision constitutes a new violation of employment nondiscrimination law. As long as a worker files a charge within 180 days of a discriminatory paycheck, the charge would be considered timely.

This is what the law was and what it should be going forward. I'm very proud to support this bill and I urge a ''yes'' vote on the underlying legislation.

Mr. STARK. Madam Speaker, I rise in strong support of pay equity.

The Supreme Court's ruling in Ledbetter v. Goodyear was absurd. If I broke the law for nearly two decades—as the Goodyear Tire and Rubber Company did when they stiffed Lilly Ledbetter out of the pay she deserved for 19 years—I couldn't turn around and say that I didn't owe anything because no one caught me during the first 6 months. Yet that's exactly what the Supreme Court allowed Goodyear to say to Ms. Ledbetter.

The existing law is unfair. Many workers don't even discover that they're being discriminated against until the existing 180-day statute of limitations has passed. In every other area of American tort law, the clock restarts with every new violation. The Lilly Ledbetter Fair Pay Act simply fixes existing law so that sex discrimination is treated the same way.

My Republican colleagues love to call up the ''frivolous lawsuits'' bogeyman to scare hard-working Americans out of their rights, but there's nothing frivolous about equality and justice. The wage gap in the United States has remained stagnant over the last 7 years. Women in the United States still make less than 78 cents for every dollar a man makes. Women of color have it even worse: African-American women earn only 68.7 cents and Latin American women 59 cents for every dollar an American man makes.

That's why I'm a co-sponsor of the Lilly Ledbetter Fair Pay Act, and why I encourage all of my colleagues to join me in passing this important legislation. American workers deserve better. They deserve equal pay for equal work, regardless of gender, race, ethnicity, religion, and sexual and gender orientation. When they don't get it, they deserve their day in court.

Mr. TIAHRT. Madam Speaker, I rise today in opposition to H.R. 11, the Lilly Ledbetter Fair Pay Act. Although I join my colleagues in steadfast opposition to pay discrimination, this ill-advised, over-reaching, and disingenuous overhaul of civil rights law is the wrong approach.

Pay discrimination is not a partisan issue. Pay discrimination strikes at the heart of the American Dream. For more than 40 years, the 1963 Equal Pay Act and Title VII of the 1964 Civil Rights Act has made it illegal for employers to determine an employee's pay scale based on his or her gender. I wholeheartedly agree and support these laws. Every American should be able to work hard, and make a living for his or her family. We can not tolerate gender discrimination in the workplace.

This legislation, however, is about bad politics rather than good policy. H.R. 11 was supposedly written to remedy a sad situation for one person—Lilly Ledbetter. She was apparently paid significantly less than her counterparts at Goodyear Tire Company during her tenure there. Decades later Ms. Ledbetter filed a claim of discrimination. Taking her claim through the courts, the U.S. Supreme Court ruled on May 29, 2007 that the statute of limitations had unfortunately run out.

Instead of simply restoring prior law, by overturning a Supreme Court ruling against Ms. Ledbetter, in reality, Democrats will gut a decades-old statute of limitations that prevents the filing of ''stale'' claims and protects against abuse of the legal system. Current law rightly provides a statute of limitations to file a discrimination claim, up to 300 days after the alleged workplace discrimination occurred. Under this bill, however, employees or retirees could sue for pay discrimination years, even decades, after the alleged discrimination.

How can a company defend itself when the accused offenders left the company decades before? The answer is—they can't. And that is exactly the answer desired by the trial lawyers who support this legislation. This legislation will not end pay discrimination, but it will certainly encourage frivolous claims and lawsuits. It is inevitable that under this legislation employees will sue companies for reasons that have little if anything to do with the accused discrimination.

Madam Speaker, the issue of pay discrimination is too important to consider this poorly crafted, politically motivated piece of legislation. As much as we sympathize with Ms. Ledbetter, H.R. 11 is bad legislation. Let us instead join together, work in a bipartisan manner, to address pay discrimination while not destroying decades-worth of solid employment discrimination law. Until then, I ask my colleagues to join with me in opposing this legislation.

Mr. HOLT. Madam Speaker, I rise in strong support of the H.R. 11, the Lilly Ledbetter Fair Pay Act of 2009.

For nearly 20 years, Lilly Ledbetter worked at a Goodyear Tire facility in Alabama. After learning that she was the lowest paid supervisor—earning 20 percent less than the lowest paid, least experienced man in the same position at Goodyear—she sued the company for pay discrimination. On May 29, 2007, after a series of cases and appeals, the Supreme Court handed down a disturbing 5–4 ruling that fundamentally rewrote protections that American workers have enjoyed for more than 40 years when they were codified in the Civil Rights Act of 1964.

According to Justice Samuel Alito, who wrote the flawed decision, when Ms. Ledbetter failed to file a discrimination case within the statutorily provided 180 days from the initial decision to pay her less than her male colleagues, she was barred from filing a complaint and no relief was available. Despite documenting the sex based evaluation system Goodyear managers used, Lilly Ledbetter was denied justice and the rights afforded to her under the Civil Rights Act.

Justice Alito's opinion runs contrary to decades of civil rights law, and the Lilly Ledbetter Fair Act would restore the law as it was prior to the Court's ill considered decision. This bill would make it clear that when it comes to discriminatory pay, the protections of Title VII of the Civil Rights Act, the Age Discrimination in Employment Act, the Americans with Disabilities Act and the Rehabilitation Act extend not only to these discriminatory pay decisions and practices but to every paycheck that results from those pay decisions and practices.

As an original cosponsor of the Lilly Ledbetter Fair Pay Act, I urge my colleagues to support its passage, and I encourage the Senate to work quickly to send it to the President.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to section 5(a) of House Resolution 5, the bill is considered read and the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

Mr. GEORGE MILLER of California. 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 bill will be postponed.

PAYCHECK FAIRNESS ACT

Mr. GEORGE MILLER of California. Madam Speaker, pursuant to section 5(b) of House Resolution 5, I call up the bill (H.R. 12) to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 12

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 ''Paycheck Fairness Act''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Women have entered the workforce in record numbers over the past 50 years.

(2) Despite the enactment of the Equal Pay Act in 1963, many women continue to earn significantly lower pay than men for equal work. These pay disparities exist in both the private and governmental sectors. In many instances, the pay disparities can only be

due to continued intentional discrimination or the lingering effects of past discrimination.

(3) The existence of such pay disparities—

(A) depresses the wages of working families who rely on the wages of all members of the family to make ends meet;

(B) undermines women's retirement security, which is often based on earnings while in the workforce;

(C) prevents the optimum utilization of available labor resources;

(D) has been spread and perpetuated, through commerce and the channels and instrumentalities of commerce, among the workers of the several States;

(E) burdens commerce and the free flow of goods in commerce;

(F) constitutes an unfair method of competition in commerce;

(G) leads to labor disputes burdening and obstructing commerce and the free flow of goods in commerce;

(H) interferes with the orderly and fair marketing of goods in commerce; and

(I) in many instances, may deprive workers of equal protection on the basis of sex in violation of the 5th and 14th amendments.

(4)(A) Artificial barriers to the elimination of discrimination in the payment of wages on the basis of sex continue to exist decades after the enactment of the Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.) and the Civil Rights Act of 1964 (42 U.S.C. 2000a et seq.).

(B) These barriers have resulted, in significant part, because the Equal Pay Act has not worked as Congress originally intended. Improvements and modifications to the law are necessary to ensure that the Act provides effective protection to those subject to pay discrimination on the basis of their sex.

(C) Elimination of such barriers would have positive effects, including—

(i) providing a solution to problems in the economy created by unfair pay disparities;

(ii) substantially reducing the number of working women earning unfairly low wages, thereby reducing the dependence on public assistance;

(iii) promoting stable families by enabling all family members to earn a fair rate of pay;

(iv) remedying the effects of past discrimination on the basis of sex and ensuring that in the future workers are afforded equal protection on the basis of sex; and

(v) ensuring equal protection pursuant to Congress' power to enforce the 5th and 14th amendments.

(5) The Department of Labor and the Equal Employment Opportunity Commission have important and unique responsibilities to help ensure that women receive equal pay for equal work.

(6) The Department of Labor is responsible for—

(A) collecting and making publicly available information about women's pay;

(B) ensuring that companies receiving Federal contracts comply with anti-discrimination affirmative action requirements of Executive Order 11246 (relating to equal employment opportunity);

(C) disseminating information about women's rights in the workplace;

(D) helping women who have been victims of pay discrimination obtain a remedy; and

(E) being proactive in investigating and prosecuting equal pay violations, especially systemic violations, and in enforcing all of its mandates.

(7) The Equal Employment Opportunity Commission is the primary enforcement agency for claims made under the Equal Pay Act, and issues regulations and guidance on appropriate interpretations of the law.

(8) With a stronger commitment by the Department of Labor and the Equal Employment Opportunity Commission to their responsibilities, increased information as a result of the amendments made by this Act to the Equal Pay Act of 1963, wage data, and more effective remedies, women will be better able to recognize and enforce their rights.

(9) Certain employers have already made great strides in eradicating unfair pay disparities in the workplace and their achievements should be recognized.

SEC. 3. ENHANCED ENFORCEMENT OF EQUAL PAY REQUIREMENTS.

(a) BONA-FIDE FACTOR DEFENSE AND MODIFICATION OF SAME ESTABLISHMENT REQUIREMENT.—Section 6(d)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(d)(1)) is amended—

(1) by striking ''No employer having'' and inserting ''(A) No employer having'';

(2) by striking ''any other factor other than sex'' and inserting ''a bona fide factor other than sex, such as education, training, or experience''; and

(3) by inserting at the end the following:

''(B) The bona fide factor defense described in subparagraph (A)(iv) shall apply only if the employer demonstrates that such factor (i) is not based upon or derived from a sex-based differential in compensation; (ii) is job-related with respect to the position in question; and (iii) is consistent with business necessity. Such defense shall not apply where the employee demonstrates that an alternative employment practice exists that would serve the same business purpose without producing such differential and that the employer has refused to adopt such alternative practice.

''(C) For purposes of subparagraph (A), employees shall be deemed to work in the same establishment if the employees work for the same employer at workplaces located in the same county or similar political subdivision of a State. The preceding sentence shall not be construed as limiting broader applications of the term 'establishment' consistent with rules prescribed or guidance issued by the Equal Opportunity Employment Commission.''.

(b) NONRETALIATION PROVISION.—Section 15 of the Fair Labor Standards Act of 1938 (29 U.S.C. 215(a)(3)) is amended—

(1) in subsection (a)(3), by striking ''employee has filed'' and all that follows and inserting ''employee—

''(A) has made a charge or filed any complaint or instituted or caused to be instituted any investigation, proceeding, hearing, or action under or related to this Act, including an investigation conducted by the employer, or has testified or is planning to testify or has assisted or participated in any manner in any such investigation, proceeding, hearing or action, or has served or is planning to serve on an industry Committee; or

''(B) has inquired about, discussed or disclosed the wages of the employee or another employee.''; and

(2) by adding at the end the following:

''(c) Subsection (a)(3)(B) shall not apply to instances in which an employee who has access to the wage information of other employees as a part of such employee's essential job functions discloses the wages of such other employees to individuals who do not otherwise have access to such information, unless such disclosure is in response to a complaint or charge or in furtherance of an investigation, proceeding, hearing, or action under section 6(d), including an investigation conducted by the employer. Nothing in this subsection shall be construed to limit the rights of an employee provided under any other provision of law.''.

(c) ENHANCED PENALTIES.—Section 16(b) of the Fair Labor Standards Act of 1938 (29 U.S.C. 216(b)) is amended—

(1) by inserting after the first sentence the following: ''Any employer who violates section 6(d) shall additionally be liable for such compensatory damages, or, where the employee demonstrates that the employer acted with malice or reckless indifference, punitive damages as may be appropriate, except that the United States shall not be liable for punitive damages.'';

(2) in the sentence beginning ''An action to'', by striking ''either of the preceding sentences'' and inserting ''any of the preceding sentences of this subsection'';

(3) in the sentence beginning ''No employees shall'', by striking ''No employees'' and inserting ''Except with respect to class actions brought to enforce section 6(d), no employee'';

(4) by inserting after the sentence referred to in paragraph (3), the following: ''Notwithstanding any other provision of Federal law, any action brought to enforce section 6(d) may be maintained as a class action as provided by the Federal Rules of Civil Procedure.''; and

(5) in the sentence beginning ''The court in''—

(A) by striking ''in such action'' and inserting ''in any action brought to recover the liability prescribed in any of the preceding sentences of this subsection''; and

(B) by inserting before the period the following: '', including expert fees''.

(d) ACTION BY SECRETARY.—Section 16(c) of the Fair Labor Standards Act of 1938 (29 U.S.C. 216(c)) is amended—

(1) in the first sentence—

(A) by inserting ''or, in the case of a violation of section 6(d), additional compensatory or punitive damages, as described in subsection (b),'' before ''and the agreement''; and

(B) by inserting before the period the following: '', or such compensatory or punitive damages, as appropriate'';

(2) in the second sentence, by inserting before the period the following: ''and, in the case of a violation of section 6(d), additional compensatory or punitive damages, as described in subsection (b)'';

(3) in the third sentence, by striking ''the first sentence'' and inserting ''the first or second sentence''; and

(4) in the last sentence—

(A) by striking ''commenced in the case'' and inserting ''commenced—

''(1) in the case'';

(B) by striking the period and inserting ''; or''; and

(C) by adding at the end the following:

''(2) in the case of a class action brought to enforce section 6(d), on the date on which the individual becomes a party plaintiff to the class action.''.

SEC. 4. TRAINING.

The Equal Employment Opportunity Commission and the Office of Federal Contract Compliance Programs, subject to the availability of funds appropriated under section 10, shall provide training to Commission employees and affected individuals and entities on matters involving discrimination in the payment of wages.

SEC. 5. NEGOTIATION SKILLS TRAINING FOR GIRLS AND WOMEN.

(a) PROGRAM AUTHORIZED.—

(1) IN GENERAL.—The Secretary of Labor, after consultation with the Secretary of Education, is authorized to establish and carry out a grant program.

(2) GRANTS.—In carrying out the program, the Secretary of Labor may make grants on a competitive basis to eligible entities, to carry out negotiation skills training programs for girls and women.

(3) ELIGIBLE ENTITIES.—To be eligible to receive a grant under this subsection, an entity shall be a public agency, such as a State,

a local government in a metropolitan statistical area (as defined by the Office of Management and Budget), a State educational agency, or a local educational agency, a private nonprofit organization, or a community-based organization.

(4) APPLICATION.—To be eligible to receive a grant under this subsection, an entity shall submit an application to the Secretary of Labor at such time, in such manner, and containing such information as the Secretary of Labor may require.

(5) USE OF FUNDS.—An entity that receives a grant under this subsection shall use the funds made available through the grant to carry out an effective negotiation skills training program that empowers girls and women. The training provided through the program shall help girls and women strengthen their negotiation skills to allow the girls and women to obtain higher salaries and rates of compensation that are equal to those paid to similarly-situated male employees.

(b) INCORPORATING TRAINING INTO EXISTING PROGRAMS.—The Secretary of Labor and the Secretary of Education shall issue regulations or policy guidance that provides for integrating the negotiation skills training, to the extent practicable, into programs authorized under—

(1) in the case of the Secretary of Education, the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.), the Carl D. Perkins Vocational and Technical Education Act of 1998 (20 U.S.C. 2301 et seq.), the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.), and other programs carried out by the Department of Education that the Secretary of Education determines to be appropriate; and

(2) in the case of the Secretary of Labor, the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.), and other programs carried out by the Department of Labor that the Secretary of Labor determines to be appropriate.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Secretary of Labor and the Secretary of Education shall prepare and submit to Congress a report describing the activities conducted under this section and evaluating the effectiveness of such activities in achieving the purposes of this Act.

SEC. 6. RESEARCH, EDUCATION, AND OUTREACH.

The Secretary of Labor shall conduct studies and provide information to employers, labor organizations, and the general public concerning the means available to eliminate pay disparities between men and women, including—

(1) conducting and promoting research to develop the means to correct expeditiously the conditions leading to the pay disparities;

(2) publishing and otherwise making available to employers, labor organizations, professional associations, educational institutions, the media, and the general public the findings resulting from studies and other materials, relating to eliminating the pay disparities;

(3) sponsoring and assisting State and community informational and educational programs;

(4) providing information to employers, labor organizations, professional associations, and other interested persons on the means of eliminating the pay disparities;

(5) recognizing and promoting the achievements of employers, labor organizations, and professional associations that have worked to eliminate the pay disparities; and

(6) convening a national summit to discuss, and consider approaches for rectifying, the pay disparities.

SEC. 7. ESTABLISHMENT OF THE NATIONAL AWARD FOR PAY EQUITY IN THE WORKPLACE.

(a) IN GENERAL.—There is established the Secretary of Labor's National Award for Pay Equity in the Workplace, which shall be awarded, as appropriate, to encourage proactive efforts to comply with section 6(d) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(d)).

(b) CRITERIA FOR QUALIFICATION.—The Secretary of Labor shall set criteria for receipt of the award, including a requirement that an employer has made substantial effort to eliminate pay disparities between men and women, and deserves special recognition as a consequence of such effort. The Secretary shall establish procedures for the application and presentation of the award.

(c) BUSINESS.—In this section, the term ''employer'' includes—

(1)(A) a corporation, including a nonprofit corporation;

(B) a partnership;

(C) a professional association;

(D) a labor organization; and

(E) a business entity similar to an entity described in any of subparagraphs (A) through (D);

(2) an entity carrying out an education referral program, a training program, such as an apprenticeship or management training program, or a similar program; and

(3) an entity carrying out a joint program, formed by a combination of any entities described in paragraph (1) or (2).

SEC. 8. COLLECTION OF PAY INFORMATION BY THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION.

Section 709 of the Civil Rights Act of 1964 (42 U.S.C. 2000e–8) is amended by adding at the end the following:

''(f)(1) Not later than 18 months after the date of enactment of this subsection, the Commission shall—

''(A) complete a survey of the data that is currently available to the Federal Government relating to employee pay information for use in the enforcement of Federal laws prohibiting pay discrimination and, in consultation with other relevant Federal agencies, identify additional data collections that will enhance the enforcement of such laws; and

''(B) based on the results of the survey and consultations under subparagraph (A), issue regulations to provide for the collection of pay information data from employers as described by the sex, race, and national origin of employees.

''(2) In implementing paragraph (1), the Commission shall have as its primary consideration the most effective and efficient means for enhancing the enforcement of Federal laws prohibiting pay discrimination. For this purpose, the Commission shall consider factors including the imposition of burdens on employers, the frequency of required reports (including which employers should be required to prepare reports), appropriate protections for maintaining data confidentiality, and the most effective format for the data collection reports.''.

SEC. 9. REINSTATEMENT OF PAY EQUITY PROGRAMS AND PAY EQUITY DATA COLLECTION.

(a) BUREAU OF LABOR STATISTICS DATA COLLECTION.—The Commissioner of Labor Statistics shall continue to collect data on women workers in the Current Employment Statistics survey.

(b) OFFICE OF FEDERAL CONTRACT COMPLIANCE PROGRAMS INITIATIVES.—The Director of the Office of Federal Contract Compliance Programs shall ensure that employees of the Office—

(1)(A) shall use the full range of investigatory tools at the Office's disposal, including pay grade methodology;

(B) in considering evidence of possible compensation discrimination—

(i) shall not limit its consideration to a small number of types of evidence; and

(ii) shall not limit its evaluation of the evidence to a small number of methods of evaluating the evidence; and

(C) shall not require a multiple regression analysis or anecdotal evidence for a compensation discrimination case;

(2) for purposes of its investigative, compliance, and enforcement activities, shall define ''similarly situated employees'' in a way that is consistent with and not more stringent than the definition provided in item 1 of subsection A of section 10–III of the Equal Employment Opportunity Commission Compliance Manual (2000), and shall consider only factors that the Office's investigation reveals were used in making compensation decisions; and

(3) shall reinstate the Equal Opportunity Survey, as required by section 60–2.18 of title 41, Code of Federal Regulations (as in effect on September 7, 2006), designating not less than half of all nonconstruction contractor establishments each year to prepare and file such survey, and shall review and utilize the responses to such survey to identify contractor establishments for further evaluation and for other enforcement purposes as appropriate.

(c) DEPARTMENT OF LABOR DISTRIBUTION OF WAGE DISCRIMINATION INFORMATION.—The Secretary of Labor shall make readily available (in print, on the Department of Labor website, and through any other forum that the Department may use to distribute compensation discrimination information), accurate information on compensation discrimination, including statistics, explanations of employee rights, historical analyses of such discrimination, instructions for employers on compliance, and any other information that will assist the public in understanding and addressing such discrimination.

SEC. 10. AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $15,000,000 to carry out this Act.

(b) PROHIBITION ON EARMARKS.—None of the funds appropriated pursuant to subsection (a) for purposes of the grant program in section 5 of this Act may be used for a Congressional earmark as defined in clause 9(d) of rule XXI of the Rules of the House of Representatives.

SEC. 11. SMALL BUSINESS ASSISTANCE.

(a) EFFECTIVE DATE.—This Act and the amendments made by this Act shall take effect on the date that is 6 months after the date of enactment of this Act.

(b) TECHNICAL ASSISTANCE MATERIALS.—The Secretary of Labor and the Commissioner of the Equal Employment Opportunity Commission shall jointly develop technical assistance material to assist small businesses in complying with the requirements of this Act and the amendments made by this Act.

(c) SMALL BUSINESSES.—A small business shall be exempt from the provisions of this Act to the same extent that such business is exempt from the requirements of the Fair Labor Standards Act pursuant to section 3(s)(1)(A)(i) and (ii) of such Act.

SEC. 12. RULE OF CONSTRUCTION.

Nothing in this Act, or in any amendments made by this Act, shall affect the obligation of employers and employees to fully comply with all applicable immigration laws, including any penalties, fines, or other sanctions.

The SPEAKER pro tempore. Pursuant to section 5(b) of House Resolution 5, the gentleman from California (Mr. MILLER) and the gentleman from California (Mr. MCKEON) each will control 30 minutes.

The Chair recognizes the gentleman from California (Mr. MILLER).

Mr. GEORGE MILLER of California. Madam Speaker, I yield myself 3 minutes.

Madam Speaker, Members of the House, in 1963, the Equal Pay Act was passed to end the discriminatory practices of paying men and women differently for performing the same job. The law's principle is that women and men should be paid based upon their merits and not on an employer's prejudice.

Before the Equal Pay Act, women in the workplace earned 59 cents on the dollar compared to their male counterparts. Things have gotten better since the passage of the act, but we still see that women earn only 78 cents for every dollar that is earned by a man doing the same job with the same responsibilities.

It is also very disturbing that African American women earn only 66 cents on the dollar, and Hispanic women earn an astonishing 55 cents on the dollar compared to their male counterparts in the workplace. This wage disparity will cost women anywhere from $400,000 to $2 million over a lifetime in lost wages, and it will follow them right into retirement in the form of smaller pensions and reduced Social Security benefits. It will make their health care even more expensive.

Today, this House will take a critical step forward to ensure that the Equal Pay Act lives up to its promise. Over 12 years ago, our colleague, ROSA DELAURO from Connecticut, introduced the Paycheck Fairness Act. In those 12 years, she was unable to get a hearing in this Congress. But she has now received a hearing, and later today she will receive passage of this legislation that will greatly strengthen the Equal Pay Act and close many of the loopholes that have allowed employers to avoid responsibility for discriminatory pay.

Currently, an employer can refute a pay discrimination claim if he or she provides the difference of pay is based upon any factor other than gender, even factors unrelated to the job. That is just unacceptable. An excuse for equal pay that is not related to the job is no excuse at all. H.R. 12 will ensure that employers either provide equal pay for equal work, or provide a real business justification for not doing so. They will have to show that any gender-based wage differential is job-related, not based on or derived from gender-based differential and is consistent with business necessity.

H.R. 12 will also prohibit employers from retaliating against employees who discuss their pay. Many employers have policies forbidding employees from talking about their pay. This was the case of Lilly Ledbetter, the subject of the previous legislation that we just considered here this morning.

□ 1145

For years, Lilly Ledbetter was paid less than her male counterparts just because she was a woman, but she was unable to know that because she could not discuss her pay with any of the other supervisors, the people in the place of employment. That is wrong. They should be allowed to do that.

Such policies silence workers and allow employers to hide discriminatory pay practices. Employees should feel free to discuss their pay. It is often the only way that they can discover discriminatory pay practice and seek to rectify them.

The bill will also put gender-based discrimination sanctions on an equal footing with other forms of discrimination by allowing women to sue for punitive damages in addition to compensatory damages, just as business and workers may do under section 1981 for race and national origin discrimination.

If we are serious about closing the gender pay gap, we must get serious about punishing those who would otherwise scoff at the weak sanctions under the current law.

The Paycheck Fairness Act will require the Department of Labor to continue collecting pay information based upon gender. It also creates a program designed to help strengthen the negotiation skills of girls and women.

Any pay gap based on gender is unacceptable, especially during these tough economic times. Single women who are head of households are twice as likely to be in poverty as single men.

For families, especially those working under or near the poverty line, equal pay for women will make a significant difference in their economic well-being.

Allowing wage discrimination to continue will hold down women and their families while further harming the American economy.

And, again, I'd like to thank Congresswoman ROSA DELAURO for her passionate advocacy of this legislation and her introduction of this legislation.

I reserve the balance of my time.

Mr. MCKEON. Madam Speaker, I rise in opposition to the bill, and I yield myself such time as I may consume.

Discrimination in the workplace is wrong. Paying women lower wages for the same work is wrong. It's also illegal.

Congress enacted protections to ensure equal pay for equal work in 1963 when the Equal Pay Act was added to the Fair Labor Standards Act. Congress acted again to protect women and all Americans from workplace discrimination with the enactment of title VII of the Civil Rights Act.

Together, these laws offer women strong protections against workplace discrimination and strong remedies should they be subject to illegal employment practices.

Yet we're here today debating a bill that has been touted as necessary to protect women from being underpaid. Supporters of the bill would have you believe that unless this legislation is enacted, employers are free to pay women less money for doing the same job as their male counterparts. Nothing could be further from the truth.

This bill isn't needed to protect women from wage discrimination. Such protections are already included in the law. No, this bill is about something entirely different.

Rather than addressing the real concerns of working families, issues like job training, health care, or a lack of workplace flexibility, this bill invites more and costlier lawsuits.

The bill opens EPA claims to unlimited compensatory and punitive damages for the first time ever. The majority offered an amendment last year that attempts to mask this trial lawyer boondoggle. But make no mistake about it, at the end of the day, this bill will invite more lawyers to bring more lawsuits because it offers them the promise of a bigger payday.

H.R. 12 will breed litigation in other ways as well, from encouraging class action lawsuits to expanding liability.

I am also concerned that this bill has been put forward using misleading claims to justify its dangerous consequences. One statistic that is often repeated is that women earn just 77 cents on the dollar compared to men. Madam Speaker, if a woman earned 77 cents on the dollar doing the same job as a male counterpart, it would be a travesty and it would be illegal.

What supporters of this bill won't tell you is that the 77 percent figure does not compare one man and one woman, equally situated, doing the same job. To argue that a woman only makes 77 cents on the dollar doing the same work as her male counterpart is to distort reality. The 77 percent figure is based on 2005 census data, looking at median earnings of all women and all men who work at least 35 hours per week. Interestingly, if you look at 2006 data from the U.S. Department of Labor comparing men and women who worked 40 hours per week, women actually earned 88 cents on the dollar. That's better but not good enough. The wage gap is much narrower, but the existence of a gap is still troubling.

However, in the 110th Congress, the Education and Labor Committee heard testimony that cited an article published in ''The American Economic Review,'' which found that when data on demographics, education, scores on the Armed Forces Qualification Test, and work experience are added, the wage ratio rises to 91.4 percent. The addition of variables measuring workplace and occupational characteristics, as well as child-related factors, causes the wage ratio to rise to 95.1 percent. When the percentage female in the occupation is added, the wage ratio becomes 97.5 percent, a far less significant difference.

In another study, researchers from the University of Chicago and Cornell University found almost no difference in the pay of male and female top corporate executives when accounting for size of firm, position in the company, age, seniority, and experience.

So before we use the 77 percent figure to justify new legal ''gotchas,'' I think we need a better understanding of the scope of any actual pay disparity and why such a disparity exists.

Madam Speaker, I've said it before and I will say it again: discrimination in the workplace is wrong. Equal pay for equal work was the right principle when it began in 1963, and it is still right today.

The bill before us is not about ensuring equal pay for equal work, and it doesn't offer working women any protections they don't already enjoy. Just look at the plain text of the legislation. This bill is about more and costlier lawsuits.

Madam Speaker, I'm strongly opposed to this bill, and I encourage my colleagues to join me in voting ''no.''

I reserve the balance of my time.

Mr. GEORGE MILLER of California. I yield 2 minutes to the gentlewoman from California (Ms. WOOLSEY), a member of the committee.

Ms. WOOLSEY. Thank you, Mr. Chairman.

Madam Speaker, at one time I was a single mother raising three small children. I worked full time, but I still struggled to put food on the table and to care for my children because my paycheck did not cover all of our needs. That's when women earned 59 cents on the dollar. That's when I needed Aid for Dependent Children to make ends meet at our house, even though I got a paycheck every month.

And that's when I decided that I should join the Sonoma County Commission on the status of women where I eventually became the Chair, and we worked to change that very statistic of what women earn compared to men. But we now are only at 77 cents to the dollar.

That actually was more than 40 years ago, but today there are still millions of mothers in this country that are struggling to provide for their families while trying to balance full-time work. It is a fact, and we have said it before today, that single mothers are twice as likely than single fathers to raise their children in poverty. Unfortunately, so long as women continue to receive 77 cents on the dollar earned by a man, this statistic is unlikely to change anytime soon, particularly when a woman college graduate earns the equivalent of a male gardener.

You've got to take those statistics into your head. You've got to know what it means, and in this current economic climate, things are so bad. We can't in good conscience sit by, and let one American worker earn less than she rightfully deserves.

This gap in pay cannot be explained away just as a result of women's personal choices. In fact, a recent study from the American Association of University Women found that just 1 year out of college, women working full-time make just 80 percent of what their male counterparts earn.

The Paycheck Fairness Act is one of the first steps to get us back to an economic recovery. It must be passed.

Mr. MCKEON. I'm happy to yield to at this time to the subcommittee ranking member over this piece of legislation, the gentleman from Minnesota (Mr. KLINE), such time as he may consume.

Mr. KLINE of Minnesota. Madam Speaker, I thank the gentleman for yielding.

Madam Speaker, once again I find myself rising in opposition to ill-conceived legislation before Congress. Closely related to the Ledbetter bill we debated earlier today, the so-called Paycheck Fairness Act is yet another attempt to hamstring our Nation's businesses by limiting their ability to make hiring decisions based on the merits of their individual employees.

Despite the misleading title, this bill isn't about paycheck fairness. As my colleagues on the Education and Labor Committee know very well, multiple existing laws, including the Fair Labor Standards Act and the Civil Rights Act, already make it illegal to discriminate on the basis of sex, and rightly so.

Rather than curbing discriminatory employment practices, as its supporters claim, this bill vastly expands the likelihood of discrimination lawsuits by making it easier and more lucrative for trial lawyers to bring such cases. In fact, a more apt name for this bill would be the Plaintiff Bar or Trial Lawyer Expansion Act, and I can understand why some of my colleagues who may have law schools in their districts or have the opportunity to perhaps build a new law school might, in fact, be in favor of this legislation.

This bill would allow discrimination claims to be made on very thin grounds and expose employers to unlimited claims made under the Equal Pay Act, far beyond what is available under any other civil rights law. The bill also exposes employers to unlimited punitive and compensatory damage awards, without requiring proof of intentional discrimination. It eliminates key employer defenses for pay disparities, and it prohibits employers from disciplining or discharging employees for publicly disclosing sensitive wage information.

Madam Speaker, we all can agree that wage discrimination is unconscionable. It is prohibited under Federal laws that are already strongly supported and aggressively enforced by the U.S. Department of Labor.

Congress should not be in the business of making employment decisions for individual businesses. In times of economic uncertainty, we should instead focus on improving conditions for individual workers and enabling our Nation's businesses, large and small, to continue to create jobs and drive our Nation's economy.

I strongly urge my colleagues to vote against this legislation.

Mr. GEORGE MILLER of California. I yield 2 minutes to the gentleman from New Jersey (Mr. ANDREWS) a member of the committee.

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

□ 1200

Mr. ANDREWS. Mr. Speaker, I rise in support of this legislation, and I would like to address several of the arguments that we have heard against it, first, that this is some bonanza for trial lawyers.

What this is is an opportunity for women who have been discriminated against to get a lawyer. If you work as a sales clerk or in a factory, you can't afford to pay a lawyer the hourly fee that he or she needs to represent you. The only way you are going to get represented is through a contingent fee arrangement where a lawyer would recover, would get to keep part of what you recover as part of the deal.

Now, the problem with the Equal Pay Act is its remedies are limited so much to just twice what your salary is that the damages are never high enough to justify legal representation. This is about getting lawyers for people who have a valid claim who cannot afford the thousands of dollars that it would be.

Second, there was a representation made that defenses are stripped from employers. That's not accurate. What is accurate is that if an employer alleges that some reason other than gender was the reason that he paid the woman less than the man, it has to be a legitimate reason, like level of education or experience. It has to be a legitimate reason. The present law doesn't require that legitimacy.

Finally, the statement was made that an employer cannot discharge an employee for talking about pay scales publicly, that's not accurate. What the law does is to say that it protects employees that are custodians and guardians of pay records. But it certainly doesn't restrict in any way an employer's right to enforce a legitimate and realistic company policy.

This is a good bill. It's an excellent proposal that will help lift the economic status of women who work very hard, every day, in some cases 7 days a week, and deserve it.

I would urge a ''yes'' vote.

Mr. MCKEON. I reserve.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield myself 30 seconds here just to say that I am about to recognize, to speak on this legislation, Congresswoman ROSA DELAURO of Connecticut. I think all of us in the House, whether we agree or disagree with this legislation, recognize the incredible advocacy that she has brought to this issue of equal pay for equal work, of paycheck fairness, of women's rights at work, and the protection of low-income American families throughout her entire career in the Congress.

As I had mentioned earlier in this debate, she introduced this legislation some 12 years ago and has been unable to get a hearing on the legislation. We provided that hearing, and I think it

was compelling to almost all of the members of the committee that this wage disparity and these actions could not continue and deny women their full opportunity to participate in the American economy on equal footing.

So it's with a lot of pride and a great sense of honor just to recognize her to speak on behalf of this legislation which she has introduced and she is the primary author of.

I recognize the gentlewoman from Connecticut for 6 minutes.

Ms. DELAURO. Mr. Speaker, I rise in support of the Paycheck Fairness Act and the Lilly Ledbetter Fair Pay Act. I want to commend and thank Chairman MILLER for his tireless commitment to this issue—I know that we could never have come this far without his tenacious leadership, we are grateful—and to Speaker PELOSI, whose vision and leadership have made pay equity a priority in this Congress.

Earlier this week we convened the 111th Congress. We welcomed our new colleagues to the floor, we celebrated this institution's proudest achievements and honored its great potential. Together, we look to the challenges before us with a great sense of responsibility.

Today, the economy weighs heavily on most Americans. Families across this Nation are struggling with job insecurity, declining incomes, foreclosures and a financial system in crisis. Women, who account for nearly one half of the workforce, feel the effects of this faltering economy with particular force and poignancy.

Incomes for women-headed households are down by 3 percent since 2000. Unmarried women have an average household income almost $12,000 lower than unmarried men, and half of all women are in jobs that do not offer retirement plans. Retired women are more likely to be poor than elderly men.

With our economy in crisis, so many women are on the edge financially. They feel as if their economic freedom is under assault. Almost 60 percent of women say they are concerned about achieving their economic and financial goals over the next 5 years, 15 points higher than for men.

But we know that it does not have to be this way. Today we face a transformational moment with a new Congress, a new administration. We have a chance to finally provide equal pay for equal work and make opportunity real for millions of American women. The status quo will not do.

The Department of Labor's own data shows that today women still earn 78 cents for every dollar that men earn, and the marketplace alone will not correct this injustice. We need a solution in law, just as our country has done in the past, to bring down discriminatory barriers.

As the National Committee on Pay Equity tells us, pay disparity's long-term impact on women's lifetime earnings is substantial, can cost a woman anywhere from $400,000 to $2 million over her lifetime. That lack of pay equity translates into less income toward a pension, in some cases Social Security benefits. It is no coincidence that 70 percent of older adults living in poverty are women.

I am so proud that, together with the Lilly Ledbetter Fair Pay Act, the Paycheck Fairness Act is among the first legislative proposals this Congress has chosen to consider. It says something profound about our priorities as an institution and our goals for the months ahead. It says that we are a Nation that values the work that women do in our society.

The Paycheck Fairness Act closes loopholes that have enabled employers to evade liability, stiffens penalties for employers who discriminate based on gender, protects employees from retaliation for sharing salary information, with some exceptions. It establishes a grant initiative to provide negotiation skills training programs for girls and women.

It addresses a real problem with concrete solutions. Last year working women filed over 800 charges of unlawful sex-based pay discrimination with the U.S. Equal Employment Opportunity Commission. We all know Lilly Ledbetter's story. For so many years she was shortchanged by her employer.

This week, a New York Times editorial said that by acting today, we can, and I quote, ''signal a welcome new seriousness in Washington about protecting civil rights after 8 years of erosion.''

This is our moment to fight for economic freedom and to eliminate the systemic discrimination faced by women workers. Because what we know is at stake, had the Paycheck Fairness Act been the law of the land when Lilly Ledbetter decided to go to court, she would have had a far better opportunity to receive just compensation for the discrimination that she endured.

That is why President-elect Obama has said about the Paycheck Fairness Act, and I quote, ''This isn't just an economic issue for millions of Americans and their families. It's a question of who we are as a country—of whether we're going to live up to our values as a Nation.''

Pay equity is not just another benefit to be bargained for or bargained away. It is about giving women the power to gain economic security for themselves and for their families. This body took a major step when it passed the Lilly Ledbetter Fair Pay Act and the Paycheck Fairness Act last summer. We return today to carry that momentum forward, finish what we started.

I have always been proud to serve in this institution, and I revere those lawmakers who, before us on previous days, took a stand for health care, for the elderly or for the Civil Rights Act and for the Family and Medical Leave Act and made such an impact on people's lives.

That is the whole reason why we are here. It is my hope that the House acts today to pass both the Lilly Ledbetter Fair Pay Act and the Paycheck Fairness Act to again make history for this country.

Mr. MCKEON. Mr. Speaker, I continue to reserve.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. HARE), a member of the committee.

Mr. HARE. Mr. Speaker, I rise in strong support of H.R. 12, the Paycheck Fairness Act, of which I am a proud cosponsor. I want to commend my friend and colleague, Representative ROSA DELAURO, for introducing this legislation so we can seriously address the long-standing problem of gender-based wage discrimination in our Nation.

According to the U.S. Census Bureau, women only make 77 cents for every dollar earned by a man. This wage disparity will end up costing women anywhere from $400,000 to $2 million over a lifetime in lost wages. Making matters worse, the wage gap grows wider as women age and move through their careers. This is not only a problem for women, it is a problem for our Nation.

Gender-based wage disparity allows employers to discriminate against women and avoid liability in the courts. Secondly, wage discrimination leads to more women in poverty, increasing the burden of health care costs of welfare programs on the taxpayer.

The Paycheck Fairness Act will strengthen pay equity laws by closing the loopholes that have allowed employers to avoid responsibility for discriminatory pay and help to build economic and retirement security for women.

It is in the best interest of all Americans to ensure that every worker is treated fairly in the workplace. I urge my colleagues to support this bill.

Again, I thank Congresswoman DELAURO for her leadership on this issue.

Mr. MCKEON. Mr. Speaker, I continue to reserve.

Mr. ANDREWS. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from New Jersey, a member of the committee who has worked very diligently on this issue, Mr. HOLT.

Mr. HOLT. I thank the gentleman.

Mr. Speaker, I rise in support of the Paycheck Fairness Act. Equal pay for equal work must not be just a saying, it must be the law.

Last year I had the honor of joining the Chair of our committee and others in unveiling the portrait of the former New Jersey Representative Mary Norton, who was Chair of the Labor Committee seven decades ago and a tireless advocate then for equal pay.

Under her leadership, Congress passed the 1938 Fair Labor Standards Act that established the 40-hour work week, it outlawed child labor and established a minimum wage of 25 cents an hour. The criticisms we hear today

were the same then. The Federal Government shouldn't be involved, the critics said.

I think of Mary Norton today when I say that while we have made significant progress since the Equal Pay Act of 1963, the fight for equality in the workplace is far from over. According to the Census Bureau, women still earn 78 percent of men.

Mary Norton understood that the wage gap was not just a women's issue, it is a family issue. Nowadays, men understand that too. When women earn less for equal work, families are forced to make do with less.

I urge my colleagues to pass the Paycheck Fairness Act.

Mr. ANDREWS. Mr. Speaker, I am very pleased to yield 1 minute to the gentlelady who really makes the trains run on time around here, the Chair of the Rules Committee, Ms. SLAUGHTER from New York.

Ms. SLAUGHTER. Thank you, Mr. Chairman, I appreciate it very much.

Mr. Speaker, when I graduated from the University of Kentucky with both a bachelor's degree and a master's degree, I believed at that time that it was perfectly fine to discriminate against women. Do you know why we were discriminated against in our wages, even though we had gone to the same classes, we had earned the same degree from the University of Kentucky, but women were told we were worth half as much because we might get married and we might have children. Therefore, there was no point in making any investment whatever in us. I believed that up until the point where I became the mother of three daughters and the grandmother of two young women.

I first got involved in this as at the 1972 Democratic convention. At that time we all wore little buttons that said 59 cents on the dollar. That's what we were paid then 40 years ago. How far have we come? Up from 59 to 77 cents.

I cannot for the life of me believe that anyone would be opposed to this bill, knowing that in almost every American family both parents work to try to make ends meet. Why should one of them be cheated? Isn't that a cheat on the family?

My anger knows no bounds. I am so grateful this is up today. Forty years is long enough to wait.

Mr. ANDREWS. Mr. Speaker, I am now pleased to yield 1 minute to the very hardworking gentlelady from New Hampshire (Ms. SHEA-PORTER).

Ms. SHEA-PORTER. Mr. Speaker, I rise today to express my enthusiastic support for H.R. 12, the Paycheck Fairness Act, and I thank Chairman MILLER of the Education and Labor Committee and Congresswoman DELAURO, the sponsor of this legislation, for their tireless work and their leadership on this issue.

To paraphrase James Madison, if men and women were angels, no government would be necessary. In an ideal world, we wouldn't need legislation to reinforce a concept of equal pay for equal work.

But even today in 2009, women make an average of only 78 cents for every dollar made by their male counterparts. The importance of the Paycheck Fairness Act is clear. Gender-based wage discrimination has been illegal in this country since the Equal Pay Act of 1963 was signed into law. Yet, the pay disparity between women and men that still persists today highlights the need to take another look at our wage discrimination laws. This disparity, by the way, is estimated to cost a working woman between $400,000 and $2 million over a lifetime. I am a proud cosponsor and urge ''yes.''

Mr. ANDREWS. Mr. Speaker, I am pleased at this time to yield 1 minute to the gentleman from Michigan (Mr. PETERS), one of our new Members who is already delivering justice for the hardworking women of his district.

Mr. PETERS. I would like to thank the gentleman from New Jersey.

Mr. Speaker, I rise today in support of H.R. 12. Decades after the landmark Equal Pay Act and the Civil Rights Act, women in my home State of Michigan still earn an intolerable 70 cents for every dollar earned by a man.

This discrimination must end. Pay equity is not just a women's issue, it is an economic issue. More than ever, working families are relying on two incomes. When a mother is denied fair pay, she is denied the ability to provide for her family, her husband, her children, and the entire family suffers.

□ 1215

My two daughters, Madeleine and Alana, will enter the workforce some day. If I learned that an employer was paying my daughters less than what they deserve, simply because they were female, I would be outraged. And right now our Nation's daughters, our Nation's sisters, our Nation's mothers, are being denied fair treatment and I am outraged, and we all should be as well. This bill creates commonsense measures to ensure fair treatment for women, and I urge its passage here today.

Mr. MCKEON. Mr. Speaker, I reserve my time.

Mr. ANDREWS. Mr. Speaker, I am pleased to yield 1 minute to a very strong voice for workers' rights in this country, the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. In 1968, I believe it is, Congress passed a Civil Rights Act, and we saw still that there had been over a period of 40 years racial discrimination in America. In 1963, Congress passed the Equal Pay Act, and yet we know there was wage discrimination over a period of more than 40 years affecting women.

This Paycheck Fairness Act is an important step in eliminating the gap that exists between the compensation of men and women. It is a travesty that in 2009 we even have to address this issue, but the fact of the matter is, the unfortunate reality is that a compensation gap has existed for decades and persists to this day. Women receive less compensation than their male counterparts do for the same work.

This bill is going to close the legal loopholes that employers have exploited to avoid compensation discrimination lawsuits. It will treat gender discrimination on par with other types of discrimination.

We are about to have an economic stimulus package. We have to make sure that women are able to fully participate in the gains that we hope to see in this economy.

Thank you, ROSA DELAURO, for standing up for economic justice.

Mr. ANDREWS. Mr. Speaker, may I inquire as to how much time each side has remaining.

The SPEAKER pro tempore (Mr. HOLDEN). The gentleman from New Jersey has 10 minutes remaining. The gentleman from California has 22 minutes remaining.

Mr. ANDREWS. Mr. Speaker, at this time I am pleased to yield 1 minute to the gentlewoman from Ohio (Ms. SUTTON), a distinguished employment lawyer before she came to this body.

Ms. SUTTON. Mr. Speaker, I thank the gentleman for the time and for his leadership, and I thank the distinguished Chair of the Education and Labor Committee, Mr. MILLER, for his leadership, and, of course, the gentlewoman from Connecticut, Ms. DELAURO, for her unyielding advocacy on this legislation.

Mr. Speaker, I rise in strong support of this bill. Last November, people across this country voted for change, and with passage of this legislation we will finally change the wage gap that has persisted between men and women.

We know the statistics: 77 cents on the dollar that women earn as opposed to men. But this is about more than statistics. It is about people. It is about women and it is about their families, and it is about fairness. With every paycheck of these affected women, they are cheated and their families are cheated. It robs families of earned income, it robs their pensions, it robs their Social Security benefits, and it robs them of fairness and justice.

We are a country that values fairness and justice for all of our citizens, not just those of a certain gender. Let's pass this bill.

Mr. ANDREWS. Mr. Speaker, I yield 1 minute to a strong and compassionate voice for working women all over this country, the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. Mr. Speaker, I rise in strong support of H.R. 12, the Paycheck Fairness Act. I want to commend our colleague ROSA DELAURO for her stellar work on this legislation and thank our leadership for making sure that this bill is one of the first we are considering in our new Congress. I am thrilled, and I know it is a testament to our commitment to equality for all.

H.R. 12 closes existing loopholes that otherwise prevent employees from recouping deserved wages. Existing law

allows employers to use a myriad of excuses to justify a pay disparity between men and women. This is true even if the excuse has nothing to do with the job itself. Furthermore, women cannot always safely discuss salaries with their coworkers to determine if there is discrimination occurring for fear of retaliation from their employers. The Paycheck Fairness Act will ensure that women can safely discuss wages with other workers and modernize the law so that companies must show more proof that pay disparities did not occur because of gender.

I urge my colleagues to vote in favor of this important legislation to ensure a better economic future for all American women.

Mr. ANDREWS. Mr. Speaker, at this time I am pleased to yield 1½ minutes to the very principled and articulate gentleman from Texas (Mr. EDWARDS).

Mr. EDWARDS of Texas. Mr. Speaker, the Paycheck Fairness Act is about far more than the size of a paycheck. It is about our commitment to the American values of hard work and equality and of opportunity. The story of America is our never-ending march toward the highest ideals of equal opportunity for all our citizens. Today we write a new chapter in that great American story. Today we say to women all across our land that if you work hard and play by the rules, you will be rewarded fairly. You will reap what you sow.

Fulfilling the promise of equal opportunity for American women will lift millions of our families and our children out of poverty. That is not just progress for their families; it is real progress for the American family. Some will say this step forward is inconvenient. I say that knocking down barriers to equality of opportunity has never been the convenient thing to do, but it has always been the right thing to do.

Mr. Speaker, my wife and I try to teach our two young sons every day that if they work hard, they will do well in life, that their work will be rewarded fairly. I am supporting this bill because I want the parents of every little girl in America to be able to teach that value, to make that promise to their daughters. It is the American promise.

Mr. ANDREWS. Mr. Speaker, I am pleased to yield at this time 1 minute to a life-long fighter against discrimination, the gentleman from California (Mr. HONDA).

Mr. HONDA. Mr. Speaker, every day, despite the Equal Pay Act of 1963, millions of American women are denied equal pay for performing comparable work. In the case of Lilly Ledbetter, the Supreme Court of the United States compounded the indignity of discrimination by ignoring years of Equal Employment Opportunity Commission and lower court decisions, narrowly interpreting the law that should have protected her, thus denying her the justice she deserved.

Justice has not been achieved over the past 45 years, with women's wages rising from 59 cents for every dollar earned by a man in 1963 to just 77 cents per dollar earned by a man in 2008. Minority women face even greater disparity, a gap that widened even more last year. These women are from all walks of life. They calculate our taxes. They teach our children. In California's District 15, my home district, they are developing the technologies of the future. Our sisters, daughters, and granddaughters deserve better from our country. We should have told them that they can do anything, reach for and achieve any dream.

I urge my colleagues to support this.

Mr. MCKEON. I reserve my time.

Mr. ANDREWS. Mr. Speaker, I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON-LEE), who speaks with great authority for constituents and her beliefs.

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank my distinguished friend from New Jersey, and I want to take my time to salute our distinguished chairman, Chairman MILLER, and ROSA DELAURO for bringing to the forefront in this crisis of unemployment, 500,000 unemployed, to recognize and to acknowledge to America we believe in fair employment.

Lilly Ledbetter, we have heard you and we salute you. You lost $200,000 in back wages because of a Supreme Court decision. Now today with the Lilly Ledbetter Fair Pay Act we know that it will clarify that each paycheck that is discriminatory, that is less than it should be, will constitute a discriminatory practice and you will fall within the 180 day statute of limitations.

The Paycheck Fairness Act, which we are standing on the floor today to defend and support, will create meaningful penalties against employers whose pay practices are proven to have been discriminatory, and it will protect workers from retaliation by their employers when employees discuss their pay with coworkers.

In America we are a country that believes in work and provides that opportunity for women. These are two bills that we support. What a great day in America, when Democrats can stand up for working Americans and the women of America.

I would like to thank Congresswoman DELAURO for this important legislation as well as the Chairman and Ranking Minority Member of the Committee on Education and Labor for working together to see that gender equity is not just something we talk about, but something we are actually willing to put into action.

This legislation is intended to combat the wage gap that still exists today between men and women in the workplace. It is an important step in addressing the persistent wage gap between women and men by updating the Equal Pay Act—passed more than 45 years ago.

The reality is the Equal Pay Act needs to be strengthened and improved for all women to combat wage discrimination and eliminate loopholes in the current law. The Paycheck Fairness Act creates meaningful penalties against employers whose pay practices are proven to have been discriminatory. The bill will also protect workers from retaliation by their employers when employees discuss their pay with coworkers.

Early last year the House passed H.R. 2831, legislation reversing last year's Supreme Court decision in Ledbetter v. Goodyear Tire and Rubber Co., in which the court ruled, 5–4, that workers filing suit for pay discrimination must do so within 180 days of the actual decision to discriminate against them.

The Paycheck Protection Act is also needed to stop discriminatory pay practices by employers against our mothers, wives, daughters, and granddaughters that do the same job as their male counterparts.

The Paycheck Fairness Act, will strengthen the Equal Pay Act—passed more than 45 years ago—and as a result improve the law's effectiveness, and help to address the persistent wage gap between men and women. The Paycheck Fairness Act would:

Clarify acceptable reasons for differences in pay by requiring employers to demonstrate that wage gaps between men and women doing the same work are truly a result of factors other than sex.

Deter wage discrimination by strengthening penalties for equal pay violations, and by prohibiting retaliation against workers who inquire about employers' wage practices or disclose their own wages. The bill's measured approach would ensure that women can obtain the same remedies as those subject to discrimination on the basis of race or national origin. AAUW would strongly oppose any efforts to add such caps.

Provide women with a fair option to proceed in a class action suit under the Equal Pay Act, and allow women to receive punitive and compensatory damages for pay discrimination.

Clarify the establishment provision under the Equal Pay Act, which would allow for reasonable comparisons between employees to determine fair wages.

Authorize additional training for Equal Employment Opportunity Commission staff to better identify and handle wage disputes.

It will aid in the efficient and effective enforcement of federal anti-pay discrimination laws by requiring the EEOC to develop regulations directing employers to collect wage data, reported by the race, sex, and national origin of employees.

It will require the U.S. Department of Labor to reinstate activities that promote equal pay, such as: directing educational programs, providing technical assistance to employers, recognizing businesses that address the wage gap, collecting wage-related data, at conducting and promoting research about pay disparities between men and women.

More importantly for our young ladies going into the workforce it will establish a competitive grant program to develop salary negotiation training for women and girls.

As a Member of the Women's Caucus I have been fighting for pay equity for American women since before I arrived here as a Representative in 1995, and I believe that equal pay for equal work is a simple matter of justice. Wage disparities are not simply a result of women's education levels or life choices.

In fact, the pay gap between college educated men and women appears first after college—even when women are working full-time

in the same fields with the same major as men—and continues to widen during the first 10 years in the workforce.

Further, this persistent wage gap not only impacts the economic security of women and their families today, it also directly affects women's retirement security tomorrow. Now is the time for additional proactive measures to effectively address wage discrimination and eliminate loopholes that have hindered the Equal Pay Act's effectiveness.

I urge my colleagues, both men and women to support equality in rights and pay for all Americans by supporting the Paycheck Fairness Act.

Mr. ANDREWS. Mr. Speaker, may I inquire as to the remaining time left on each side.

The SPEAKER pro tempore. The gentleman from New Jersey has 4½ minutes remaining, and the gentleman from California has 22 minutes remaining.

Mr. ANDREWS. Mr. Speaker, I am pleased to yield 1 minute to the gentlewoman from New York City (Mrs. MALONEY), a strong advocate of women's rights.

Mrs. MALONEY. This is an important day for America's working women, and it shows what a Democratic Congress can mean to their lives because it will help end pay discrimination against women. Women are on the front lines of the economic meltdown. When a full time working woman still earns only 78 cents for every dollar men make, the results can be devastating in their lives.

The Paycheck Fairness Act could also be called the Free Speech Restoration Act, because it allows an employee to simply tell other employees critical information about themselves. It allows them to tell others what they are being paid and not be fired. Many of our corporations in America literally have a law that if you tell anyone what you make, you will be fired. Well, Lilly Ledbetter did not find out until someone gave her a secret note 18 years after she had been discriminated against in pay.

This is a critical bill. It helps end pay discrimination against women. Thank you to the Democratic leadership.

Mr. ANDREWS. I am pleased to yield 1 minute to a very effective and knowledgeable member of our committee, the gentlewoman from California (Mrs. DAVIS).

Mrs. DAVIS of California. Mr. Speaker, I want to thank Congresswoman DELAURO and Chairman MILLER for their hard work on the Lilly Ledbetter Fair Pay Act and the Paycheck Fairness Act.

In my work on the Armed Services Committee, I have had the honor and privilege of working with many of our female servicemembers in the armed services. And although work still needs to be done in other areas, I am proud of the fact that our female servicemembers receive exactly the same pay as their male counterparts for doing the same work. In many ways, the military is a model of equal pay for equal work. We would never allow our female servicemembers to be paid differently for serving our country. Why then would we allow women in the civilian sector to get paid 78 percent of what their male coworkers are paid?

I urge the passage of this these two bills.

Mr. ANDREWS. Mr. Speaker, I am pleased to yield 1 minute to a wise and strong voice for the rights of our country, the gentleman from Chicago (Mr. DAVIS).

Mr. DAVIS of Illinois. Mr. Speaker, I want to thank the gentleman from New Jersey for yielding.

I rise in strong support of both these bills, H.R. 11 and H.R. 12. I think it is an excellent way to start the new session of Congress, to start the new year. I want to commend Chairman MILL AND REPRESENTATIVE DELAURO for their strong leadership on these issues for the last several years.

I know that we ought to begin by saying that everybody has equal rights, equal opportunity, and equal pay. I thank the gentleman again.

Mr. ANDREWS. Mr. Speaker, I would like to yield 30 seconds to the gentleman from Tennessee (Mr. COHEN), a strong advocate for his constituents.

Mr. COHEN. I thank the gentleman.

I want to first thank Congresswoman DELAURO for her long work on this. It is hard for me to believe that it is 2009 and this issue is still before us. It is a great day in this United States Congress, Mr. Speaker, that we will do fairness and equity for women here in this House. Hopefully the Senate will do the same.

The Supreme Court in Lilly Ledbetter did itself just as much disservice as it did in Bush v. Gore. The Supreme Court needed to be reversed. We will do it with this legislation and will provide remedies for women in the future for inequities in workplace pay.

Mr. MCKEON. Mr. Speaker, it is my understanding that I will close and you will close. We have no more speakers.

Mr. ANDREWS. Mr. Speaker, that is correct. The only remaining speaker is our chairman.

Mr. MCKEON. Mr. Speaker, I yield myself the balance of my time.

''The Paycheck Fairness Act.'' It has a nice ring to it. Who doesn't support paycheck fairness? Who doesn't support equal pay for equal work?

□ 1230

I have three beautiful and talented daughters, and I have 13 beautiful and talented granddaughters. I won't mention that I have three handsome, talented sons and 16 handsome, talented grandsons.

If this would do for women what all of these speeches have said it would do, I would be the strongest advocate for it because of my daughters and my granddaughters and hopefully, some day, great granddaughters.

Unfortunately, that is not what this bill is offering. No, Mr. Speaker, if this bill becomes law, it will make the system fundamentally unfair, except for trial lawyers. Now, if one of my granddaughters becomes a trial lawyer it would help her, and I guess that's a good thing to support.

But the bill will expose family businesses to unlimited liability, threatening jobs, and retirement security at a time when both are on shaky ground. The Democrats' meager efforts to blunt the potential harm do not change the fact that trial lawyers stand to receive a big payday because this bill lowers the bar on costly jury awards.

H.R. 12 will encourage class action lawsuits, treating the EPA as a litigation factory. It will make it harder for businesses to defend against legal challenges, inviting unscrupulous trial lawyers to pursue baseless claims.

Now we know what the bill would do. But what about what it fails to do? It doesn't prohibit discrimination under the law. We did that 46 years ago. It doesn't offer working women new flexibility so they can balance work and home, as Republicans have fought for. It certainly doesn't do anything to stimulate the economy, which is the number one issue, what many working families are struggling with today, working mothers are struggling with.

Mr. Speaker, this is a bad bill, and I strongly urge my colleagues to oppose it.

I yield back the balance of my time.

Mr. ANDREWS. Mr. Speaker, I yield myself the balance of our time.

I want to thank my friend and colleague, ROSA DELAURO, for her hard work on this. And this is the bill that is for the women who are office managers who are being underpaid for the men who are being called executive vice presidents. This is the bill for the women who do the work, make the decisions, shoulder the responsibility but don't get the pay. Now, that's been illegal for 46 years, but that remedy has been wholly ineffective until this bill came along. You couldn't get represented by a lawyer, under the present law, because your damages couldn't be enough because of the cap that were put on damages.

We live in a world where women do the work, take the responsibility, shoulder the burden, but do not get the compensation. This makes the promise of the Equal Pay Act a reality for working women around this country.

I'm proud that in the 19 years she's served in this body, the author of this bill has fought for this bill; and I say to her, to you, Mr. Speaker, and Americans all over this country, it will become law because of what we're about to do here today.

Mr. DINGELL. Mr. Speaker, I rise today in strong support of the Paycheck Fairness Act. I am a longtime strong supporter of this legislation, which strengthens the Equal Pay Act of 1963 and closes the loopholes that have allowed employers to avoid responsibility for discriminatory pay.

As a husband, father, and grandfather, I am appalled that in this day and age women are still fighting for an equal paycheck. We know

that on average women earn 78 cents for every dollar earned by a man. This pay discrimination has cost women thousands of dollars in lost wages over their lifetime, which results in many women not only living paycheck-to-paycheck, but also neglecting to properly save for their retirement.

The pay gap is too often seen as a ''women's issue.'' In fact, this is not a women's issue, it is a family issue. The simple fact of the matter is that it often takes two incomes to make it in this country. This is especially true during an economic downturn like we face today. When women are not paid fairly, our families suffer.

I am proud to be here today voting in favor of the Paycheck Fairness Act and sincerely hope this critically important legislation is signed into law this year.

Ms. ROYBAL-ALLARD. Mr. Speaker, I rise in strong support of the Paycheck Fairness Act and commend the House leadership for making this legislation among the first orders of business in this new Congress.

Forty-six years ago, Congress passed the Equal Pay Act to end wage discrimination against women who on average earned only 60 cents to every dollar earned by men.

Since then, women have made extraordinary achievements. Glass ceilings continue to be broken in the public and private sector; we now serve under the first female Speaker of the House, and the number of women heading Fortune 500 companies continues to expand.

I believe that these achievements have contributed to an illusion that women have reached full equality in the workplace.

The sad reality is, however, that in spite of these achievements and the passage of the Equal Pay Act, today women still earn only an estimated 78 cents to every dollar earned by their male counterparts, for equal work.

This unfairness often has devastating economic consequences on women, especially upon retirement, as pension and Social Security benefits are based on life earnings.

Wage discrimination can cost a woman anywhere from $400,000 to $2 million in lifetime earnings, contributing to the disturbing fact that today women make up 70 percent of older adults living in poverty.

I urge my colleagues to begin the process of ending wage discrimination in our Nation's workplaces once and for all by voting yes on the Paycheck Fairness Act. We need to act today to strengthen the Equal Pay Act and ensure that women in the workforce have the means to protect their economic security.

Mr. LARSON of Connecticut. Mr. Speaker, I rise today in strong support of the Paycheck Fairness Act, H.R. 12, which continues this House's efforts to ensure fair and equal pay for the women of our workforce.

Over four decades ago, Congress passed the Equal Pay Act with the goal of eliminating gender-based wage discrimination and once and for all closing the wage gap between men and women. Unfortunately, loopholes and deficiencies found within the legislative text allowed the wage gap to persist. As a result, women currently make on average only 77 cents for every dollar earned by a male and in my great State of Connecticut, matters are not much better with women making only 82 cents on the dollar.

The Paycheck Fairness Act, of which I am a proud cosponsor, provides a logical and effective means to eliminate gender-based wage discrimination. By strengthening the Equal Pay Act and eliminating loopholes that have for too long been exploited by some employers, this legislation will offer greater protection to women in the workforce, while also substantially increasing penalties on those disreputable employers who continue to disregard our Nation's laws.

Mr. Speaker, during this time of economic uncertainty it is more important than ever that all Americans earn equal pay for equal work. I would like to thank both Chairman GEORGE MILLER and Congresswoman ROSA DELAURO for their collective efforts on this important issue and urge all my colleagues to stand up for women workers and vote in favor of this legislation.

Mr. CONYERS. Mr. Speaker, I rise today in support of H.R. 12, ''The Paycheck Fairness Act.'' I am hopeful that the momentum created with the passage of the Act this past July will propel this important legislation through the Senate and on to our new President's desk as one of the first laws enacted by the 111th Congress. In doing so, our Nation takes the final steps in its long journey towards ensuring that men and women receive equal pay for equal work.

The Congress first committed itself to remedying the scourge of pay discrimination in 1963, when it passed the Equal Pay Act. At that time, full-time working women were paid on average 59 cents on the dollar earned by their male counterparts. In the ensuing 43 years, the wage gap between men and women has narrowed. In 2009, women earn about 77 percent of what men earn. While this is a dramatic improvement, the 23 cent gap that exists still exemplifies that gender discrimination is a real and contemporary problem in our labor market.

H.R. 12 would attack this problem in a comprehensive manner. It builds on many of the innovative policies found in the original EPA and adds provisions specifically crafted to address the realities of 21st century offices.

H.R. 12 will strengthen the EPA by making it unlawful for an employer to pay unequal wages to men and women who have substantially similar jobs that are performed under similar working conditions within the same physical location of business. Under the original EPA, employers can justify unequal pay if it is based on: seniority; merit; quality or quantity of production; or ''any factor other than sex.'' This legislation clarifies the 'any factor other than sex' defense, so that an employer trying to justify paying a man more than a woman for the same job must show that the disparity is not sex-based, is job-related, and necessary for the business.

The bill will also prohibit employers from retaliating against employees who discuss or disclose salary information with their coworkers. However, employees such as human resources personnel who have access to payroll information as part of their job would not be protected if they disclose the salaries of other workers.

The bill also adds teeth and accountability by strengthening the remedies available to include punitive and compensatory damages. Under the EPA currently, plaintiffs can only recover back pay and in some cases double back pay. The damages would not be capped.

Mr. Speaker, the time has come for this body to enshrine ''equal pay for equal work'' as the law of the land. I encourage my colleagues to support the bill.

Ms. MCCOLLUM. Mr. Speaker, I rise today in strong support of the Paycheck Fairness Act, H.R. 12, which addresses gender-based wage discrimination. This is a historic day in the fight for equal rights for women, and I would like to thank Speaker NANCY PELOSI and House leaders for making pay equity for women among the first votes in the 111th Congress.

Families are struggling with the current economic crisis, making it more important than ever that women, who are often the head of the household and make up nearly half the workforce, are compensated fairly and equitably. Leading the legislative session with measures to reverse gender-based wage bias is a clear signal of the level of commitment American families can expect from this Congress.

The disastrous economic policies of the Bush administration failed to address major workforce equity issues over the last 8 years. It is unacceptable that on average, women only make 78 cents for every dollar earned by a man, according to the U.S. Census Bureau. That could mean a difference of $400,000 to $2 million over a lifetime in lost wages. Furthermore, the wage disparity grows wider as women age and threatens their economic security, retirement, and quality of life. The new Congress and the incoming Administration must act quickly to protect America's workers from wage discrimination.

The Paycheck Fairness Act seeks to level the playing field between men and women. This bill will strengthen the Equal Pay Act of 1963 and close the loopholes that have allowed employers to avoid responsibility for discriminatory pay. The bill will give women the same access to recover back pay and damages as victims of other types of pay discrimination. Furthermore, it protects employees who discuss pay information from retaliation by their employers and does not doesn't allow courts to accept poor excuses for unfair pay practices.

There is no question that our top priority is to get Americans and our economy working again. The Paycheck Fairness Act recognizes that equal pay is not only an issue of fairness for women, but also one of fairness for working families. In these tough economic times, this bill could make all the difference for working families to make ends meet in their everyday lives. Through these efforts we can help give families the resources they need to give their children a better future. Pay equity should not be a benefit that needs to be bargained for, it is a promise that the government must ensure.

I urge my colleagues to support this bill to ensure economic security for women, their families, and our communities. Through this legislation we can ensure a better future for our daughters, granddaughters, and generations to come.

Mr. LANGEVIN. Mr. Speaker, I rise in strong support of H.R. 12, the Paycheck Fairness Act. As an original cosponsor of this bill, as well as a cosponsor in previous Congressional sessions, I am pleased to see this legislation on the House floor today.

H.R. 12 would narrow the wage gap between men and women and strengthen the Equal Pay Act, which makes it unlawful for an employer to pay unequal wages to men and

women that have similar jobs within the same establishment. The Paycheck Fairness Act would allow women to sue for punitive damages, as well as compensatory damages. Currently, women who seek compensation for unequal pay can only recover back pay, or in some cases, double back pay. While this bill would increase penalties for employers who pay different wages to men and women for equal work, it also provides incentives such as training programs for employers to eliminate pay disparities and grant programs to help strengthen the negotiation skills of girls and women.

Some may argue that these changes are not necessary, but the numbers speak for themselves. Despite greatly increased commitment to the labor force over the past 45 years, women working full-time make 77 cents for every dollar earned by a man—less than a 20 percent increase since the Equal Pay Act was signed into law in 1963. Even more troublesome, African-American women earn 66 cents to the dollar and Latina women earn 55 cents to the dollar. According to a Census Bureau study, male high school graduates earned $13,000 more than female high school graduates in 2006. Women with a bachelor's degree employed year-round earned $53,201, while similarly educated men earned an average of $76,749. This same study also noted that the pay difference between men and women grows wider as they age.

Mr. Speaker, I urge my colleagues to support this bill to protect women like Lilly Ledbetter from taking their case for equal pay all the way to the Supreme Court, to support single mothers who may worry whether or not they are being treated fairly by their employers while they provide for their children, and to ensure that daughters entering college can reach their full potential when they graduate.

Ms. LEE of California. Mr. Speaker, I rise today in support of H.R. 12, the Paycheck Fairness Act. I want to thank my colleague Congresswoman ROSA DELAURO for introducing it, a champion for women and working families. And I also want to thank President-elect Obama for urging us to pass this important bill.

In 1963, women working full-time made 59 cents on average for every dollar earned by men. For every dollar men earn today, women earn 78 cents. Over the last 45 years the wage gap has narrowed by less than half a cent per year. Clearly, we still have a long way to go.

The wage gap is most severe for women of color. It is absolutely inexcusable that women and especially minority women earn a fraction of what men earn for the same job.

African-American women earn just 63 cents on the dollar and Latina women earn far worse at 52 cents. In my own State of California, Black women earn only 61 percent, and Latina women only 42 percent, of the wages of White men. That is outrageous.

The wage disparity begins at the start of a woman's work life and grows wider as women age. In the long term, this pattern of substantially lower lifetime earnings affects the quality of life for women and their families. It limits their opportunities for promotion, and contributes to decreased savings, pension income, and Social Security benefits. The result is that quite simply, many women are at risk of falling into poverty as they get older.

H.R. 12 takes immediate steps to close the wage gap for all women by amending and strengthening the Equal Pay Act, EPA, of 1963, so that it will be a more effective tool in combating gender-based pay discrimination.

Mr. DICKS. Mr. Speaker, I rise in support of H.R. 12, the Paycheck Fairness Act. More than 40 years after the passage of the Equal Pay Act and Title VI, women continue to be paid less for performing many of the same jobs as their male counterparts. According to the U.S. Census Bureau, on average, women only make 78 cents for every dollar earned by a man. That could mean a difference of $400,000 to $2 million over a lifetime of work. The pay disparity is even larger among African Americans and Latinos; it affects women at all income levels and throughout the range of occupations in American. This gap even widens as women age.

The legislation we are considering today, The Paycheck Fairness Act, is a terribly important initiative, in my judgment, designed to close that pay gap between men and women. The bill strengthens the Equal Pay Act of 1963 by increasing the remedies available to put sex-based pay discrimination on par with race-based pay discrimination. How would we achieve these objectives? Specifically, this legislation, the Paycheck Fairness Act, would:

Require that employers seeking to justify unequal should bear the burden of proving that its actions are job-related and consistent with a business necessity;

Prohibit employers from retaliating against employees who share salary information with their co-workers;

Put gender-based discrimination sanctions on an equal footing with other forms of wage discrimination such as discrimination based on race, disability or age. We would achieve this by allowing women to sue for compensatory and punitive damages;

Require the Department of Labor to enhance outreach and training efforts to work with employers in order to eliminate pay disparities;

Require the Department of Labor to continue to collect and disseminate wage information based on gender; and, finally,

Create a new grant program to help strengthen the negotiation skills of girls and women.

Mr. Speaker, at the outset of the 111th Session of Congress, I believe passage of this legislation sends a necessary and most appropriate message to employers across this nation that the work done by women is every bit as important and valuable as the labor of working men in America, and that we are resolving through this bill to end the overt as well as the subtle discrimination that still exists against women in the American workplace.

I strongly support this legislation, and I urge my colleagues to vote in favor or its passage.

Ms. ESHOO. Mr. Speaker, I rise today to express my strong support for H.R. 12, the Paycheck Fairness Act. I salute the extraordinary work of Chairman MILLER and Congresswoman DELAURO to bring these important bills to the floor today.

Today we are considering the Paycheck Fairness Act to protect people like Lilly Ledbetter from pay discrimination.

Under current law, if an employer can name any factor that has determined an employee's pay other than gender, they can justify unequal pay and discriminate against female employees. The employer's reason does not have to be related to the job in question. Under H.R. 12 employers will have to give a satisfactory explanation for paying a man more than a woman for the same job and they will have to demonstrate that the disparity is not sex-based, but job-related.

Employers will also now be barred from punishing employees who discuss or disclose salary information to their co-workers.

The Paycheck Fairness Act will also put gender-based discrimination on the same level as other forms of wage discrimination by giving women the opportunity to sue for compensatory and punitive damages. Under current law women who have been discriminated against may only recover back pay, or in some cases double back pay.

The wage gap between men and women has narrowed since the passage of the landmark Equal Pay Act in 1963, but according to the U.S. Census Bureau, women still only make 77 cents for every dollar earned by a man. It's time to close the gap and pass this law.

H.R. 12 is a necessary tool to ensure that civil rights for all Americans are honored in the workplace. For our country and our economy to recover we will rely on every hardworking American and we cannot tolerate discrimination against anyone.

I'm very proud to support this bill and I urge a ''yes'' vote on the underlying legislation.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, in 1963, President Kennedy signed the Equal Pay Act in order to address the nation's wage gap. And yet, 46 years later women still make on average only 77 cents for every dollar earned by men for the same work.

But thanks to Lilly Ledbetter, we are going to right that wrong today on the House floor.

In 2007, I had the opportunity to meet Lilly. She told me how she had no proof of pay discrimination until someone anonymously slipped payroll records into her mailbox. Anonymously because Goodyear's payroll records were secret.

This bill lifts the cloak of secrecy that allows these kinds of unfair pay practices to fester—which is exactly why the House proudly passed this bill last Congress.

I urge my colleagues today to once again support fair pay practices, and see that this important legislation becomes law. What you don't know, can hurt you.

I thank Chairman MILLER and Representative DELAURO for their leadership on this issue.

The Paycheck Fairness Act is a bold step forward in righting the wrong of pay discrimination.

Mr. STARK. Mr. Speaker, I rise in strong support of the Paycheck Fairness Act.

The Equal Pay Act of 1963 was a landmark piece of legislation. Along with other civil rights laws, it has helped to cut the gender-based wage gap in America nearly in half. But women are still paid less than 78 cents for every dollar a man is paid. African American and Latin American women face even greater income disparities. For the last seven years—after four decades of steady progress toward equality—the wage gap has remained stagnant.

The Paycheck Fairness Act will give workers the tools they need to get back on track to equality in the workplace. It modernizes the Equal Pay Act, bringing it in line with other civil rights laws by updating rules for class-action suits and permitting punitive damages. Further, it closes a major loophole relating to

affirmative defenses, requiring employers to substantiate the rationale for pay disparities if they claim they aren't based on gender. If enacted, the Paycheck Fairness Act will also strengthen the Equal Employment Opportunity Commission's ability to detect illegal salary practices.

It's far past time to stand up for fair pay for women. I'm proud to cosponsor this important legislation, and I urge my colleagues to join me in voting for it.

Ms. HIRONO. Mr. Speaker, I rise in strong support of H.R. 12, the Paycheck Fairness Act of 2009. As a member of the Education and Labor Committee and an original cosponsor, I am glad to have the opportunity to speak in support of this important bill today.

While women have made tremendous strides in the workplace since the passage of the Equal Pay Act 43 years ago, their earnings have not kept pace with that of their male coworkers. In the United States, the average full-time working woman earns just 77 cents to every dollar earned by her male colleagues. This discrepancy in earnings throughout a woman's career may cost her hundreds of thousands, if not millions of dollars in lost income and retirement savings.

I urge my colleagues to protect the rights of women against pay discrimination and ensure that women are treated fairly in the workplace. Please support equal pay for equal work and vote yes on the Paycheck Fairness Act.

Mr. TIAHRT. Mr. Speaker, today we debate a bill with a good title that fails to make one single step toward the purported goal. H.R. 12, the Paycheck Fairness Act, is being advanced as a bill to protect women from wage discrimination, but this bill is really about increasing lawsuits, not protecting women.

I join my colleagues in rejecting wage discrimination. The American Dream is not possible without wage fairness. This debate, however, is not about wage fairness; it is about this Democrat majority rewarding one of their most loyal special interest groups—trail lawyers.

For more than 40 years, the 1963 Equal Pay Act and Title VII of the 1964 Civil Rights Act have made it illegal for employers to determine an employee's pay-scale based on his or her gender. I whole-heartedly agree with and support these laws. Every American should be able to work hard, and make a living for his or her family. We cannot tolerate gender discrimination in the workplace.

Instead of strengthening these laws, H.R. 12 offers no additional protection from discrimination. It simply expands opportunities for trail lawyers to cash-in under existing nondiscrimination laws. By opening discrimination claims to unlimited compensatory and punitive damages, H.R. 12 will give great incentives to trial lawyers to bring frivolous claims. Such claims will inevitably lead to higher costs to businesses at a time when so many are struggling to remain open. High business costs often lead to job cuts. In this time of economic downturn, it is wrong to increase the burden on employers and risk additional job losses for the benefit of wealthy trial lawyers.

Mr. Speaker, strong nondiscrimination laws are critical to the future of our nation; however, H.R. 12 has nothing to do with paycheck discrimination. Now is the time to find solutions to the challenges facing our economy, not endanger our businesses with frivolous lawsuits. I ask my colleagues to join me in opposing this bill.

Mr. HOLT. Mr. Speaker, I rise in support of H.R. 12 the Paycheck Fairness Act of 2009.

Since the passage of the Equal Pay Act in 1963, the wage gap in the United States between men and women has narrowed significantly, however, on average, women still earn 78 cents for every dollar earned by a man, according to the U.S. Census Bureau. When women earn less for equal work, families are forced to do more with less. Affording all of life's expenses is challenging enough—it shouldn't be made harder as a result of women being shortchanged on payday.

Under current law, victims of gender-based wage discrimination recover less in damages than victims of discrimination based on their race or ethnicity. All forms of discrimination, whether they are based on gender, race, or ethnicity are equally repugnant, and the Paycheck Fairness Act ensures that the law views all forms of discrimination in the workplace on the same level.

In addition, the Paycheck Fairness Act would protect employees who discuss salary information punished in the workplace. Often times, wage discrimination is difficult to determine because salary levels are confidential. This bill would prevent employers from retaliating against employees who discuss openly, the most common way pay discrimination is uncovered.

Finally, this bill would hold employers accountable by mandating that employers demonstrate to the court that pay disparity between employees is not gender-based, is job-related and is consistent with the needs of the business.

As the country faces a challenging economic forecast, Congress must look after the best interests of working families. The Paycheck Fairness Act will make a difference for working families across the country, and I ask my colleagues to join me in supporting this bill.

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

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to section 5(b) of House Resolution 5, the bill is considered read and the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. PRICE of Georgia. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. PRICE of Georgia. I am.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Price of Georgia moves to recommit the bill, H.R. 12, to the Committee on Education and Labor with instructions to report the bill back to the House forthwith the following amendments:

Page 10, line 17: strike ''and'' and after such line insert the following:

(B) by inserting ''in an amount not to exceed $2,000 per hour'' after ''reasonable attorney's fee''; and

Page 10, line 18, strike ''(B)'' and insert ''(C)''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia is recognized for 5 minutes in support of his motion.

Mr. PRICE of Georgia. Mr. Speaker, it's a new Congress and, yes, it's a new day. But what we're debating isn't that new. It's, in fact, a recycled campaign promise to a favored special interest, and a sad reminder of the path this majority continues to take this country.

As most folks already know, equal pay for equal work is the law of the land and it has been since the passage of the Equal Pay Act of 1963. Generally, businesses do a tremendous job paying employees fairly, regardless of gender.

But the bill before the House today treats wage discrimination as if it were systematic. And in the midst of economic challenges, we're failing to address the real challenges affecting Americans' wages and the purchasing power of their paychecks.

If this measure becomes law, power will be turned over to bureaucrats and trial lawyers to interject, distort and oversee how wages are determined through lawsuits and through regulations.

It means less incentive, Mr. Speaker, less incentive for employers to offer a variety of working situations like flex time or more limited travel, because doing so may put an employer at risk of being sued; hardly a wise action on their part.

In turn, current and prospective workers will suffer through lower wages, slower job creation or simply fewer opportunities to meet individual worker needs.

All of this leads, Mr. Speaker, to this motion to recommit. One of the distinctive changes being made today to the Equal Pay Act is the inclusion of unlimited compensatory and punitive damages in a lawsuit. As Members already know, compensatory damages redress wrongful conduct and punitive damages are to deter future wrongful conduct.

But under the Equal Pay Act, an employee does not need to show discriminatory intent in order to prevail. As some have correctly described this bill, it's a boondoggle for trial lawyers. They'll be able to collect unlimited damages, even, Mr. Speaker, even when a disparity is not intended. This serves no legitimate purpose and turns the Equal Pay Act into a lottery. That's why this motion is a simple, commonsense change that caps reasonable, reasonable attorney's fees at $2,000 per hour. Now, surely we can agree on that.

By limiting attorney's fees, it is the intent that lawyers would take cases based on actual discrimination and merit and prevent lawsuit abuse. Today's litigation system, unfortunately does little to restrain the filing of lawsuits. It's why lawsuits can result in millions of dollars in lawyers' fees, yet plaintiffs get pennies on the dollar. It's why tort costs consume approximately 2 percent of our Gross Domestic Product, billions of dollars. It's why 10 percent of every dollar spent on health

care is attributed to the cost of liability and defensive medicine, hundreds of billions of dollars.

This cap on attorneys' fees will ensure that victims of discrimination are protected with appropriate incentives. Without a cap, this bill will have a detrimental effect on labor markets. Increasing lawsuits and unlimited damages will discourage hiring and may further segregate employment preferences for one gender in favor of another.

On this side of the aisle Republicans understand that fair-minded business folks want to make an honest living without favoring political friends or bureaucrats impeding job creation or dictating how a business should be run.

Let's adopt this motion to recommit. It's a new Congress and a new day, but let's not make a first act an old, recycled campaign promise to political friends.

I urge adoption of the motion to recommit.

I yield back the balance of my time.

Mr. GEORGE MILLER of California. Mr. Speaker, I rise in opposition to the motion.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. GEORGE MILLER of California. Mr. Speaker and Members of the House, this motion is a little bit unbelievable in the sense that it suggests that we should be setting the attorneys' fees, even though the amount that the gentleman is asking us to set far exceeds what would be ordinary hourly wages fees in these kinds of cases across the Nation. At the same time, it makes no differentiation for geography, complication of cases, number of attorneys necessary in a case or even the number of firms that may be. We don't know if this applies to all of the attorneys in the case with multiple plaintiffs; whether this applies across the firm if multiple attorneys in a firm are on a single case if it's a complicated case and, in many cases, these are very complicated cases because they go in to business practices that are disguised in terms of trying to justify unequal pay in the name of equal pay.

I find it rather interesting that the supporters of this amendment across the aisle all stood up and talked about how they support the idea of equal pay, how they want their daughters and their granddaughters to be treated equally, how they want to make sure that they're treated fairly in the workplace and they really support the concept; they just don't support this bill which would make that the law.

But then what did they decide to do? They decided when those granddaughters aren't treated fairly in the workplace, they will discriminate against them in an ability to have an attorney. They will discriminate against them because they will say that their attorneys' fees are going to be capped according to this law, as opposed to letting the judge and the Court work out what are reasonable fees in that court case.

Why do they discriminate against them? The gentleman is jumping to his feet. Because there's no cap on the attorneys' fees of the people who discriminated against them, on the employer who made the conscious decision to pay this person less in the workplace, to treat them in a discriminatory fashion, to not recognize their inherent value and the comparability of their skills and their talent. They've decided that those employers can pay $5,000 an hour, $25,000 an hour, or $250,000 and they can hire as many firms as they want, New York firms, Chicago firms, Los Angeles firms. They can do whatever they want. But your daughter, granddaughter, wife, they're limited. They're limited with the kind of legal talent they can get.

How about in a large case in this country today where regional vice presidents, there's 39 of them in the organization, 10 percent of them are women, the men were paid $41,900. The women were paid $27,900. The district managers, the men were paid $23,900. The women were paid $17,000. You think you ought to have the right to go to court and have a good attorney and have the Court determine what are reasonable fees? You ought to be able to prosecute your case in the face of an employer that may have multiple law firms on permanent retainers to deal with this, as many of these defendants do?

Yes, I think you should, and so do the people of this country and I hope so do the Members of this Congress.

I would like to yield to Mr. ANDREWS, the subcommittee Chair.

Mr. ANDREWS. If the Securities and Exchange Commission filed a civil suit against one of the people accused in the Wall Street wrongdoing, and there was a proposal on this floor that said the SEC can spend as much money as it wants to on its side of the case, but the Wall Street defendants accused of the wrongdoing are capped on how much they can spend on their legal defenses, I think the Members in the minority would say that's unfair. It is. So is this.

To interfere in how much lawyers are paid is a matter the judges should take a look at under this law. It's not something this Congress should interfere with. And it frankly, I believe, is a diversionary tactic to take us away from the real purpose of this law, and that's a woman that is selling real estate or teaching school or sweeping floors should make, penny for penny, dollar for dollar, everything a man makes to do the same job. That is the issue before the House.

Let's defeat this diversionary amendment. Let's pass the underlying bill and bring long-awaited justice to American women.

Mr. GEORGE MILLER of California. I ask my colleagues to reject this amendment, to keep the purpose and the intent and the constitutionality of the underlying legislation, and that we should now pass, after many, many years of waiting, the Paycheck Fairness Act.

And I ask a ''no'' vote on this.

I yield back the balance of my time.

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

There was no objection.

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

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

Mr. PRICE of Georgia. 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 the motion to recommit will be followed by 5-minute votes on passage of the bill, if ordered; passage of H.R. 11; and the motion to suspend on House Resolution 34.

The vote was taken by electronic device, and there were—yeas 178, nays 240, not voting 14, as follows:

[Roll No. 7]

YEAS—178

Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Barrett (SC)
Bartlett
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Bright
Broun (GA)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Carney
Carter
Cassidy
Castle
Chaffetz
Childers
Coble
Coffman (CO)
Cole
Conaway
Crenshaw
Culberson
Davis (KY)
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Duncan
Ehlers
Emerson
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett (NJ)
Gerlach
Gingrey (GA)
Gohmert
Goodlatte
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson, Sam
Jordan (OH)
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marshall
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Minnick
Mitchell
Moran (KS)
Murphy, Tim
Myrick
Neugebauer
Nunes
Olson
Paul
Paulsen
Pence
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Putnam
Radanovich
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Taylor
Terry
Thompson (PA)
Thornberry
Tiberi
Turner
Upton
Walden
Wamp
Westmoreland

Whitfield
Wilson (SC)
Wittman
Wolf
Young (AK)
Young (FL)

NAYS—240

Abercrombie
Ackerman
Adler (NJ)
Altmire
Andrews
Arcuri
Baca
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boren
Boswell
Boyd
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carson (IN)
Castor (FL)
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Giffords
Gillibrand
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Massa
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Nye
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Perriello
Peters
Peterson
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Sires
Skelton
Slaughter
Smith (WA)
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NOT VOTING—14

Baird
Berry
Boucher
Brown (SC)
Gallegly
Granger
Graves
Herseth Sandlin
Jones
Kagen
Shadegg
Snyder
Solis (CA)
Tiahrt

□ 1308

Mr. JACKSON of Illinois, Mrs. KIRKPATRICK of Arizona, Mrs. HALVORSON, Messrs. WEXLER, MILLER of North Carolina, LARSON of Connecticut, SIRES, McDERMOTT, MEEKS of New York, MURPHY of Connecticut, JOHNSON of Illinois, TOWNS, HINOJOSA, Ms. SPEIER, Messrs. FRANK of Massachusetts, CONYERS, and Ms. BEAN changed their vote from ''yea'' to ''nay.''

Messrs. GINGREY of Georgia, TAYLOR, BILIRAKIS, and BURGESS changed their vote from ''nay'' to ''yea.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

Mr. LEWIS of California. 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 256, noes 163, not voting 14, as follows:

[Roll No. 8]

AYES—256

Abercrombie
Ackerman
Adler (NJ)
Altmire
Andrews
Arcuri
Baca
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boren
Boswell
Boyd
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Cao
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castle
Castor (FL)
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Gerlach
Giffords
Gillibrand
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Napolitano
Neal (MA)
Nye
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Perriello
Peters
Peterson
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Rahall
Rangel
Reichert
Reyes
Richardson
Rodriguez
Ros-Lehtinen
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Solis (CA)
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NOES—163

Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Barrett (SC)
Bartlett
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Bright
Broun (GA)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Crenshaw
Culberson
Davis (KY)
Deal (GA)
Dreier
Duncan
Ehlers
Emerson
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett (NJ)
Gingrey (GA)
Gohmert
Goodlatte
Griffith
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson, Sam
Jordan (OH)
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Minnick
Moran (KS)
Murphy, Tim
Myrick
Neugebauer
Nunes
Olson
Paul
Paulsen
Pence
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Putnam
Radanovich
Rehberg
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (TX)
Souder
Stearns
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Turner
Upton
Walden
Wamp
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (AK)
Young (FL)

NOT VOTING—14

Baird
Berry
Boucher
Brown (SC)
Gallegly
Granger
Graves
Herseth Sandlin
Jones
Kagen
Nadler (NY)
Shadegg
Snyder
Tiahrt

□ 1319

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. NADLER of New York. Madam Speaker, on rollcall No. 8, a few minutes ago, I missed the vote. Had I been present, I would have voted "aye."

LILLY LEDBETTER FAIR PAY ACT OF 2009

The SPEAKER pro tempore (Ms. DELAURO). The unfinished business is the vote on passage of H.R. 11, 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 passage of the bill.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 247, nays 171, not voting 15, as follows:

[Roll No. 9]

YEAS—247

Abercrombie
Ackerman
Adler (NJ)
Altmire
Andrews
Arcuri
Baca
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boswell
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Giffords
Gillibrand
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Nye
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Perriello
Peters
Peterson
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Solis (CA)
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Whitfield
Wilson (OH)
Woolsey
Wu
Yarmuth
Young (AK)

NAYS—171

Aderholt
Akin
Alexander
Austria
Bachmann
Barrett (SC)
Bartlett
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boren
Boustany
Boyd
Brady (TX)
Bright
Broun (GA)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Carter
Cassidy
Castle
Chaffetz
Childers
Coble
Coffman (CO)
Cole
Conaway
Crenshaw
Culberson
Davis (KY)
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Duncan
Ehlers
Emerson
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett (NJ)
Gerlach
Gingrey (GA)
Gohmert
Goodlatte
Griffith
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jordan (OH)
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Moran (KS)
Murphy, Tim
Myrick
Neugebauer
Nunes
Olson
Paul
Paulsen
Pence
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Putnam
Radanovich
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (TX)
Souder
Stearns
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Turner
Upton
Walden
Wamp
Westmoreland
Wilson (SC)
Wittman
Wolf
Young (FL)

NOT VOTING—15

Bachus
Baird
Berry
Boucher
Brown (SC)
Gallegly
Granger
Graves
Herseth Sandlin
Jones
Kagen
Moore (WI)
Shadegg
Snyder
Tiahrt

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are less than 2 minutes on this vote for Members who have not yet voted.

□ 1328

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore (Mrs. DAVIS of California). Pursuant to section 5 of House Resolution 5, H.R. 12 is laid on the table.

Stated against:

Mr. BACHUS. Madam Speaker, I missed rollcall vote 9 on passage of the Lilly Ledbetter Fair Pay Act of 2009. Had I been present I would have voted "no."

RECOGNIZING ISRAEL'S RIGHT TO DEFEND ITSELF AGAINST ATTACKS FROM GAZA

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 34, 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 gentleman from California (Mr. BERMAN) that the House suspend the rules and agree to the resolution, H. Res. 34.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 390, nays 5, answered "present" 22, not voting 16, as follows:

[Roll No. 10]

YEAS—390

Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baldwin
Barrett (SC)
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Deal (GA)
DeGette
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (TX)
Ehlers
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Garrett (NJ)
Gerlach
Giffords
Gillibrand
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Grayson
Green, Al
Green, Gene
Griffith
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Herger
Higgins

Hill
Himes
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jordan (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCotter
McGovern
McHenry
McHugh
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Minnick
Mitchell
Mollohan
Moore (KS)
Moran (KS)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paulsen
Pelosi
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Radanovich
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Souder
Space
Speier
Spratt
Stearns
Stupak
Sullivan
Sutton
Tanner
Tauscher
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Wasserman Schultz
Watt
Waxman
Weiner
Welch
Westmoreland
Wexler
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Wu
Yarmuth
Young (AK)
Young (FL)

NAYS—5

Kucinich
Moore (WI)
Paul
Rahall
Waters

ANSWERED ''PRESENT''—22

Abercrombie
Blumenauer
DeFazio
Dingell
Edwards (MD)
Ellison
Farr
Grijalva
Hinchey
Johnson (GA)
Kilpatrick (MI)
Lee (CA)
McCollum
McDermott
Miller, George
Moran (VA)
Olver
Payne
Sanchez, Loretta
Stark
Watson
Woolsey

NOT VOTING—16

Baird
Berry
Boucher
Brown (SC)
Delahunt
Gallegly
Granger
Graves
Hensarling
Herseth Sandlin
Jones
Kagen
Shadegg
Snyder
Solis (CA)
Tiahrt

□ 1340

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Ms. HERSETH SANDLIN. Madam Speaker, I regret that I was unable to participate in three votes on the floor of the House of Representatives today.

The first vote was H.R. 12, the Paycheck Fairness Act. Had I been present, I would have voted "aye" on that question.

The second vote was H.R. 11, the Lilly Ledbetter Fair Pay Act of 2009. Had I been present, I would have voted "yea" on that question.

The third vote was H. Res. 34, recognizing Israel's right to defend itself against attacks from Gaza, reaffirming the United States' strong support for Israel, and supporting the Israeli-Palestinian peace process. Had I been present, I would have voted "yea" on that question.

GENERAL LEAVE

Mr. GEORGE MILLER of California. 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 H.R. 11 and H.R. 12.

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

There was no objection.

ELECTING CERTAIN MINORITY MEMBERS TO CERTAIN COMMITTEES

Mr. PENCE. Madam Speaker, by direction of the Republican Conference, I send to the desk a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 38

Resolved, That the following Members are, and are hereby, elected to the following standing committees of the House of Representatives:

COMMITTEE ON AGRICULTURE—Mr. Goodlatte, Mr. Moran of Kansas, Mr. Johnson of Illinois, Mr. Graves, Mr. Rogers of Alabama, Mr. King of Iowa, Mr. Neugebauer, Ms. Foxx, Mr. Conaway, Mr. Fortenberry, Mrs. Schmidt, Mr. Smith of Nebraska, Mr. Latta, Mr. Roe of Tennessee, Mr. Luetkemeyer, and Mr. Thompson of Pennsylvania.

COMMITTEE ON APPROPRIATIONS Mr. Young of Florida, Mr. Rogers of Kentucky, Mr. Wolf, Mr. Kingston, Mr. Frelinghuysen, Mr. Tiahrt, Mr. Wamp, Mr. Latham, Mr. Aderholt, Mrs. Emerson, Ms. Granger, Mr. Simpson, Mr. Culberson, Mr. Kirk, Mr. Crenshaw, Mr. Rehberg, Mr. Carter, Mr. Alexander, Mr. Calvert, Mr. Bonner, Mr. LaTourette, and Mr. Cole.

COMMITTEE ON ARMED SERVICES—Mr. Bartlett, Mr. McKeon, Mr. Thornberry, Mr. Jones, Mr. Akin, Mr. Forbes, Mr. Miller of Florida, Mr. Wilson of South Carolina, Mr. LoBiondo, Mr. Bishop of Utah, Mr. Turner, Mr. Kline of Minnesota, Mr. Rogers of Alabama, Mr. Franks of Arizona, Mr. Shuster, Mrs. McMorris Rodgers, Mr. Conaway, Mr. Lamborn, Mr. Wittman, Ms. Fallin, Mr. Hunter, Mr. Fleming, Mr. Coffman of Colorado, and Mr. Rooney.

COMMITTEE ON THE BUDGET—Mr. Garrett of New Jersey, Mr. Mario Diaz-Balart of Florida, Mr. Hensarling, Mr. Daniel E. Lungren of California, Mr. Simpson, Mr. McHenry, Mr. Mack, Mr. Conaway, Mr. Campbell, Mr. Alexander, Mr. Jordan of Ohio, Mr. Nunes, Mrs. Lummis, and Mr. Austria.

COMMITTEE ON EDUCATION AND LABOR—Mr. Petri, Mr. Hoekstra, Mr. Castle, Mr. Souder, Mr. Ehlers, Mrs. Biggert, Mr. Platts, Mr. Wilson of South Carolina, Mr. Kline of Minnesota, Mrs. McMorris Rodgers, Mr. Price of Georgia, Ms. Foxx, Mr. Bishop of Utah, Mr. Guthrie, Mr. Cassidy, Mr. McClintock, Mr. Hunter, and Mr. Roe of Tennessee.

COMMITTEE ON ENERGY AND COMMERCE—Mr. Hall of Texas, Mr. Upton, Mr. Stearns, Mr. Deal of Georgia, Mr. Whitfield, Mr. Shimkus, Mr. Shadegg, Mr. Blunt, Mr. Buyer, Mr. Radanovich, Mr. Pitts, Mrs. Bono Mack, Mr. Walden, Mr. Terry, Mr. Rogers of Michigan, Mrs. Myrick, Mr. Sullivan, Mr. Tim Murphy of Pennsylvania, Mr. Burgess, Mrs. Blackburn, and Mr. Gingrey of Georgia.

COMMITTEE ON FINANCIAL SERVICES—Mr. Castle, Mr. King of New York, Mr. Royce, Mr. Lucas, Mr. Paul, Mr. Manzullo, Mr. Jones, Mrs. Biggert, Mr. Gary G. Miller of California, Mrs. Capito, Mr. Hensarling, Mr. Garrett of New Jersey, Mr. Barrett of South Carolina, Mr. Gerlach, Mr. Neugebauer, Mr. Price of Georgia, Mr. McHenry, Mr. Campbell, Mr. Putnam, Mrs. Bachmann, Mr. Marchant, Mr. McCotter, Mr. McCarthy of California, Mr. Posey, Ms. Jenkins, Mr. Lee of New York, Mr. Paulsen, and Mr. Lance.

COMMITTEE ON FOREIGN AFFAIRS—Mr. Smith of New Jersey, Mr. Burton of Indiana, Mr. Gallegly, Mr. Rohrabacher, Mr. Manzullo, Mr. Royce, Mr. Paul, Mr. Flake, Mr. Pence, Mr. Wilson of South Carolina, Mr. Boozman, Mr. Barrett of South Carolina, Mr. Mack, Mr. Fortenberry, Mr. McCaul, Mr. Poe of Texas, Mr. Inglis, and Mr. Bilirakis.

COMMITTEE ON HOMELAND SECURITY—Mr. Smith of Texas, Mr. Souder, Mr. Daniel E. Lungren of California, Mr. Rogers of Alabama, Mr. McCaul, Mr. Dent, Mr. Bilirakis, Mr. Broun of Georgia, Mrs. Miller of Michigan, Mr. Olson, Mr. Cao, and Mr. Austria.

COMMITTEE ON HOUSE ADMINISTRATION—Mr. Daniel E. Lungren of California, Mr. McCarthy of California, and Mr. Harper.

COMMITTEE ON THE JUDICIARY—Mr. Sensenbrenner, Mr. Coble, Mr. Gallegly, Mr. Goodlatte, Mr. Daniel E. Lungren of California, Mr. Issa, Mr. Forbes, Mr. King of Iowa, Mr. Franks of Arizona, Mr. Gohmert, Mr. Jordan of Ohio, Mr. Poe of Texas, Mr. Chaffetz, Mr. Rooney, and Mr. Harper.

COMMITTEE ON NATURAL RESOURCES—Mr. Young of Alaska, Mr. Gallegly, Mr. Duncan, Mr. Flake, Mr. Brown of South Carolina, Mrs. McMorris Rodgers, Mr. Gohmert, Mr. Bishop of Utah, Mr. Shuster, Mr. Lamborn, Mr. Smith of Nebraska, Mr. Wittman, Mr. Broun of Georgia, Mr. Fleming, Mr. Coffman of Colorado, Mr. Chaffetz, Ms. Lummis, Mr. McClintock, and Mr. Cassidy.

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM—Mr. Burton of Indiana, Mr. McHugh, Mr. Mica, Mr. Souder, Mr.

Platts, Mr. Duncan, Mr. Turner, Mr. Westmoreland, Mr. McHenry, Ms. Foxx, Mr. Bilbray, Mr. Jordan of Ohio, Mr. Flake, Mr. Fortenberry, and Mr. Chaffetz.

COMMITTEE ON RULES—Mr. Lincoln Diaz-Balart of Florida and Mr. Sessions.

COMMITTEE ON SCIENCE AND TECHNOLOGY—Mr. Sensenbrenner, Mr. Smith of Texas, Mr. Rohrabacher, Mr. Bartlett, Mr. Ehlers, Mr. Lucas, Mrs. Biggert, Mr. Akin, Mr. Neugebauer, Mr. Inglis, Mr. McCaul, Mr. Mario Diaz-Balart of Florida, Mr. Bilbray, Mr. Broun of Georgia, and Mr. Olson.

COMMITTEE ON SMALL BUSINESS—Mr. Bartlett, Mr. Akin, Mr. King of Iowa, Mr. Westmoreland, Mr. Gohmert, Ms. Fallin, Mr. Buchanan, Mr. Luetkemeyer, Mr. Schock, and Mr. Thompson of Pennsylvania.

COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT—Mr. Bonner, Mr. Barrett of South Carolina, Mr. Kline of Minnesota, Mr. Conaway, and Mr. Dent.

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE—Mr. Young of Alaska, Mr. Petri, Mr. Coble, Mr. Duncan, Mr. Ehlers, Mr. LoBiondo, Mr. Moran of Kansas, Mr. Gary G. Miller of California Mr. Brown of South Carolina, Mr. Johnson of Illinois, Mr. Platts, Mr. Graves, Mr. Shuster, Mr. Boozman, Mrs. Capito, Mr. Gerlach, Mr. Mario Diaz-Balart of Florida, Mr. Dent, Mr. Mack, Mr. Westmoreland, Mrs. Schmidt, Mrs. Miller of Michigan, Ms. Fallin, Mr. Buchanan, Mr. Latta, Mr. Scalise, Mr. Cao, Mr. Guthrie, and Mr. Schock.

COMMITTEE ON VETERANS' AFFAIRS—Mr. Stearns, Mr. Moran of Kansas, Mr. Brown of South Carolina, Mr. Miller of Florida, Mr. Boozman, Mr. Turner, Mr. Bilbray, Mr. Bilirakis, Mr. Buchanan, and Mr. Scalise.

COMMITTEE ON WAYS AND MEANS—Mr. Herger, Mr. Sam Johnson of Texas, Mr. Brady of Texas, Mr. Ryan of Wisconsin, Mr. Cantor, Mr. Linder, Mr. Nunes, Mr. Tiberi, Ms. Ginny Brown-Waite of Florida, Mr. Davis of Kentucky, Mr. Reichert, Mr. Boustany, Mr. Heller, and Mr. Roskam.

Mr. PENCE (during the reading). Madam Speaker, I ask unanimous consent that the resolution be considered as read.

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

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

LEGISLATIVE PROGRAM

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

Mr. CANTOR. Madam Speaker, before I yield to the gentleman from Maryland, I'd like to thank him for extending the gratitude he has this week to me. I'm very grateful for that, for his spirit of bipartisanship and his pledge to me to work with us on this side of the aisle. I look forward to building a constructive working relationship with the gentleman. This is our first colloquy together. I look forward to the successive colloquies. And at this time, I yield to my friend from Maryland, the majority leader, for purposes of announcing next week's schedule.

Mr. HOYER. I thank the gentleman for yielding, and before getting into the schedule let me follow up on his remarks.

As all of the Members of this House know, Mr. CANTOR's predecessor, Mr. BLUNT, and I are very good friends and worked closely together. We often disagree on policy, but we have had a long-term ability to work together closely on behalf of the institution, on behalf of the House. The relationship I think was one that was to the benefit of the House of Representatives and to our Members.

I want to thank Mr. CANTOR for visiting with me and talking about how we go forward working together on behalf of the American people and on behalf of this institution. We know that we'll disagree, perhaps more times than not, on major issues, but we also know that the objective that he has and the objective I have and the Members of this House on both sides of the aisle have is a stronger country, with greater opportunity for our people.

□ 1345

I want to congratulate him on his selection as the Republican whip and reiterate his comment that I look forward to working with him in a constructive and positive way.

Madam Speaker, on Monday the House is not in session. On Tuesday the House will meet at 12:30 p.m. for morning hour and 2 p.m. for legislative business, with votes postponed until 6:30 p.m. On Wednesday and Thursday the House will meet at 10 a.m. for legislative business. On Friday, no votes are expected.

We will consider several bills under suspension of the rules. The complete list of suspensions, as is the practice, will be announced by the close of business today.

We will also consider a bill to expand the State Children's Health Insurance Program. We will also consider a House resolution requiring committees to hold hearings upon receipt of certain reports from an inspector general or the Comptroller General of the United States. The President-elect has made it very clear he wants to look at programs and ensure that the money is being spent effectively and that the programs the money supports are effective.

In addition, we will consider the TARP Reform and Accountability Act, which we hope will set parameters, accountability, transparency and expectations for help with the mortgages for any legislation that might be submitted either by the Bush administration or the Obama administration as it relates to the second phase, the second $350 billion previously authorized in the Troubled Asset Recovery Program.

I thank the gentleman for yielding.

Mr. CANTOR. I thank the gentleman. I will say to the gentleman that you have announced a bill, again, limiting the uses of the TARP funds. I know the chairman of the Financial Services Committee, the gentleman from Massachusetts, has also announced a broad outline for his bill and scheduled a hearing. I would ask the gentleman from Maryland, the majority leader, will the bill be marked up prior to coming to the floor and what sort of rule can we expect?

Mr. HOYER. I believe we will have a rule that will certainly allow amendments. As you know, that's Mr. FRANK's practice. We believe, I believe, it's a good practice.

Whether or not he will have a markup will depend upon the timeframe. The problem is, as the gentleman probably knows, the American public and the Congress on both sides of the aisle are very concerned that if we have to consider within a constricted timeframe the request, either of the Bush administration during the latter days of its term, or the beginning of the Obama administration, we get to have a second request for the second phase of the TARP funding. We want to have in place conditions for the expenditure of that money similar to what we have imposed or the administration imposed, but we also legislatively imposed, it didn't pass, on the automobile companies for the receipt of money.

So the answer to your question is we may not have the time to do the markup, because we are not sure when that second request is coming down. I don't expect it to come down before we consider this legislation, but it may come down shortly thereafter.

Mr. CANTOR. I thank the gentleman. I would like to ask specifically, would anything in Chairman FRANK's bill prevent our Members from having a vote to stop the additional $350 billion in bailout funds from being spent?

Mr. HOYER. No, it will not. Obviously the legislation provides for a resolution of disapproval, provides a tight timeframe in which that resolution should be considered, and nothing in this bill will impact on that.

Mr. CANTOR. I thank the gentleman for that.

I would ask the gentleman, Madam Speaker, regarding the SCHIP bill, does the Energy and Commerce Committee or the Ways and Means Committee plan on holding a hearing or markup on that bill?

Mr. HOYER. The answer to that is I think not. The bill, however, will be very, very much like, perhaps not exactly, because some of the costs have changed and some of the numbers may need to be adjusted, but very much like the bill that we passed, in a bipartisan way, with very substantial votes, I think somewhere in the neighborhood of 270 votes through this House, just some 6, 7 months ago. We believe the President-elect is very concerned that, particularly as the economic times confront us, we saw another 525,000 jobs lost this past month. That's more than 1 million jobs lost over the last 60 days.

Obviously we all know that one of the aspects of losing a job is, in many instances, losing your health insurance as well. We are very concerned that we will have a lot of children vulnerable in America.

I think there is certainly a majority opinion. Indeed, President Bush expressed his own thoughts on that as to wanting to include children. So we think this is another matter that we need to move very quickly. But it will be almost exactly like, not exactly like, but very, very much like, very, from a substantive standpoint, very little different than the bill that we passed overwhelmingly in the House. And, of course, two-thirds of the Senate voted for it as well.

Mr. CANTOR. I would ask, Madam Speaker, along those lines, if nothing else, the budget window has changed, as the gentleman recognized, and the costs will likely be more substantial. We do have, obviously, 55 new Members of this Congress that have not had a chance to vote on this bill or even be a part of the discussion, may not have any experience on this issue.

While we have very little time to review a multibillion dollar authorization, I would ask the gentleman if the bill is coming to the floor in the form of a suspension. He noted, Madam Speaker, that it was a bipartisan vote. It was maybe 40 Members on our side.

I think the majority of those Members on our side support the extension of the existing SCHIP program. I was wondering, again, if the bill is coming to the floor as a suspension, or will we have an opportunity to offer our amendments and suggestions under a rule?

Mr. HOYER. The bill will come under a rule. That rule, I haven't talked to the committee Chair, I haven't talked to Mr. WAXMAN, nor have I talked to Ms. SLAUGHTER about the rule, so I don't want to represent what form the rule will be in. But it will not be a suspension bill.

Furthermore, I think the gentleman's observation is a valid observation. We have many new Members who did not consider it. We are hopeful and working towards having that bill online available on Monday for a full 48 hours before we would bring it forward on the floor for Members to see and the public to see and all the Members of the House to see.

Mr. CANTOR. I thank the gentleman for that.

The Republicans under the leadership of our leader, JOHN BOEHNER, will be sending a letter later today outlining our ideas for improving the SCHIP program. I am hopeful that under the rule that we will have the ability to have those ideas considered on the House floor, just as President-elect Obama has advised us to proceed when the gentleman and I and several others met with him earlier this week.

Madam Speaker, I would now like just to make one additional inquiry to the gentleman that three suspensions were considered on Wednesday. I would say to the gentleman votes were over by 1 p.m.

Yesterday we counted electoral ballots for the historical election of Barack Obama. We were finished by 2 p.m.

Since no legislative business was conducted and no votes were taken after that, can we expect this to be the manner in which the floor will be scheduled each week?

Mr. HOYER. It's hard to predict what every week will look like, as the gentleman will soon find out. If you talk to your leaders and the majority, they will tell you it is more daunting than it first appears.

Having said that, obviously, the schedule has been submitted to all the Members, all the Members know what we have scheduled in terms of days to be in session. Hopefully they have notice of that, they are cognizant of that, particularly their schedulers are cognizant of that.

We have provided, we believe, sufficient days in which to do the work that the American public expects us to get done and that we expect that needs to be done. If there are more days, we will add days.

Having said that, we are in, obviously, the first weeks of the session. A lot has been going on, which is not on the floor, simply in getting organized, the committees getting organized, getting committee members appointed by both the Republican and the Democratic sides so that much has been going on, notwithstanding the fact there have been long days on the floor. But in the early days of the session, obviously, much is going on to get ready for future floor action.

Mr. CANTOR. I thank the gentleman. I would also like to just point out and make a comment and suggestion that we do promote the efficient operation of this House, because we have new Members who have inquired as to why we would be finishing up so early each day and not working more so that maybe we could return to our districts and be with our constituents on a day that perhaps we could save by working more on others.

There are 5 legislative weeks scheduled between now and President's Day. I would ask the gentleman if he could lay out the calendar, the legislative calendar for those 5 weeks.

Mr. HOYER. I thank the gentleman for his question. As you know, the President-elect was here this week to discuss and has discussed, gave a speech regarding the recovery package. Obviously that is an important item that we will be considering.

You have heard the agenda for next week. We also need to do the omnibus at some point in time in the near term. We will hopefully do that before the President's break.

We will have other legislation, but they will be the two major items that we will be focused on, the recovery package and the omnibus appropriation bill. Clearly, as you know, there are nine appropriation bills which were not completed last year that need to be completed so that agencies will have the funding they need to accomplish the objectives we have given them.

Mr. CANTOR. Madam Speaker, I thank the gentleman, the majority leader. I look forward to continuing this dialogue with him on a weekly basis, and I yield back my time.

ADJOURNMENT TO TUESDAY, JANUARY 13, 2009

Mr. HOYER. Madam Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Tuesday next for morning-hour debate.

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

There was no objection.

NATION'S BEST UNDEFEATED TEAM

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

Mr. BISHOP of Utah. Madam Speaker, last night was another BCS bowl game. I congratulate two fine educational institutions and football teams, Florida and Oklahoma. Florida won a hard-fought and deserved victory. However, there is still only one ranked undefeated team in the Nation, and, yes, I am an alumnus of the University of Utah, the two-time BCS buster.

The problem is clearly the BCS. According to the BCS, a system with one too many initials, having a tough competition and going undefeated is not good enough. Using the BCS system, Germany won World War II, HILLARY CLINTON is still the leading Presidential candidate and winning all your games is apparently not the same thing as—winning all your games.

With no intention of disparaging a wonderful Florida football team and program, I still have to commend the achievements of the University of Utah. They are commendable, and I wish to recognize the Nation's best undefeated team. Certainly with the BCS, this Nation can do a whole lot better.

FOOTBALL BOWL VICTORIES FOR RICE UNIVERSITY AND THE UNIVERSITY OF HOUSTON

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Madam Speaker, well, in talking about bowl games, I have certainly got to rise and salute the City of Houston, the fourth largest city in the Nation. We had two universities win their bowl games.

Rice University and the University of Houston proudly won their bowl games and showed the world that football is played in large cities. Let me congratulate Rice University, which has one of the highest academic standards and standings in the United States of America, along with the proudness of their football team, and, yes, the University of Houston that is now reaching

to be a world-renowned research institution that the State of Texas truly needs. They won their bowl game, having not won one in a number of years.

It's exciting to see the manner of enthusiasm amongst the alumni and our schools. Obviously our schools are there to educate, but it really is grand for the City of Houston and all of its population to celebrate two great winners, Rice University and the University of Houston, who won their bowl games, 2008.

Go forever, Rice and the University of Houston.

HONORING LETTER CARRIER RICHARD LEAKE

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

Mr. CONAWAY. Madam Speaker, I rise today to acknowledge an outstanding achievement of one of my constituents, Mr. Richard Leake of San Angelo, Texas.

Mr. Leake is a long-serving letter carrier with the United States Postal Service. He was recently inducted into the Million Mile Club of the National Safety Council in recognition of his impossibly good safety record.

As the name of the award states, Mr. Leake has traveled over 1 million miles on behalf of the Postal Service and done so without causing an accident. His dedication to getting the job done safely every time sets a standard for professionalism and conscientiousness that I believe we should all strive for.

I highlight his accomplishment today to remind us that as we take up the people's business in the 111th Congress, it is possible for us to do our jobs without running over one another.

It is a great pleasure to brag on Mr. Leake today, and I am proud to represent an outstanding constituent here in Washington D.C. On behalf of all the residents of District 11 in Texas, I would like to congratulate him on a career well done and thank him for making the streets of San Angelo a little bit safer.

□ 1400

COMMENTS ON THE SITUATION IN THE GAZA

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

Ms. KAPTUR. Madam Speaker, today I wish to comment on the bloodbath occurring in the Gaza. No human being can watch this carnage and not be reminded of the festering hatred that grows with each successive unleashing of violence in Israel, the Gaza, in the Palestinian territories that sadly rescars that tragic region.

In voting for the resolution today, I want to be clear I did not do so because I believe more war or violence is the solution to stability. In fact, more war will breed more retribution, as history surely demonstrates. I voted for the resolution because its preamble clearly states our goal is supporting the Israeli-Palestinian peace process.

The proportionality of Israel's response to Hamas' incessant terrorist rocket launches is lamentable. Over 750 Palestinians have now died, one-third of them women and children; there have been four Israeli soldiers killed; and in the last 7 years three Israeli casualties from the rocket launches from the Gaza into Israel. Immediately, there is a lack of adequate humanitarian relief from the world community, and for the victims, that is appalling. Two wrongs do not make a right.

My view is, the current administration has left Israel more vulnerable and less stable as hatreds grow toward it regionally. Our Nation's reputation, too, has been badly damaged globally.

I would like to enter into the RECORD today an editorial written by President Jimmy Carter called ''The Unnecessary War,'' the only President in the last 3 decades to achieve real, lasting peace in the Middle East. There is a road forward. His life is proof the future of that region can be better than the past as development replaces war as the common denominator. But that will take courage. It will take perseverance. It will take more than congressional resolutions. It is why our hopes ride high at this moment with the incoming administration of President-elect Barack Obama.

[From the Washington Post, Jan. 8, 2009]

AN UNNECESSARY WAR

(By Jimmy Carter)

I know from personal involvement that the devastating invasion of Gaza by Israel could easily have been avoided.

After visiting Sderot last April and seeing the serious psychological damage caused by the rockets that had fallen in that area, my wife, Rosalynn, and I declared their launching from Gaza to be inexcusable and an act of terrorism. Although casualties were rare (three deaths in seven years), the town was traumatized by the unpredictable explosions. About 3,000 residents had moved to other communities, and the streets, playgrounds and shopping centers were almost empty. Mayor Eli Moyal assembled a group of citizens in his office to meet us and complained that the government of Israel was not stopping the rockets, either through diplomacy or military action.

Knowing that we would soon be seeing Hamas leaders from Gaza and also in Damascus, we promised to assess prospects for a cease-fire. From Egyptian intelligence chief Omar Suleiman, who was negotiating between the Israelis and Hamas, we learned that there was a fundamental difference between the two sides. Hamas wanted a comprehensive cease-fire in both the West Bank and Gaza, and the Israelis refused to discuss anything other than Gaza.

We knew that the 1.5 million inhabitants of Gaza were being starved, as the U.N. special rapporteur on the right to food had found that acute malnutrition in Gaza was on the same scale as in the poorest nations in the southern Sahara, with more than half of all Palestinian families eating only one meal a day.

Palestinian leaders from Gaza were noncommittal on all issues, claiming that rockets were the only way to respond to their imprisonment and to dramatize their humanitarian plight. The top Hamas leaders in Damascus, however, agreed to consider a cease-fire in Gaza only, provided Israel would not attack Gaza and would permit normal humanitarian supplies to be delivered to Palestinian citizens.

After extended discussions with those from Gaza, these Hamas leaders also agreed to accept any peace agreement that might be negotiated between the Israelis and Palestinian Authority President Mahmoud Abbas, who also heads the PLO, provided it was approved by a majority vote of Palestinians in a referendum or by an elected unity government.

Since we were only observers, and not negotiators, we relayed this information to the Egyptians, and they pursued the cease-fire proposal. After about a month, the Egyptians and Hamas informed us that all military action by both sides and all rocket firing would stop on June 19, for a period of six months, and that humanitarian supplies would be restored to the normal level that had existed before Israel's withdrawal in 2005 (about 700 trucks daily).

We were unable to confirm this in Jerusalem because of Israel's unwillingness to admit to any negotiations with Hamas, but rocket firing was soon stopped and there was an increase in supplies of food, water, medicine and fuel. Yet the increase was to an average of about 20 percent of normal levels. And this fragile truce was partially broken on Nov. 4, when Israel launched an attack in Gaza to destroy a defensive tunnel being dug by Hamas inside the wall that encloses Gaza.

On another visit to Syria in mid-December, I made an effort for the impending six-month deadline to be extended. It was clear that the preeminent issue was opening the crossings into Gaza. Representatives from the Carter Center visited Jerusalem, met with Israeli officials and asked if this was possible in exchange for a cessation of rocket fire. The Israeli government informally proposed that 15 percent of normal supplies might be possible if Hamas first stopped all rocket fire for 48 hours. This was unacceptable to Hamas, and hostilities erupted.

After 12 days of ''combat,'' the Israeli Defense Forces reported that more than 1,000 targets were shelled or bombed. During that time, Israel rejected international efforts to obtain a cease-fire, with full support from Washington. Seventeen mosques, the American International School, many private homes and much of the basic infrastructure of the small but heavily populated area have been destroyed. This includes the systems that provide water, electricity and sanitation. Heavy civilian casualties are being reported by courageous medical volunteers from many nations, as the fortunate ones operate on the wounded by light from diesel-powered generators.

The hope is that when further hostilities are no longer productive, Israel, Hamas and the United States will accept another cease-fire, at which time the rockets will again stop and an adequate level of humanitarian supplies will be permitted to the surviving Palestinians, with the publicized agreement monitored by the international community. The next possible step: a permanent and comprehensive peace.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, 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 Texas (Mr. POE) is recognized for 5 minutes.

(Mr. POE of Texas addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

LET'S NOT FORGET IRAQ

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Madam Speaker, this week was the beginning of the 111th Congress, and it is absolutely clear we face enormous challenges. We must deal with an economic crisis that is robbing the American people of their savings, their jobs and their homes. We must tackle our problems in health care, energy, education and the environment. The domestic agenda is going to be long, it is going to be hard, and it is going to demand our time and our energy.

But I rise today to make this plea: Let us not forget Iraq. About 140,000 American servicemembers remain in harm's way in Iraq. Military families and veterans continue to struggle and to suffer, and the occupation continues to cost us over $11 billion a month. That is money that is desperately needed to help the American people right here at home. Yet Iraq seems to have disappeared from our radar screens, from our newspapers, from our media. The three major television networks have decided to remove their full-time reporters. With Iraq off television screens, I am concerned that it will be out of sight and out of mind.

But forgetting Iraq would be wrong. It would be dangerous. The dying hasn't stopped. Nearly 100 civilians have been killed in the first few days of this month alone. In addition, over 300 died in December and over 300 died in November. Many, many more are sure to die in the days and months ahead, not to count those that are being injured and displaced. The number of Iraqis being killed today is about the same as the number that were being killed in 2003 and 2004.

There are other issues that demand our attention as well; the new Status of Forces Agreement, which is bound to create confusion and new problems for our troops. And we must come up with a plan, a plan to meet the refugee crisis. Four million refugees must be resettled. The humanitarian crisis goes on and on.

But despite all these problems, there is reason for hope. The administration that decided to destroy Iraq in order to save it will be gone in 2 weeks, and I am confident that the new administration, with President Obama and Secretary of State Clinton leading the way, will put us on the right path. They are committed to ending the occupation within 16 months. I actually urge them to do it even sooner and to ignore the voices that will advise them to leave residual forces and permanent bases behind. I also urge them to engage the international community and Iraq's neighbors, including Iran, in a diplomatic effort to stabilize the Middle East, which is absolutely essential.

A full redeployment of our troops in a new diplomatic effort will send a signal to the world that a compassionate America is committed to peace; that it is committed to human rights instead of war and instead of torture.

Madam Speaker, the pundits and neocons who got us into the Iraq mess in the first place are calling it a victory. This is the second time they have called it a victory. They would like us to close the book on Iraq and to move on. But the occupation is still standing in the way of peace, it is still undermining our moral authority in the world and is draining our Treasury at the worst possible time.

We have more than enough domestic problems to deal with, but ending the occupation of Iraq must also be at the very top of this new administration's agenda. I am confident that it will be, because we will finally have the leadership in the White House and the State Department that will do the right thing.

Madam Speaker, let's not forget Iraq.

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.)

ENSURING FAIRNESS IN THE HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore (Mrs. GILLIBRAND). Under a previous order of the House, the gentleman from Georgia (Mr. PRICE) is recognized for 5 minutes.

Mr. PRICE of Georgia. Madam Speaker, here we find ourselves at the end of the first week of this new session of the 111th Congress. There is a lot of talk and has been a lot of talk since the election about bipartisanship. There has been a lot of talk on both sides of the aisle about bipartisanship, and that is important. I am a strong supporter of bipartisanship, and everybody talks about it. Bipartisan discussions, however, require bipartisan action. If action in a bipartisan way doesn't follow those discussions, then credibility is denied.

Now, I firmly understand and appreciate that elections have consequences, and the election of this past November resulted in a House, the United States House of Representatives, with a membership ratio of 59 percent on the Democrat side and 41 percent on the Republican side. So on the floor of this House, that is the ratio, and it is reflected in votes even this week.

Nobody would argue, I don't believe, Madam Speaker, that every single Member, every single Member of this House is important. We all represent virtually the same number of people, and it is pivotal that each and every Member be given the appropriate and equal opportunity to be involved in the process, because that is what gives credibility to representative government.

Now, as you and I both know, Madam Speaker, and as our colleagues know, the bulk of the congressional work is done in committees. That is where the critical issues are debated, that is where the hard work is done, that is where the issues are tossed back and forth and where solutions are hammered out.

Now, when voices are silenced, either by not being able to speak in committee for various problems with rules or when individuals are not even allowed to sit in committees, then it does a disservice to each and every American. We are better when we are tussling with those ideas, when we are working as hard as we can to come up with the appropriate solution for our Nation. We are not better when we are just talking about politics.

Again, in reviewing the ratios on the House floor, they are 59 percent Democrat, 41 percent Republican. Most Americans, if you asked them, would say that is what ought to be reflected in the committees, because that is where that hard work is done, that is where those issues are hammered out. I agree those ratios should be reflected in committee. If they aren't, then America is cheated and democracy is cheapened. The committee ratios are incredibly important because they determine the work product that occurs in this House. So, again, Madam Speaker, the House of Representatives, 59 percent Democrat, 41 percent Republican.

Now, when we look at committee ratios that have just come out this week, it appears that on some of the most pivotal committees where issues like taxes and financial services and health care are going to be decided, that ratio has not held. The ratio appears to be closer to 63 percent Democrat, 37 percent Republican. This is a significant decrease of a significant number of seats, and it disenfranchises many Americans across this Nation. It is a matter of fairness, Madam Speaker. It is a matter of fairness. The American people may not care about the specific processes here, but they do care about fairness.

So I call on the Speaker, I call on the majority leader, I call on the majority party, to make certain that the committee numbers, the numbers, the ratios of Democrats to Republicans in our committees, reflect the appropriate ratio that is reflected on the floor of the House of Representatives. Madam Speaker, it is a matter of fairness.

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 $700 BILLION GOVERNMENT BAILOUT IS NOT WORKING

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, in 2008, Wall Street's biggest banks got Congress to hand over to them $700 billion of your taxpayer money. Now they want more.

Yesterday, Neel Kashkari, the Interim Assistant Secretary for Financial Stability, gave a speech at the Brookings Institution. He gave fancy sounding bureaucratic names to the $175 billion that he has already forked over. He called it Capital Purchase Program, Asset Grant Guarantee Program, Targeted Investment Program. Essentially he was talking about the $20 billion that went to Citigroup.

He asked rhetorically, when will we see the new banks making loans? Well, that is part of his job, to get them to make the loans. But he said as long as confidence remains low, banks will remain cautious about extending credit.

Oh, Mr. Kashkari, we know that well. The reason the auto industry is in trouble is because credit has dried up. Car loans can't be made.

So let me get this straight: He wants more money, because he has only given $175 billion from the taxpayers' money out there in the country to the biggest banks that did the wrongdoing to begin with, and they are still reluctant to lend.

Let me give Mr. Kashkari a dose of reality. Your program isn't working, and it is not working for Main Streets across this country.

PNC Bank of Pittsburgh, Pennsylvania, one of the Nation's largest banks, now the fifth largest bank, has received $7.5 billion from Mr. Kashkari.

□ 1415

And instead of providing additional lending capacity and loan workouts for those mortgages to help resolve the problem, PNC took the money. And you know what they did? They came across the border to Ohio and they bought National City Bank in Cleveland.

I see my dear colleague from the city of Cleveland, Congressman KUCINICH here this evening. He understands this well.

National City has been a headquartered institution in Ohio, headquartered in Cleveland since 1845.

Now, Treasury's money, the taxpayers' money, went to PNC and they came to Ohio and bought National City Bank, putting all those people out of work. And PNC became bigger. So what Mr. Kashkari did was take our money and give it to PNC, that hasn't worked down any of those loans, but they came to Ohio and bought out National City Bank. So PNC gets bigger, our banking system gets more concentrated, and PNC becomes more powerful. Some say they actually have price control power on the western side of Pennsylvania.

So, PNC gets $7.5 billion. Cleveland and Ohio lose a Fortune 500 company, and Ohio, where foreclosures are raging, gets nothing. We get nothing. We just get more foreclosures.

In 2008, Citigroup, one of the main culprits that caused the financial meltdown, was given $25 billion. They got more than PNC. They got it from us, the taxpayer, and then they have foreclosed, just in my district, on another 235 families in Lucas County, Ohio.

Last November I found an advertisement in my local paper that said there was going to be an auction in my home county. I was surprised. I didn't know the company coming in, called Hudson and Marshall of Dallas, Texas. So I went.

Guess what? Citigroup was one of the banks selling properties. I attended and watched homes in my community sold for as little as $7,900, a price so low that the original owners could have gone back into those homes. Not only was Citigroup auctioning homes that night, but so were TARP money recipients; those are the banks that got the money through the Treasury from us, Wells Fargo, US Bank, Deutsche Bank, ABN/Amro, Chase Home Finance, Fifth Third Bank, Standard Federal and LaSalle. They all got money.

It is clear that some of the recipients of the Treasury money are unwilling to craft real workouts. And so what happened in our region was people got kicked out of their homes. Wall Street hired the auction company from Dallas, Texas. They came to our region, they sold all those properties for very little money, and they're going to get big, huge tax losses written off on their IRS filings for the tax year of 2008.

But where are our families? Out on the street. Our people lost their homes.

I would like to invite Mr. Kashkari, Secretary Paulson and all the PNC executives to come to Ohio, and I want them to live in the neighborhoods that their actions have affected. We'll give them a little heater, Bunsen heater overnight so they don't get too cold in the houses; and we'd like them to experience the results of what they have done to the American people.

Last year, 4,100 homes in my region were foreclosed upon. In the last 2½ years, 10 percent of the properties in my home community have been foreclosed. 10 percent of the housing stock. And as foreclosure rates continue to rise in places like Ohio, it's pretty obvious that's what's happening here in Washington isn't connecting to Main Street.

Sadly, Hudson and Marshall, the auction house that Wall Street hired to sell all those homes in my community, are coming to your town too. This month alone they are slated to be in several cities in Michigan, Arizona, Connecticut, Massachusetts, Rhode Island and New Jersey, and they're going to auction another 1,455 properties. They've now sold over 70,000 homes in the last few years, and expect another 30,000 in the year 2009.

Mr. Kashkari, your program isn't working.

Madam Speaker, I would like to place the additional remarks that I have in the RECORD.

What is happening is an outrage to the American people, and they're being asked to pay for it. There shouldn't be any more TARP bills clearing this Congress until hearings are held in the communities that have been affected. We need to use our power in order to go out to the voters that sent us here.

Equity is bleeding profusely from our communities. The sheer volume of the properties sold at auction is disturbing. Financial institutions which have been capitalized through the TARP Program have failed to do mortgage workouts—FDIC and SEC should do their jobs, and they are not—and must be required to do mortgage workouts, rather than foreclosing on homes and participating in auctions. Hudson & Marshall stated in a press release that they have made $1.2 billion doing auctions.

The intent of the TARP was to help stabilize our financial system, which includes in large measure our housing industry. Yet, we financial institutions enriching themselves, merging, and yet foreclosing on families rather than working to stabilize families in their homes. A stable home permits people to focus on obtaining and maintaining employment, purchasing food, and contributing to society in positive ways rather than relying on social services funded by State and Federal dollars. Furthermore, we see communities falling apart. Community members and local banks are effectively locked out of the opportunity to reinvest in themselves because monies from the Department of Housing and Urban Development which would allow community banks and members to purchase foreclosed homes have not yet arrived.

No second round of TARP money should emerge from this Congress unless regular hearings are held and the victims of this crisis can have their voices heard in the deliberative process. The Committees should travel to the communities most affected. Why should we trust Wall Street Banks again as more families teeter on the edge.

The SPEAKER pro tempore (Mrs. GILLIBRAND). Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. NEUGEBAUER) is recognized for 5 minutes.

(Mr. NEUGEBAUER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

IMPROVING HIGHER EDUCATION AFFORDABILITY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. DOGGETT) is recognized for 5 minutes.

Mr. DOGGETT. Madam Speaker, in these tough economic times, our families need all the support that we can provide them. Whatever we can do to assist those who seek more education and training to better prepare themselves for this tougher, tighter job market and rising unemployment and under-employment rates, we need to do.

That's why today, Representative TOM PERRIELLO and I, joined by a number of our colleagues on the House Ways and Means Committee, are introducing the College Learning Access Simplicity and Savings Act. We want to put more students in class. It will make our ability to assist students to gain access to our institutions of higher education much easier. Students and their families can benefit from additional and more simplified tax credits for higher education expenses.

Last year, legislation that I offered simplified the student financial aid forms. Now, this legislation will take on the 1040. Today, higher education provisions are needlessly complex. It takes IRS an 86-page brochure to explain to families how to use the existing tax credits for higher education. The complex process is so challenging that 1 in 4 eligible taxpayers don't claim any of the benefits available. It shouldn't take a certified public accountant to become a CPA, or a teacher, or an engineer. This legislation would consolidate some of the existing provisions into a single, unified, easy-to-understand, higher education tax credit that is both more generous and easier to use.

Our bill joins the Hope Tax Credit (currently up to $1,800 per year) with the above-the-line tax deduction for qualified tuition and expenses (currently tax deductible up to $4,000). We replace all of this with a new $3,000 tax credit that is usable for undergraduate education and the first 2 years of graduate school, up to a lifetime limit of $12,000. Up to half of this new tax credit would, for the first time, be refundable. This ensures that working folks, families that are struggling to become part of the middle class, will no longer be excluded from this higher education tax credit.

This bill is, of course, no substitute for a substantial increase and an acceleration of those Pell Grant increases Congress has already enacted. But tax relief, done in a refundable form, can work hand-in-hand with Pell Grants to ensure more opportunity.

We are justifiably concerned with the federal deficit, but there's a real opportunity deficit we need to be concerned with also. When our students are not able to achieve their full, God-given potential, a deficit occurs, and it is that deficit, that opportunity deficit, that this legislation seeks to address.

I respectfully call on our new President-elect to consider inclusion of this legislation in the economic recovery legislation that this Congress must adopt as soon as possible. Investing in American students is an investment in America's future. Putting Americans to work means ensuring that they have access to all the education for which each is willing to work.

It was Thomas Jefferson who urged public support of higher education, wanting the youth of all our states to ''drink from the cup of knowledge.''

Today, there are students who are thirsty for that knowledge, but they confront a number of challenges. Mr. PERRIELLO and I, and our colleagues, hope to address those challenges, and we hope we will have the opportunity to see this legislation enacted into law in the next few weeks.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Florida (Ms. CORRINE BROWN) is recognized for 5 minutes.

(Ms. CORRINE BROWN of Florida addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

WE HAVE TO PUT AMERICA BACK TO WORK

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. KUCINICH) is recognized for 5 minutes.

Mr. KUCINICH. We've heard the economic reports, over 10 million Americans out of work, 7.2 percent unemployment. Some say that unemployment could go to 10 percent. We could be looking at 12 million Americans out of work.

The productive capacity of this Nation is not being used. It's withering. We have to put America back to work. Our program actually is pretty simple. Jobs, jobs, jobs. Put people back to work with good paying jobs.

How do you do that?

You go back to that old time religion of FDR reflected in the New Deal. He rebuilt America. There's over $1.6 trillion in infrastructure needs that are unmet, that can't be met by local or State governments. The stimulus package that we hear discussion about does want to do something about addressing infrastructure. That's significant. We should support that.

But we also have to look at our experience, and we don't want to be TARPed again in this Congress; because this Congress voted for a $350 billion bailout of banks. I didn't vote for it, but the House and the Senate voted for it. And it resulted in the banks using the money, not to help people stay in their homes, but in using the money to buy other banks, take over other banks. They hoarded the money.

There is a credit freeze. We cannot—we must take notice of that. I know Chairman FRANK, BARNEY FRANK, is going to do that with the next tranche of TARP money, try to make sure money goes to keeping people in their homes. That's a positive step in the right direction. But Congress must take note of its experience in the bailout when we're fashioning a so-called stimulus package because we want to make sure that the money gets to the people who need it the most and it gets to people quickly.

Now, some say that you can do that through tax cuts. Well, actually, with people being afraid of the economy getting worse, they're holding on to their money. Look at the Christmas retail returns. Sales are down dramatically. People don't want to spend if they have it.

So how do you get the economy moving again?

Tax cuts, tax carry forwards, giving businesses that made bad choices a chance to get more money so they can hold on to it?

No, we have to prime the pump of the economy. And the way you prime the pump of the economy is that you create millions of jobs. Putting people back to work, rebuilding our roads, our bridges, our water systems, our sewer system, that's infrastructure. But there are some broader issues here we have to look at.

The banks have shown that they can't be trusted with the American economy. That's generally been the case, but now it's out in the open, $350 billion later.

In 1913, the money power of the country was taken away from the people. By constitutional privilege it belongs with the Congress, but it was given up in the Federal Reserve Act. The Federal Reserve is no more Federal than Federal Express. But yet it has the power to determine the direction and use of money in our economy. If we could take that power back and put the Federal Reserve under Treasury, we start to be in a position of being able to control monetary policy on behalf of the United States people.

We also have to address the issue of the fractional reserve system, which is how banks create money out of thin air. And then, as they do that, they've created the conditions where we've had this kind of Ponzi scheme collapsing, banks and the hedge funds working together. So we have to halt the banks' privilege to create money by ending the fractional reserve system. Past monetized credit would be converted into U.S. government money, and banks would act as intermediaries, accepting deposits and loaning them out to borrowers. Fine.

But then, with the ability to control our fortunes, we then, once we control money again, we spend the money into circulation on infrastructure; not just

the fiscal infrastructure, but also on health care. We not only can address housing needs, rebuilding America's infrastructure, but we can also get people the health care they need in this country. We can enable children to stay in school or to go back to school.

We really have the opportunity to take control of our own destiny again. But we can't go back to the same old same old. Trickle-down economics, the trickle never gets down. The invisible hand of the marketplace is in the pockets of the American taxpayers.

□ 1430

The invisible hand in the marketplace is in the pockets of the American taxpayers. Let's rebuild America. Let's reclaim our economic destiny, and let's do it as a Congress—united, working with the new administration.

THE AMERICAN ECONOMY AND HONORING BRIGADIER GENERAL RED BROWN

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 minutes as the designee of the minority leader.

Mr. GOHMERT. Madam Speaker, this weekend, a very important event will take place at Camp Mabry in Austin, Texas. My friend, fellow Texas Aggie, constituent, and citizen soldier Colonel James ''Red'' Brown will be promoted to the rank of Brigadier General. This American hero deserves to have tribute paid here today on the floor of the United States House of Representatives for his outstanding and devoted service to this country. Red's experiences and accomplishments are far too extensive to be able to cover during my limited time, but it is clear he is an example of true patriotism.

Newly promoted General Brown received his commission in the United States Army in May of 1980 from the ROTC program at Texas A&M University. He is a graduate of Armor Officer Basic and Advanced Courses, Combined Arms Staff Services School, the Command and General Staff College, and the Army War College.

He had served as a company battalion and brigade commander. Colonel Brown, soon to be General Brown, had also served as Assistant Chief of Staff for Civil Military Affairs in Bosnia-Herzegovina during Stabilization Force Seven, as well as Assistant Chief of Staff for Operations of the 49th Armored Division for 3 years.

Just a few of his awards include the Bronze Star for bravery and gallantry as well as the Combat Action Badge awarded in Iraq, three Army commendation medals, several Meritorious Service medals, and the Legion of Merit.

During Operation Iraqi Freedom, he commanded the 56th Brigade Combat Team, which was comprised of six battalions with 31 companies and over 4,000 soldiers. When his 56th Brigade was sent to Iraq, it was the largest deployment of troops from the Texas reserve since World War II.

It was a great honor for me to be there at Baylor Stadium in December of 2005 to be part of the massive homecoming, welcoming these brave servicemembers when they returned home from Iraq.

During their commitment in Iraq, Colonel Brown and his men conducted convoy escort and route security missions throughout the country. As you will recall, that was quite an historic year for Iraqis and for those all over the world who value freedom, because thanks to the heroic efforts of then Colonel Brown and his 56th Brigade and so many others there in the United States military, the Iraqis elected their first true representatives to lead a democratic form of government. Though terrorists tried to instill fear among the locals with prevalent threats of persecution and death, the Iraqis were determined to venture to the polls and to participate in democracy because the hope they were given by the supportive American servicemembers, such as Red, was greater than any fear.

I have hanging in my office a photo, very dear to me, of Colonel Brown and of other members of his brigade, proudly holding an Aggie flag that I had taken over when I had visited there. It is framed and signed by all of those in the picture there in Iraq.

My friend General Brown has dedicated his life to and has risked it for the service of this great country. There are countless people across the world who will never know the benefits and inspiration they've experienced as a result of General Brown's sacrifice. His sacrifice did not stop while he was on active duty.

As a civilian, he is also heavily involved in service to our local area—serving on the board of directors of the Boys and Girls Club of East Texas, the Lindale Area Chamber of Commerce, and the Council of the Lindale First United Methodist Church. He was even elected to the Lindale School Board where he has served also honorably and as president of the board. I know he doesn't do it for recognition or for praise because I know his heart, but General Red Brown deserves to be honored and thanked for his unwavering example of patriotism and selflessness.

So congratulations are extended on the promotion to Brigadier General. No one is more deserving of such an honored promotion.

May God bless General Red Brown, his wonderful wife, Jane, and his delightful, beautiful children Hannah and Crystal for being such a great blessing to this Nation.

Madam Speaker, I would like to yield at this time to the gentleman from New Jersey, who is a dear friend. It's hard to find anybody more insightful in this body.

Mr. SCOTT GARRETT from New Jersey.

Mr. GARRETT of New Jersey. I thank the gentleman for that and for the insightful comments. Maybe I should just begin with the gentleman from Utah for his comments with regard to the economy and the stimulus.

The gentleman from Utah.

Mr. BISHOP of Utah. Thank you. I appreciate that pass-off very quickly here.

The comments of Congressman GOHMERT about General Brown, I think, are appropriate as a beginning for this entire discussion about the stimulus. As he has been sacrificing his all for this country, it is our job to try and make sure that there is a country that is worthy of that sacrifice and that commitment that he will have.

I just want to talk very briefly because we have some great experts here on the economy of this country who will say something.

Just on a personal approach, I am one of those who was a product of kind of a ''yours and our'' family. My father, who was a newlywed with a young son—my oldest brother—during the Depression, lost his job during the depths of that Depression, and my mother was a recent widow with two young sons under 5 with no job at the same time. My father went for 2 years during the depths of the Depression without a full-time job. I realize the difficulty in talking to him of what he went through and of what the family went through. Indeed, he was saved by the creation of a government job during that time period.

I came around about 20 years after this event, and my father always cautioned me at the time that the government job that saved him was a temporary job, that when the government decided to close the program, the job went away at the same time, and he was back to the same issue of finding a job that had been created on the economy, an economy created job.

So, as we deal with the stimulus issue, I recognize that this stimulus package that we have without any details—it's just a concept still floating around—that is taxpayer-funded can have a profound effect on individuals and can have a profound effect on the economy, but if it is to be successful in the long term, it must be successful in encouraging and in stimulating private-sector jobs in the economy. That's the long-term solution.

One of the former leaders of this body once said, ''Between invention and innovation, you have to have investment, and investment only happens if there is an expectation of return.'' If we do not include as part and parcel of our attempt to reinvigorate this economy an aggressive tax reduction policy, not only for individuals but for business, we do not promote that expectation of return. An aggressive tax reduction policy for the business sector will provide stability to the business and will encourage them to reinvest real money into real long-term jobs that will not be dependent on the taxpayer largess to take place.

I think, just from my personal experience and from the experience and insight my father told me, that is what we have to look at as we look into this overall package. I would add just one last comment as well.

You know, we talked a great deal about energy a while ago. I hope it was not one of those things that we mentioned in August so we can check it off the box because gas prices are down again, but the reality is OPEC has already voted to cut oil production. Chavez has said he needs the cost of a barrel of oil to double if he is going to continue on with his foreign involvement policies and practices. If this country wants to have a good economic future, we have to have energy security that is self-sufficient. If we cannot in all of our efforts to try and build a healthy economy secure our economic future, we will never secure long-term economic health.

With that, I appreciate the opportunity of being able to just interpose myself in this discussion of whatever this stimulus package may be since there are no details with it yet.

I would yield back to the gentleman from New Jersey, and I appreciate the words of the gentleman from Texas as an introduction to this, and I look forward to the rest of the discussion.

Mr. GOHMERT. If I may reclaim my time briefly, I want to thank the gentleman from Utah (Mr. BISHOP) for being a dear friend and colleague.

I heard your comments earlier about the University of Utah. What an extraordinary year they've had. I get the impression nobody has given Utah anything. They have gone through a season undefeated because they worked hard and they earned it. So what we've seen with football teams that get giveaways is that they don't tend to do as well, and they don't have the discipline. Utah certainly has that. Now, if we would just get to a 16-team playoff, then we could give everybody that same opportunity to claim the national championship.

I thank my friend from Utah, and I would yield back to my friend from New Jersey, Mr. GARRETT.

Mr. GARRETT of New Jersey. Again, I thank the gentleman from Utah for your comments. They are always insightful, and that's why I led off by referring over to your for those insightful comments. Now I will just make a couple of comments.

I appreciate the gentleman from Texas for leading this Special Order this afternoon, this Friday afternoon, as Congress goes back to their districts. As the gentleman from Georgia indicated earlier, this is an abbreviated session of Congress. I'm not sure why we spend 5 days in a week to do about 2-days' worth of work, but this gives us the opportunity to talk about an issue, of course, that is extremely important to the American public, something that they are looking to Washington to begin to address, albeit over an extended period of time and in discussion as opposed to legislation.

I am just going to make three points while I'm at the microphone. The first point is: Who pays? The second question is: For what? The third point really goes into what the gentleman from Utah was referring to a moment ago: For how long?

The first point of who pays: As for the gentleman from the other side of the aisle, who was just speaking previously, the gentleman from the great State of Ohio, I agreed with him on a number of his points that he was making with regard to the expansive powers of the Federal Reserve and the necessity for Congress to reexercise its authority in fiscal and in monetary matters and to address that issue.

I did have a question for him or a concern with one point that he made. He said, right now, when it comes to infrastructure projects across the country, there is a great need, and I concur with that, and he raised the question or the statement: But they cannot be paid for by the local or State or—and I assume he also means—county or municipal governments right now. So he's inferring that, if they can't pay for it, somehow or other, the Federal Government can.

You know, at the end of the day, when it comes to paying for any of our services, all of the money that we have comes out of our own pockets as taxpayers, whether you pay your local town tax or your county property tax or your State income tax and so on and so forth. It all comes out of our own taxpayer pockets. So it really doesn't matter whether you say the States or locals can't pay because, at the end of the day, come April 15, those same citizens will be paying the Federal Government for those very same projects.

So as to the question of who pays: It's the American taxpayer who is going to be on the hook for those very same infrastructure projects whether local, State or county pays for it or whether some miraculously comes out of the Federal Government's Treasury as well.

So the point is: Who pays? You do. The American taxpayer will pay for whatever this stimulus package may be whether it's $100 billion, $500 billion, $1 trillion. We're looking at right now a $1.2 trillion deficit as we speak, care of Senator REID and NANCY PELOSI from the 110th Congress. Basically, that is what Senator Obama is inheriting, and it's on top of that that we'll be spending, maybe, another $1 trillion. Who will pay for that? Well, it is the American taxpayer.

The second point is: For what? What will we be paying for—earmarks? Well, the other side of the aisle will say, no, there aren't going to be any earmarks in this, but mark my words; there will be things akin to earmarks, and I think that the American taxpayer is smart enough with this. It will be pork. Let me give you just an example. Again, the idea is, well, we'll pay for infrastructure, and that's all good when you talk about infrastructure being roads and bridges and water and sewer supplies and what have you. Well, let's see what some of the requests have already been to this new administration.

Down in Florida in the city of Miami, they're talking about some great infrastructure projects such as a water slide, BMX dirt bike or trail bike trails, a beach museum. That's the type of infrastructure they're talking about looking forward to going back to the States. How about in the great State of Rhode Island where they're talking about such things as a polar bear exhibit or better soccer fields up there as well?

□ 1445

That's the type of thing that your tax dollars will be going to.

How about over in Vermont? They're putting in a request to spend $150,000 of your tax dollars to go to a more efficient street sweeping machine. Now, I'm sure they will be able to suck up a lot of the dirt and debris around the town a lot better with your tax dollars going into it. And isn't that really the problem, that this machine really will be sucking up more of our tax dollars as will this entire stimulus package?

So what is this money going for? It will be going for all of the same sorts of earmark pork projects that you have seen and been dismayed about out of the Congress in the past but be magnified to the extent of $1 trillion.

And the third point is for how long—and this is what the gentleman from Utah was making—for how long.

We will go on for as long as the trillion dollars pork project will continue to be spent out of Washington. It will not really be making permanent jobs. The Obama administration talks about wanting to create 3 million new jobs, 80 percent of them they hope to be private sector jobs. That means, of course, 20 percent of them will therefore be public sector job. I can do the math in my head. That comes out to be around 600,000 new public sector jobs, which is around 50 some-odd percent if he threw the postal service out of the Federal Government as we exist right now.

Where will those jobs be in a year from now or so after this project is spent? They will be out. So if you have got one of those good paying jobs, those jobs will end, and so will this program.

So who pays? The American taxpayer pays. For what? For more pork. How long will it last? Only as long as this largesse out of the Federal Government lasts.

What we need in the end—and I can conclude on this and yield back to the gentleman from Texas—is a program that will create new jobs, that will create jobs that will be new careers for individuals in this country, jobs not on the public dole but in the private sector. How do you accomplish that? By creating a private sector jobs initiative to incentivize the private sectors to take their literally trillions of dollars

that are on the sidelines right now and to invest them into the economy, to invest them into the creation of new jobs. And if you do that, that will move the economy forward. The banks will be more than willing to lend again because the individuals out there will have jobs to be able to pay back their loans, and we will be reestablishing the strong economy that this country was known for for decades and for centuries as well. That is the direction we should be going for.

And that's why I thank the gentleman from Texas for leading this talk in this special hour tonight on how to really stimulate the economy and how to really create jobs for this country.

Mr. GOHMERT. I thank my friend from New Jersey. Great insights, great points, three great points. Dear friend pastor from Tyler, Paul Powell, said when he was in seminary, he asked one of his preaching professors, How many points should you have in a perfect sermon? And the professor said, I think you ought to have at least one.

So I really appreciate the gentleman having three excellent points, and I appreciate the contribution.

At this time I would like to yield to someone who has an amazing mind that got him CPA certified, and here he is in Congress trying to help the laws become better and especially on financial matters. So I would like to yield to my friend, Mr. MIKE CONAWAY from Midland, Texas.

Mr. CONAWAY. I thank my colleague from Tyler and Longview and Marshall and Henderson and all points east of Fort Worth. I appreciate his hosting this hour today.

As we talk about President-elect Obama's stimulus package, I am very mindful that he currently has something north of a 65 to 70 percent approval rating. So you really don't want to pick a fight right off the bat with a fella who's in that high regard across the United States. But so I think as a minimum, we ought to give him a chance to begin to put some meat on the bone of all of these great ideas that have been kind of at the—not even the 10,000-foot level but at the 50,000-foot level and looking forward to the actual legislative language as to how some of this stuff is going to work.

I applaud him for calling for no earmarks and for transparency and accountability. That's exactly what we want to do. I'm particularly encouraged that Vice President BIDEN has committed to oversee the spending of every single dollar personally. Given the growing size of this bill, he is going to be one very busy Vice President as he puts his green eyeshade on, his garters, and pulls his sleeves up, gets out his pen, and actually watches the writing of each one of those checks as he committed to doing the other day.

I am a bit discouraged, though, that the overall process that was announced yesterday that he believed—our new President believes that he can spend, or we can collectively spend our way out of this current economic recession, depression—whatever you want to call it, whatever title you want to give it—I'm concerned that that's not an accurate way to do this.

One way to look at this would be to say, all right. If government spending is a panacea for the economy, if it will build a great economy, then looking at the spending, the government spending for the last 2 years—which I believe this Federal Government has spent more money in the last 2 years than any other 2-year period in history—that certainly didn't drive a wonderful economy. We're in a bad economy right now. So if the premise is government spending builds economies, then we ought to be in a good economy right now. Quite frankly, we aren't in that economy.

The centerpiece, as both of our colleagues have talked about, is job creation. And at the end of the day, it really should be about jobs.

I participated in a needs assessment in Midland County back in the United Way days. It was a zillion years ago. It was a process where you went through and asked people what was going on in their homes, what was going on in the neighborhoods, in local communities, what were the problems, what were the issues. We culled that down through some science to the top 10 needs for the Midland community.

If you looked at those 10, nine of those 10 would have been favorably addressed by a job, by somebody having a job. And so it is—in an arena where hyperbole is the norm, it's difficult to overstate how important jobs are to an economy. And that's just the foundation, the base of those.

I would also argue, though, that government jobs—and my colleague and I from Texas have two really good government jobs. These government jobs that we have, we make money at it, and they are here forever. And some government jobs will always be here forever.

But the jobs that would be created with the program that's been, you know, kind of highlighted at the 50,000-foot level, those jobs shouldn't be forever. And when you don't talk about forever with a job, then that job is, by nature, temporary; and since it's temporary, it's hard for families to make plans based on a temporary job. It's hard for communities to plan on those—the impact that those jobs have.

So that temporariness of those government jobs lends itself to continued uncertainty, to continued anxiety about what happens when this ends, what happens when this is over as opposed to a business that comes into or locates into a community, begins to put down roots and build jobs and build wealth, add to the local tax rolls. All of the kinds of things the private sector jobs do, those have a sense of permanency to them that is just right. That makes sense to us.

And I would argue that whatever we do on a go-forward basis, that we focus more on private sector jobs and do whatever we can to avoid creating government jobs because once you put people on the government payroll, it's hard to get them off and it does not build wealth.

I would also like to point out that while our current circumstances are dire and difficult and hard and there is a lot of pain in the country right now, it is temporary. As we've seen, expanding economies are temporary. We've enjoyed about a 7- or 8-year good run with the expanding economy. Everybody enjoys that. New jobs are created, new wealth is created, opportunities. Everybody likes that. But those are temporary as we've now seen with this contracting economy.

Well, the converse is true as well. Contracting economies are temporary. They may last a lot longer than we'd like, a lot longer than we'd enjoy, but at the end of the day, this world economy, this U.S. economy will turn the corner and will begin to expand.

So as we look at what we do to address this issue, let's be careful that we don't take money to be earned by future generations to fix a temporary issue that we're dealing with. I would argue that my colleagues' and my generation, the last 4 years we have elevated this idea of taking somebody else's money—in most instances it's our grandkids and great grandkids and great-great grandchildren's money—and let's fix today's problems. Which means that we have robbed our future generations of the money that they're going to earn that they should have available to them to address their problems. Because they will have problems. There is nothing we can do today that's going to fix everything permanently, and those future generations have a right to the money they earn by the sweat of their brow. The problem is you and I are spending it. Collectively.

There's plenty of blame to go around. This isn't a partisan issue. Democrats, Republicans bear equal blame in this regard that we've constantly become addicted, in effect, to using borrowed money to address issues. And the issue we're going to address over the next several weeks is this economy, and everything I've heard so far is that we're going to use borrowed money.

I was in Fredericksburg, Texas, back in October doing a town hall meeting at an elementary school. If my colleagues have never done a town hall meeting in an elementary school, I would encourage it because you get some of the best questions ever from fifth graders.

I was doing my best Q&A kind of thing, and this little fella in the second row raised his hand, and I recognized him, and he said, Mr. Congressman, what is the plan to pay off the national debt?

And I said, Excuse me?

He said, Yes, sir. What's the plan to pay off the national debt?

And I said, Young man, that is the single best question I have been asked while I've been in Congress.

There is no plan to pay off the national debt. Every dollar that we borrow is, in effect, permanently borrowed forever. Let's just take an example. I'm a CPA so some of this comes a little bit easy to me. We've got $11 trillion in hard debt. Debt we've got paper on, not counting the promises of Social Security, Medicare, and all of that. We've got $11 trillion.

In order to pay that off, this government has to run an $11 trillion surplus counting the interest. It's more than that if you've got interest. Given the history of the last 42 years, we've, I think, run surpluses 3 of those years. Thirty-nine of them or forty-one of them, whatever the number is, have been deficits.

So if anyone in their right mind thinks this Federal Government, given the propensity we have for spending other people's money, can run a $12 or $11 trillion surplus in order to pay off the national debt, they are delusional beyond all words.

Now, at a minimum, the first thing that we ought to do is quit doing what's gotten us to this point. Quit spending money we don't have. You know, it's—across the aisle we've got two seemingly desperate ways of doing things. On our side we want to cut taxes, and the other side spends money but doesn't raise taxes. It ought to be this way: If you're going to spend the money, then have the political backbone to raise the taxes; or if you're not going to raise the taxes, have the political backbone to not spend the money.

Well, we've had it on our side where we spent the money and borrowed it, and the other side wants to spend the money and raise taxes. And all we've done is spend money that we don't have. It's not ours. No family gets to do that, no small business gets to do that, no other government entity I'm aware of, other than the Federal Government, gets to do that.

My preference, if we're going to have some sort of a stimulus work, would be to focus on tax policy, the money that's earned by good citizens, and that we, at the point of a badge, take away from them. That tax policy ought to be stable, it ought to be predictable, it ought to be put in place. It allows them to keep more of their money and create those private sector jobs.

Let's take the example of businesses. Section 179 allows businesses to deduct immediately in the year of purchase a certain amount of money that they spend on equipment that they use in their business. By being able to deduct that, the taxes they would otherwise have paid on that amount of money, they can recycle into their business by hiring new people, investing in new product, investing in new capacity. All those kinds of things.

So that, in my view, is a much more appropriate stimulus of the economy than to collect a bunch of money here in Washington D.C. and then begin to try to parcel it out across some of the projects that our colleague from New Jersey was talking about earlier in terms of how that money is going to be spent under the, quote-unquote, stimulus package and the conference of mayors, you know. The shopping list that they've gone through is, in my view, a much better way to try to stimulate this economy.

Truth be told, at the end of the day, the Federal Government has precious little to do with whether or not the economy expands or contracts. That's driven by the decisions of millions of Americans to decide whether or not they're going to buy something new, whether or not they're making enough money to be able to afford that, whether or not their business—prospects for their business is good enough that they'll go to the bank and borrow money and continue to begin to turn this corner.

□ 1500

Those decisions are made all over the United States, all over the world by good, honest folks and not governments. So we sometimes delude ourselves into thinking that—and most of us are of the kind of personality that we came here to fix stuff; we came here to make this country a better place; we came here to do all those kinds of things. Sometimes it's not our job.

Our propensity is that we want to fix stuff, we want to do things to help this country. And when we see a problem as staggering and difficult as this one, we think that there's something we in fact can do, and we feel almost inadequate when we propose not doing something. But maybe in this instance, letting us absorb the pain and understand that in a deleveraging circumstance, when you're paying off debt as we are right now, that that does not grow an economy, but that does lay the foundation for that future economy that will begin to expand that we will all enjoy on a go forward basis.

So if anybody remembers one thing I've said today, it is, let's begin to look and lay a foundation for stopping fixing temporary problems with permanent debt that we're borrowing from future generations and are hamstringing them and are hobbling their ability to take care of their issues when they are grown and in our position.

So I appreciate my colleague for hosting this hour today.

Mr. GOHMERT. I thank my friend from Midland, Mr. CONAWAY. I guess it's that trained certified public accountant mind that sees with such clarity. You know, you've got your debits and your credits, and you come here to Congress and it should balance. And I appreciate the clarity that all your training and experience has given.

I ran across some quotes here that are right in line with what my friend from Midland has been saying. Here's a quote from Dr. Richard Wagner, Professor of Economics at George Mason University. He said, ''The government can increase its spending only by reducing private spending equivalently. Whether government finances its added spending by increasing taxes, by borrowing, or by inflating the currency, the added spending will be offset by reduced private spending. Furthermore, private spending is generally more efficient than the government spending that would replace it because people act more carefully when they spend their own money than when they spend other people's money.'' What an insightful quote.

Another quote, ''As Congress and President-elect Obama work together to help middle class families and get our economy back on track, the deficit estimate makes it clearer than ever that we cannot borrow and spend our way back to prosperity when we're already running an annual deficit of more than $1 trillion. The reality is that the decisions we make today will impact future generations, and burying our children and grandchildren under a mountain of debt to pay for more wasteful government spending would be the height of irresponsibility.''

I've come to know so many wonderful people on both sides of the aisle in my 4 years that I've been here. There may be somebody in this body that doesn't like children, but I don't know who it would be. I find a commonality of just a real love for children. You see children come onto the floor under 12 are allowed here. We saw the rostrum, the dais just completely covered up with children as Speaker PELOSI was sworn in. And children just bring a smile when you see these wholesome, refreshing children, bright eyes, full of hope gathered around. But it breaks your heart when you realize the kind of debt we're loading these children up with. I mean, nobody in this body I know of would intentionally go about harming any child, but we're doing it unintentionally.

It has historically been the general nature of mankind, it's not true with all species, but with mankind generally—except for some exceptions of some really horrible people—mankind's nature is to protect our children; and in this body, while I've been here, we've continued to load them up. And President-elect Obama talked about change and hope. And frankly, the Democrats had been spending way too much money in the eighties and in the 1990s up to '95. There were a few years there where Republicans were doing the right thing, and then they couldn't help themselves, they started spending money like crazy, loading up the kids with more debt than they will ever be able to pay. And I was really—and am still—holding out hope that the change that we can get and we need the most from this administration coming in is quit killing our children with debt, just overloading them with debt.

And, you know, the change is not going to come by throwing money at the economy; we've been doing that for the last 4 months, it has accomplished

nothing. There are some great insightful writings and thoughts from economists now that, although it was the most incredibly good of intentions through the thirties, the economy did not get help, despite all the massive spending and government programs, until World War II. So as people here have heard me say many times, I think the number one duty of the Federal Government is to provide for the common defense.

We need to have defense spending. And invariably every time an administration comes in and seeks their cuts by cutting the military, cutting spending with defense contractors, then our military gets at a low point. And as President Ronald Reagan had said, you know, no country ever gets attacked because people perceive it as being too strong, they perceive it as being vulnerable, so they attack it.

It is always a good thing, and preventative, when a nation is strong militarily. We don't need to be cutting the military, we don't need to be cutting defense spending. In fact, when the government is going to spend and help the economy, it ought to be on things that government has to do anyway.

So when we look at some of the proposed projects in which funding is being sought and maybe spent, some of the things that have been listed so far as being ready to go, shovel ready, ready to have money, $350,000 for an Albuquerque, New Mexico fitness center, we need to make our people more physically fit. I have been deeply troubled that with all the emphasis on No Child Left Behind, we've cut art programs, we've cut music programs, we've cut all kinds of programs that really can make people a more whole person, and that includes physical fitness.

You know, when I was a kid and President Kennedy proposed physical fitness for children, I really didn't like it. I thought he ought to mind his own business, actually. But I can tell you that the physical fitness programs that were instituted—and that wasn't a mandate, it wasn't a requirement, it was an encouragement, he led by encouraging. And schools started having physical fitness programs and the kids got better off physically which made them better off mentally. And to see the obesity that has resulted, we don't need, as a Federal Government, to start telling people you can't buy fast foods, you can't eat this, you can't eat that. Just everybody exercise, and then push that with the children; set those good patterns early and that will take care of itself. It teaches discipline, and that is something that far too many in this body have not been able to overcome.

Now, one of the things that you learn in law school is to rationalize almost anything. You get good at it. If you become a good lawyer, you get good at rationalizing basically any conduct—or you can. And I see people that have been here in Congress for many years, many that did not go to law school, and they have gotten so good at rationalizing they can rationalize almost anything. We don't need to be doing that. We need to be getting to what helps.

But I've heard people try to rationalize on this floor, in this Congress in the 4 years I've been here. And I never seek to impose my religious beliefs on anyone else, but I enjoy it when people quote Scripture. And I've heard Scripture quoted on this floor many times, but often it's during tax debate. And I've heard people ridiculing, you know, some of you Republicans say you're a Christian, but Jesus said take care of the widows and orphans; Jesus said, even as you've done to the least of these, my children, you've done to me; Jesus said do unto others as you would have them to do unto you; and here you guys are wanting to cut give away programs to all these different people. But I've searched Scripture, and for those who like to rely on it, you can look, Jesus never said, Go ye, therefore, use and abuse your taxing authority, take somebody else's money and give it away. He said you do it. ''You'' do it. You do it individually. You help. You reach out. You give with your money, you give with what you have. Don't go abusing your power as a Member of Congress to take from somebody else to give; do it and you will be the beneficiary. That was the teaching, not for government to take other people's money. Because what is taxation? It's theft. Although we legalize it, therefore, it's legal theft. We take somebody else's money and we use it the way we want to use it.

So, that is a concern. Here's another quote from an assistant professor of economics, Justin Ross, from the School of Public and Environmental Affairs at Indiana University. He says, ''The empirical evidence overwhelmingly rejects Federal Government deficit spending as the best method for stimulating the economy, and it is generally unsupportive of it having any stimulus effect at all.'' We saw that all through the thirties. No matter how much money the government gave away, no matter how many government programs, there was nothing permanent about what was done.

Now, we hear a lot of people say that this is the worst economy in 70 years and 80 years, going back to the thirties, it rivals those days. I was mentioning before, but I had a man over 90 years old approach me in my district say he was sick and tired of people saying that, that what we're going through right now has no comparison. For people that are out of work, it even has no comparison to the 1930s because there were times, he said, when we would go a couple of days without even eating, and now people get upset and think they're broke if they don't have two or three cars, computers, cell phones, and that kind of thing. They had none of that.

And you go back to the late seventies, early eighties before the big tax cut by President Reagan and we had double-digit inflation, we had double-digit unemployment. We're not even close to double-digit inflation. But if we keep throwing away money and printing money like crazy and borrowing and trying to tax more, then we're headed for major, major trouble.

But you go back to the late seventies, early eighties, and the research we've done indicates that key industries that experienced a big downturn as a result of the recession in the late seventies, early eighties were housing, steel manufacturing and automobile production. And these did not see a recovery until much later.

I might also say, for those who look for answers in Scripture I referred to earlier, when people have criticized me for not wanting to take other people's money to give it away to my charity of choice, that they would prefer to do it, I brought that up and someone said, oh, well, that's not being very Christian. And I point them to the example of Zacchaeus. Because if you look at Zacchaeus and his example, the first thing he did after he met Jesus was to go cut taxes. And, in fact, not only did he cut taxes, he gave a four-for-one rebate, as I recall, to those who he had wronged. And I have no doubt that in cutting taxes after he met Jesus that he stimulated the economy all around because it meant the government wasn't getting that money, the tax collectors weren't getting that money, people were able to spend their own.

Now, I was really amazed when some of us, a bipartisan group of Members of Congress, went to China a few years ago, and talking to CEOs and since then talking to other CEOs, why was your industry moved to China? Because I figure the answer is going to be cheaper labor; we didn't have to deal with labor unions; easier environmental—the number one answer was not any of those things. They said our quality control was so good in the United States, Americans just really make good products.

□ 1515

But the number one answer was that the corporate tax rate in China was so much cheaper than it is here. And you look around the world at where economies are growing, and they have dropped corporate rates. They have dropped capital gains rates so people are able to keep more of their own money.

And what we see, we have seen over and over going back to President Kennedy, President Reagan and the early days of President Bush. When you drop the tax rate, the economy is encouraged, expands, and you get even more revenue back into the coffers of the government. So everybody comes out ahead.

Now, some of the other things we've heard about the Democratic stimulus package that is being worked on is that it could virtually triple the current year's deficit. What we've been hearing

is that it will grow a deficit that's about a 50 percent increase over the post-World War II record of 6 percent.

Also, we've been told, as my friend from New Jersey alluded to, that 20 percent of the 3 million jobs that President-elect Obama wants to create are in government. We don't produce a whole lot in government. Some would say what we produce is not worth producing and is more harmful than good. Regardless, we don't need 600,000 new government jobs. That is overloading the economy with government. And as former Senator Gramm used to say, When we have more people in the wagon than pulling the wagon, the wagon's going to stop and the country will be economically dead at that point.

Spending, though, disguised as tax cuts is not a tax cut. As many writers have said, if we want to stimulate the economy, what we really need to do is have a tax cut. That's why I filed in December and have re-filed the first day we were in session this week a 2-month tax holiday bill, H.R. 143. I'm hoping that I will get to talk with someone in the incoming administration because President-elect Obama said he wanted to provide a tax cut for every American who made less than $250,000. My bill makes sure every wage earner, including self-employed businesses, get a two-twelfths tax cut for the year 2009. It's not just a stimulus package, but that is the result.

But the fact is, if we in this body allowed people who earned the money to choose winners and not give money to people and companies they think are losers, then they make the decisions. And I can guarantee you, they're going to make better decisions than we've seen out of the Treasury department over the last 4 months. It's like we were reading a moment ago, when people spend their own money, they do it more wisely than when they're spending someone else's money, especially when we have the problems with accountability that government always has. It doesn't matter which administration is in office. When there is money to be given away by the government, accountability is a nightmare. It's a huge problem, and despite all the promises, we have got a Republican administration that's been in office the last 4 months during this huge bailout, but we have had a Democratic majority in the House, a Democratic majority in the Senate, and no matter which party is in charge, accountability has been disastrous when it comes to holding people's feet to the fire with government money. So it is not the answer to go throwing money at all these different things.

Other proposed giveaways would be $94 million for a parking garage at the Orange Bowl in Miami. What a great bowl, what a great venue for football, but there doesn't need to be a Federal giveaway. $4.5 million for Greton, Florida, to bottle water with recycled bottles, well, that's a wonderful, noble goal. But what government should do is create incentives for other people to do good things. There's been too much of a problem with Congress that we decide we're just going to give away money, throw it at a problem, and think we have done a good thing.

The highest and best use of this body over and above making sure that we provide for the common defense is encouraging people to do the best that they can with what they have, use their talents, use their God-given potential.

One of the things that drove me off the bench as a district judge and made me want to run for this office to get to serve here was as a judge handling felonies, I kept seeing more and more women come into my court that I had to sentence for a couple of things. One was for welfare fraud and another was for their involvement in dealing drugs. And you get a complete presentence investigation report on people's background, and I was amazed how similar so many of the stories were.

And this is not a racial issue because, when I dealt with it, there were women of all races having the same problem. They would have somebody encourage them, because they were bored with high school, to drop out and have a baby because the government will send you a check. So they would drop out, have a baby, and they'd get a government check. And then they'd find out, it's not really enough for a baby and a woman to live on. So they would have another child and another child, and they kept getting further and further behind.

And you go back to the 1960s and the great society and how well-intentioned that was, but what occurred was the government saw single women having to provide for children with some deadbeat dad out there not helping. So, with the best of intentions and wanting to help, they said let's give them a check. So they started giving a check for every child that a woman could have out of wedlock. And when they come 40 years later to my court to be sentenced, over and over I'm seeing women who are lured into this rut by the Federal Government well-intentioned giveaways, and they couldn't get out. We provided them no incentive to get out.

I hear from people in housing projects that said, you know, we were trying to save a nest egg so we could move out of Federal housing someday and buy our own home. So we're saving up a down payment. Then we were told by some authorities that we had too much money in savings, that we either had to buy stuff or give it away or spend it somehow, get rid of it, or we'd have to move out of Federal housing. I mean, what's wrong with this? The Federal Government ought to be about encouraging people to do what's good for them because ultimately that's good for the country, and instead, we lure people into a rut and we don't let them out.

And so some women would get desperate, and they'd realize I've got to get a job but I also need a handout from the government with the children. So they get a job, they wouldn't report that to the Federal welfare authorities, and they'd come before me as criminals for welfare fraud. Others would see how much money was being made in dealing drugs, and that's no way out of a rut. And it wasn't, because that's bad for everybody.

But you come back to the premise, the Federal Government luring people into a rut with giveaway programs that don't let them out.

Now, I am not sure exactly what the answer was in the 1960s specifically, but I know what the general answer is. The government should provide incentives to do the right thing. So instead of, you know, giving people a check and luring them into this rut they can never get out of, maybe we give them incentives to finish their education, help with day care. If we had done that, we wouldn't see this boom over the last 40 years of children without enough parents that care about them. So that's what we encouraged, and seriously we've gotten what we've paid for.

We could drop the corporate tax. We could drop the cap gains tax. I get sick and tired of hearing people saying we'll never get manufacturing jobs back to the United States. Ridiculous. Of course we can. They've left because corporate taxes are a lot cheaper elsewhere, and people that come on to this floor and say, oh, let's don't tax the people, let's tax the corporations, that is so disingenuous because the fact is, corporations, if they don't pass that on and make their customers and clients pay, then they don't stay in business. The corporation doesn't pay that tax. It's a conduit, but it comes from the individuals getting their services. But it seems to be a good passing of the buck by Congress when we do that.

But The Detroit News itself, home of our automakers, say, Tax cuts work best to stimulate the economy. If Congress agrees to take on this enormous debt in the name of stimulating the economy, it better do everything possible to keep it from becoming history's biggest pork barrel.

The Pittsburgh PAPER said, As Club for Growth's Pat Toomey urges, the elimination of the capital gains rate would be the better solution.

That's what is really needed is what National Review's Larry Kudlow said. A fool bore, supply-side tax rate reduction that could even morph into full-fledged corporate tax reform.

That would be amazing. We'd get those jobs back overnight.

And then with energy, we've had this big energy debate the last 6 months, and now people have gone to sleep on the issue. We should not. We have still got to get energy independent.

And we heard from experts who said if we will simply open up ANWR, and it isn't a beautiful, pristine area that is often depicted on television. There's

nothing there. It's flat. There's not a better place on earth to drill because there's nothing there. Animals can't live there. If the caribou come, they have to pass through immediately because there's nothing there to live on. Drill there. We'd have a tiny footprint, and we were told that immediately we'd have 250,000 new jobs, and by the time they were ready for production, there would be 1 million new jobs. There's a third of President-elect Obama's promise of 3 million new jobs, and we don't have to give money away. We don't have to increase taxes. The private sector will take care of it. All we have to make sure is the environmental concerns are addressed so that we don't hurt the environment.

We could increase the jobs immediately by opening up more of the Outer Continental Shelf. What an incredible stimulus that would be.

A Boston Herald editorial said, a real stimulus bill—the expiring tax cuts are tax increases and history shows that tax increases in a recession, depression or recovery can be deadly. We should not go there.

I often look at the seal on the dollar bill. It has a pyramid with a triangular eye actually at the top, representing the all-seeing eye of God, and the Latin phrase ''annuit coeptis''. That's Latin meaning He, God, has smiled on our undertaking.

When we saddle those dear, sweet children that are alive today and their children with debt because we would not do the right thing, I don't see how God or anybody else can smile on our undertaking. We need to get back to things that bring smiles.

MIDDLE EAST AND THE ECONOMY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from California (Mr. SHERMAN) is recognized for 60 minutes as the designee of the majority leader.

Mr. SHERMAN. Madam Speaker, I plan to use the first two-thirds of my time to focus on events in the Middle East and then the final third to focus on our economy. I would invite my colleagues who wish to address these subjects to come to the floor. I can yield them a few minutes, but if I don't have any company, I'm capable of speaking for a full hour, as some of my more bored colleagues have already seen proven.

□ 1530

Now, even in an hour-long presentation, I am not going to be able to present all of the facts to support my position, and so I invite my colleagues to visit Brad.Sherman@mail.house.gov.

Now, focusing on the Middle East, we all want peace, we all want a sustainable cease-fire. But, instead, our televisions show us blood and carnage. Who is to blame? What do we do to cause it to stop?

Now, as to the issue of who is to blame, the press has a remarkably silly approach. They take pictures of casualties, and they decide whatever side has suffered the most casualties must be in the right. I would point out that if this is the standard we use, America has been in the wrong in every war we have fought since 1812. It is absolutely preposterous to say that whichever side suffers the greater casualties has morality on their side.

Part of this is a misreading of the just war theory that so many modern philosophers have put together, and one of its key elements is proportionality. The press, skimming rather than reading these philosophical texts, comes up with the idea that there must be proportionality of one side's casualties to the other side's casualties. A true reading of just war theory indicates that the proportionality doctrine is that there must be proportionality between the objective that the just side is seeking and the casualties which are unfortunately borne by both sides.

Well, what is the objective that Israel is seeking? First and foremost, the objective is to end a situation where 1 million Israelis every day and every night face daily attempts to kill and maim as many of them as possible. By this standard, this is a just effort by the Israeli Government to safeguard its people.

Now, Hamas has sent, since 2005, well over 6,000 rockets and mortars into southern Israel. Now, I want to clarify one issue as to the number, because often you will hear a figure roughly half of 6,000. That is the correct figure for the number of rockets or for the number of mortars. But if you add together the rockets and the mortars since the year 2005, the number stands well over 6,000.

Why do we pick 2005? That is because that is the time when Israel withdrew completely, unilaterally, without concession, without compensation, from the Gaza Strip, leaving behind valuable assets, which were trampled on rather than used by Hamas extremists.

So we see some 6,000 rockets and mortars from a territory that is hardly under Israeli occupation. We are told that, well, Hamas should be regarded as morally virtuous because so few of these rockets hit their target. It is true that the vast majority of these 6,000 projectiles have failed in their attempts to kill Israeli women and children and civilians, but that doesn't mean that Hamas has good morality. It simply indicates that Hamas has bad aim or, more specifically, that they are using ordnance, which is very difficult for them to aim.

Every one of those rockets and mortars had a single objective, kill as many Israeli civilians as possible. Not a single one of them was targeted at the Israeli military. So we are told, well, let us count only the casualties. Let us ignore the over 6,000 attempts at murder from Hamas. We cannot ignore those missiles. From a moral standpoint, it is just as wrong to fire a missile that fails to hit its civilian target as one that does hit its civilian target.

Now, earlier today, the House passed H. Res. 34. The vote was 95 percent in favor, 1 percent against, the remaining percent either voted present or wasn't present, 95 percent to 1 percent. Let us review some of the provisions of that resolution. I will read some, and then I will comment.

''Whereas Hamas was founded with the stated goal of destroying the State of Israel;

''Whereas Hamas has been designated by the United States as a Foreign Terrorist Organization;

''Whereas Hamas has refused to comply with the Quartet's,'' and here we are referring to the United States, European Union, Russia and the United Nations, that Quartet's ''requirements that Hamas recognize Israel's right to exist.''

Then it goes on to say that Hamas has launched thousands of rockets against Israel's population centers since 2001 and has launched more than 6,000 such rockets and mortars into Israel since Israel withdrew both its military and civilians from Gaza in 2005.

The resolution also states that in June, 2006, after that withdrawal, Hamas illegally crossed into Israel, attacked Israeli forces, and kidnapped Corporal Gilad Shalit, whom they continue to hold today. The resolution then points out that Hamas is getting some very substantial support from Iran, and I will address that later, and is using innocent civilians as human shields.

Let me give one illustration of that, and that is Nizar Rayyan, perhaps one of Hamas' top 5 leaders.

He stored weapons at his home, sophisticated communications designed to act as a communications center for Hamas. So what did Israel do? They called him at his home. They told him that in order to avoid civilian casualties, they were giving him 10 or 15 minutes notice, that's enough time for people to leave the area, but that it was important to Israel to destroy those weapons, to destroy that communications equipment.

What did Mr. Rayyan do? Having boasted that he wanted to die as a martyr, he not only stayed in the house, but he kept with him several of his wives and children. That is the use of innocent human shields at its worst, a man doing everything possible to lead to the death or cause the death of his four wives, of many of his children, all so he could claim that Israel was responsible for the deaths of those civilians.

Let us continue to look at key provisions of the resolution that passed the House.

''Whereas Israel has facilitated humanitarian aid to Gaza with hundreds of trucks carrying humanitarian assistance . . . ''

Let me provide the specifics. Just today some 89 humanitarian shipments went from Israel to Gaza, including 2,227 tons of food, medicine, plus 315,000

liters of heavy-duty diesel so that Gaza can operate its power generation station and 143 tons of gas for domestic use. That is what Israel made sure, at risk to its own people, would reach Gaza just today.

Well, how does that compare with combatants in other wars? Look at World War I and World War II.

In each of those wars, the British Navy used its total mastery of the surface of the oceans to blockade Germany. Not a single ship of medicine was allowed to pass across the Atlantic to Germany, not a single ship of food, and, of course, prior to both World War I and World War II, Germany was a major food importer from the western hemisphere.

What did Germany do? They deployed their submarines with the stated purpose of starving the British in both World War I and World War II by sinking as many ships as possible, laden with food, purchased in the new world. So in World War I and in World War II, both combatants from the first day of the war did everything possible to stop a single ship of humanitarian assistance, to use modern nomenclature, to stop a single ship with food or medicine from reaching its destination. Compare Israel to both sides in World War II, risking its own soldiers and civilians in order to help those trucks get through.

The resolution continues with a quotation from Secretary Rice where she said, on January, 2009, January 6, hundreds of thousands of Israelis lived under daily threat of rocket attack and, frankly, no country would be willing to tolerate such a circumstance. Moreover, the people of Gaza watched as insecurity and lawlessness increased and their living conditions grew more dire because of Hamas' actions, which began with the illegal coup against the Palestinian Authority in Gaza. A cease-fire that returns to those circumstances is unacceptable and will not last, will not last.

The U.N. Security Council, passed a resolution last night calling for a sustainable cease-fire. But a cease-fire that returns Hamas to the situation that existed in December is, in the words of our own Secretary of State, unacceptable, because it will not last. The U.N. has called not for a temporary cease-fire, but for a sustainable cease-fire.

Now, the resolution goes on in its resolved clauses to make a number of points. For example, the resolution, in subparagraph 3, ''encourages the Administration to work actively to support a durable and sustainable cease-fire in Gaza, as soon as possible, that prevents Hamas from retaining or rebuilding its terrorist infrastructure, including the capability to launch rockets and mortars against Israel.''

Paragraph 5 ''calls on all nations—

''(A) to condemn Hamas for deliberately embedding its fighters, leaders, and weapons in private homes, schools, mosques, hospitals, and otherwise using Palestinian civilians as human shields, while simultaneously targeting Israeli civilians.''

In paragraph 8, the resolution ''calls for the immediate release of the kidnapped Israeli soldier Gilad Shalit, who has been illegally held in Gaza since June 2006.'' I would point out that I, at least, believe that no cease-fire can be regarded as adequate unless it includes the return of Gilad Shalit.

So these are the provisions, and I haven't had a chance to quote them all, but these are what I think are the most important provisions of the resolution passed by this House by a vote of 95 percent to 1 percent. I want to commend Chairman BERMAN and Speaker PELOSI for introducing and writing this resolution, and I was proud to be one of its original cosponsors.

□ 1545

So let us try to review some of the elements that we see on the ground in the Middle East.

Hamas claims to be beleaguered, but it has rejected the U.N. Security Council cease-fire resolution passed last night. Hamas has done everything to increase civilian casualties, including the actions of Mr. Rayyan and including the use of human shields.

Yet in spite of all of Hamas' efforts to increase civilian casualties on both sides, U.N. estimates state that over two-thirds of the Palestinian casualties have been gun-toting militant terrorists, and other estimates put that number at well over three-quarters. It is a testament to everything Israel has done, risking the lives of its own soldiers in order to minimize Palestinian civilian casualties, that well over half, well over two-thirds of the Palestinian casualties, are indeed the militants, not the civilians.

When Hamas launches rockets from a neighborhood, an Israeli sergeant has seconds to decide whether to return fire. Now, there is always a comfortable pundit talking head on television in an air-conditioned studio ready to vilify that decision. But the decision has to be made in seconds by an Israeli sergeant under fire. The moral culpability for civilian casualties cannot be put at the feet of any sergeant. Moral culpability for the horrors of war lies with politicians who seek extreme and unjust ends through violent means.

While Israel seeks to live in peace alongside a Palestinian state, Hamas and its political leaders have as their clearly stated objective to kill or expel every Jew from the Middle East. Hamas proudly waives the banner of genocide and ethnic cleansing. So where do we lay the blame for the casualties that continue? I believe it is not at the feet of the sergeant who is under fire, but rather it is at the feet of the political leaders who insist upon continuing to seek such unjust and extreme ends through violent means.

Now, I have discussed this conflict as if it is a conflict between just Israel and Hamas. It is in fact a conflict of wider significance, a conflict between the government of Iran and the people and allies of the United States.

The fighting in Gaza has demonstrated Iran's ability and desire to wage war on America and its allies. Hamas is a terrorist organization seeking the destruction of Israel in favor of an Islamic Palestinian state, but it is also a proxy for the Iranian Government. As such, what we see in the Middle East is part of a regional war being waged by the Iranian regime against the United States and its allies.

Many of Hamas' weapons are made in Iran. Many top Hamas military leaders and experts who launched the missiles into Israel were trained in Iran. Iran provides the lion's share of Hamas' funding. It is unlikely that Hamas would be able to achieve its status as the premier Palestinian terrorist organization without backing from Iran.

Iran backed Hamas like Iran backed Hezbollah. It shoots rockets at Israel's civilians from deep inside their own densely populated civilian areas, knowing that any Israeli attempt to defend itself will kill or at least endanger Palestinian civilians. Through Hamas and Hezbollah and through its operatives in Iraq, Iran and its government are able to stir up crises in the Middle East, thus injuring American prestige while helping to achieve Iran's own aims.

We know that Iran is working hard to possess a nuclear bomb. With all that Iran is doing now, with all that it has done as far from its own country as blowing up the Jewish center in the city of Buenos Aires, what will Iran be like if it has nuclear weapons? It will act with impunity. We will go from crisis to crisis between the U.S. and its allies and Iran, and each time we will be staring at a hostile nuclear power.

Now, it is true that the last time we went eyeball-to-eyeball with a hostile nuclear power, namely the Soviet Union, best exemplified by the Cuban missile crisis, we lived to tell about it. But imagine going eyeball-to-eyeball with a regime that is considerably less sane than Mr. Khrushchev, and not having one Cuban missile crisis, but a crisis every time Iran decides to test us, every time it engages in international terrorism? This is a risk Americans should not take.

Finally, what happens if, as so many of us pray, this regime in Tehran feels that it is going to be swept out of power? They may decide to nuke Tel Aviv in an effort to regain popularity among those on the street in Iran, or they may decide to smuggle a weapon into the United States, feeling that if they are going to go out, they would just as soon go out with a bang. So it is unacceptable for America to sleep while the centrifuges spin at Natanz.

Now, preventing an Iranian nuclear weapon is still possible if the new administration reorients our foreign policy to make that its chief objective. The good news is that the tools we have available, the diplomatic tools, the economic tools to isolate the government in Tehran, have only been

used to the extent of 1 or 2 percent. We still have a lot of tools in the tool box. The bad news is for this entire administration, even after 9/11, even after it was revealed by an Iranian dissident group all the details proving that Iran was making considerable progress to a nuclear bomb, even after all that, this administration has left most of the tools in the tool box.

I will detail some of those tools in the time that remains to me, and the rest, of course, are available for my colleagues to view at Bradsherman.house.gov.

First, we can begin the effort at economic isolation. I think incoming President-elect Obama has a strong record. He voted for the Lautenberg amendment in 2005, which unfortunately didn't pass because a majority of Senators voted against it. That amendment would simply have prevented U.S. oil companies from doing business with Iran through their foreign subsidiaries. Furthermore, then Senator Obama authored the bill in the last Congress which would have encouraged divestment from firms doing business with Iran. I hope very much that in its first days, the Obama administration comes to Congress and urges us to pass these two pieces of legislation that were so strongly supported by Senator Obama.

We then need to ask the administration, and it is an odd constitutional circumstance where we have to ask that laws be enforced, but we should ask the administration to begin enforcing the Iran Sanctions Act as the current administration and even the prior administration refused to do.

We need at the diplomatic level to demand that the World Bank stop disbursing funds to Iran in the form of concessionary loans. We basically acquiesced in the decisions of the World Bank to make those loans. Fortunately, only half the funds have been disbursed, and we must make it clear to the World Bank that our continued participation in that organization requires the immediate cessation of disbursements from the World Bank to the government of Iran.

We need to deny Nuclear Cooperation Agreements to countries that provide technologies to Iran, and by ''technologies'' I mean those technologies that help Iran develop nuclear weapons.

And we need to organize the world to hit one of Iran's Achilles heels, and that is the fact that it needs to import gasoline, because although Iran is oil rich, it does not have refinery capacity. Almost half of its gasoline needs to be imported.

As to this effort, I have the opportunity to report to the House that we have had some success. It has been reported that a major Indian refinery, RIL, has agreed to stop sending refined petroleum products to Iran. This is a success for the U.S. Government, and particularly for the Congress of the United States. Why? Because this very refinery in India was seeking funding from the U.S. Export-Import Bank, one of our major funding institutions, to fund the construction of infrastructure around the world, and we do that chiefly because it is U.S. products being used in that infrastructure. So RIL was seeking a U.S. Export-Import Bank loan or loan guarantee, and several Members of Congress joined with me in sending a letter to that institution saying that Ex-Im Bank should not provide such financing unless the refinery stopped shipping gasoline to Iran.

So I look forward to using these and other tools to convince the Iranian people and Iranian elites that their policy, the policy of their government in supporting terrorism and building nuclear weapons, is going to lead to their economic and diplomatic isolation.

I think we also owe a special debt of gratitude to the mullahs who run the Iranian Government, because their incredible corruption and inefficiency has left the Iranian economy very susceptible to these pressures, very fragile. This economy in Iran was fragile even when oil was selling for roughly $150 a barrel, and they are far more fragile now that oil is selling between $40 and $50 a barrel.

□ 1600

Let me review just a few of the other things that this government and this Congress can do in order to get the message across to Iranian elites and the Iranian people that they face economic and diplomatic isolation if they continue to support terrorism and develop nuclear weapons.

The first of these is to urge Americans to divest from ownership of stock in companies that are investing in the Iranian oil sector. How can we do this?

First, we need to make it clear, and this is legislation that passed the House, unfortunately, I believe it did not—I know it did not make it through the Senate, to simply tell pension plans and other trustees that they are free to divest without the risk of lawsuits from some crazy investor or beneficiary who somehow would claim that the fund could make more money if it did invest in companies doing business in Iran. We've got to make it plain that no one has a fiduciary duty to invest in terrorism.

Second, we would want to change our tax laws so that those selling stock in a company, usually a foreign oil company that is investing in the Iranian oil sector and investing in the stock of a different company, that those who engage in such a transaction are not immediately taxed. Rather, they should get to what tax professionals call a carry-over basis, and then, when they divest, when they sell the stock of the new company, the company that's doing good things, that would be the time when they would recognize their capital gain, because divestiture of companies doing business with Iran in a way so as to bolster its energy sector, divestment should not result in lawsuits. It should not result in taxation. It should result in accolades and thanks from this Congress to see that American pension plans, both public and private, and American individuals, are willing to step forward and put some economic pressure on the Iranian government.

In addition, I think that we have to examine our relationship with Russia and China with a lens of looking at how Russia and China deal with Iran. Too often these two super powers or former super powers, or future super powers, whatever term you would use for Russia and China, these two powerful countries use their seat at the U.N. Security Council to defend Iran from any meaningful sanctions.

Why do they do this?

First and foremost, they do it because they can, knowing full well that our policy toward China or Russia on the issues they care about will not be affected by what they choose to do on Iran. This failure of linkage needs to end with the end of this administration. We need a State Department and a President and a foreign policy that makes it plain to Russia that when we look at Georgia, when we look at Trans-Dniester Moldova, when we look at disputes involving the pricing of natural gas, when we look at whether we're putting missile defense in Poland and the Czech Republic, when we're looking at any issue important to Moscow, our first question will be what has Russia done to hinder or help the Iranian nuclear program.

Nothing illustrates this better than our plan to put missile defense in the Czech Republic and Poland, justified by the current administration on the theory that we need that because Iran may have nuclear ICBMs.

Now, how crazy is this?

We anger Russia by putting the missile defense in the Czech Republic and Poland. What instead we should do is agree not to build that missile defense if Russia will help us prevent Iran from having nuclear weapons, which was the theoretical reason we needed the missile defense.

Keep in mind that missile defense is not going to safeguard Poland or the Czech Republic from Iranian nuclear weapons. First, it probably won't work. But even if it did, Iranian missiles are not aimed at Krakow or Prague. Iranian missiles would probably not be the mechanism that Iran would use to deliver nuclear weapons. You see, to develop an ICBM you have to be a damn good rocket scientist or actually have a bunch of damn good rocket scientists. But you do not have to be a rocket scientist to get a nuclear weapon into an American city.

A nuclear weapon is about the size of a person, and of course those sizes vary, as do nuclear weapons. But it is not that hard to smuggle something the size of a person into the United States. In fact, our efforts along the U.S./Mexican border have raised the price that smugglers charge for that

very activity from $1,000 dollars up to $1,500. That may deter some who would cross the border illegally for economic reasons. That may deter poor people from Latin America, but it obviously isn't going to deter any country with nuclear weapons.

Likewise, I could point out that we do not have a single border officer on the entire Alaska/Canadian border, not one. So if you think that oh, well, we're going to defend Los Angeles and Chicago because we have this incredible border effort, we have zero on that border. And so Iran could easily, could smuggle a weapon into Anchorage, even more easily than to smuggle one into Los Angeles or Washington or New York.

So why are we building missile defense in the Czech Republic and Poland and by doing so, angering Moscow and making it more difficult for us to pass appropriate resolutions sanctioning Iran through the United Nations Security Council?

First, myopia has marked so much of the foreign policy of the current administration.

And second, a peculiar belief that by building missile defense in the Czech Republic and Poland, we are somehow tying those two countries to us and continuing the Cold War against Russia.

We should be building missile defense only if we think it will work. It will not work against Iran.

And there's a second reason. Iran will choose to smuggle nuclear weapons, rather than use Intercontinental Ballistic Missiles because they will have more confidence in their ability to smuggle. Even if they have an ICBM, they're not sure it works. They're certainly not sure that it hits the target within 5 miles or within half a mile of what they're trying to achieve. They know they can smuggle a nuclear weapon to precisely the location they want right outside the security perimeter of this Capitol, right outside the front gate of the White House.

And, in addition, Iran would prefer to have plausible deniability. Why should they make it so clear that the bomb came from the Iranian government? If, instead, it is delivered by a terrorist they can always say, oh, you dare not retaliate; it wasn't our fault. So Iran would prefer plausible deniability, just as bin Ladin denied then admitted then denied responsibility for 9/11.

So we are building missile defense in the Czech Republic and Poland for no reason that enhances American security and at great cost to our effort to prevent Iran from developing nuclear weapons.

Likewise, we have made it all too clear to Beijing that our attitudes toward their currency manipulation will not be affected in the slightest by what they do with regard to Iran, particularly at the United Nations. Why would we take the Number 1 threat to our national security and tell the Chinese, we won't link it to anything you care about?

Again, this has been an ineffective foreign policy of the outgoing administration. So I look forward to a diplomatic policy that gives the highest priority to putting U.N. sanctions on Iran as long as it develops nuclear weapons and supports terror. I look forward to using all of the economic sanctions available to us. And I look forward to being able to use our broadcasting resources to inform the Iranian government and people that they face true isolation, economically and diplomatically, if they continue down the same path.

At this point, I want to move from foreign policy to our economic situation. Next week, this Congress will consider a bill amending the TARP program. TARP is the program that is known as the $700 billion bailout bill. $350 billion has been spent by this administration. The other $350 billion remains available to the next administration.

Now, that second $350 billion will not be available to the new administration until the administration makes a request and until we have a chance in a privileged resolution to vote on a resolution of disapproval. But I should point out that it would be virtually impossible for this Congress to prevent any administration making such a formal request from getting the second $350 billion. That is because any resolution of disapproval would have to pass both Houses of Congress, then sustain a presidential veto, and both Houses would have to override that veto. So the second $350 billion is likely to become available to the Executive Branch.

Before that we should strengthen the requirements for expenditure of the second $350 billion. Now, there are a variety of ways to strengthen the requirements. There are three that I have focused on most directly. Chairman FRANK has focused on quite a number of other ways to strengthen the TARP program, and I agree with most of what he will be trying to do.

I should point out that I'm speaking on the basis of the outline posted on the Speaker's web page and I believe on the web page of the Financial Services Committee as well.

We do not yet have the bill's text. But from that outline, we see one major improvement focusing on one of the three issues that I have focused on, and that is a requirement that when we invest in a financial institution, we receive at least a minimum number of warrants. Now, frankly, we should be getting a lot more warrants than the minimum that would be established by Chairman FRANK's legislation. But the current TARP bill has no minimum at all. So if we can raise that to a 15 percent minimum and make it plain to the Department of the Treasury that the minimum is a floor, not a ceiling, and that the taxpayers of this country deserve warrants commensurate with the risk that we are taking, then we will be in a much stronger position, because, let's face it, we're investing in the preferred stock of quite a number of these banks of different sizes, and some of those investments will fail. So if we don't make a profit on the good ones, our kids are going to be paying for an enormous increase in the Federal deficit as a result of the bad investments we have made.

The way to do this is to set 15 percent as the floor, but to expect that where substantial risks are taken, that we get warrants worth 20, 30, 40, 50, or 80 percent of the amount that the Federal Government is investing.

There is a second area that I have focused on in all of the TARP discussions, and that is my concern that we will be bailing out foreign entities, not just American entities; that this would take the form of buying bad bonds that were invested in and owned, not by U.S. entities, but by big banks in Shanghai and Riyadh and London.

Now, up until now, contrary to the plan that Secretary Paulson presented to this House, he has not spent a single penny buying bad bonds from anybody.

□ 1615

Of course, he told us that was the only thing he was going to use the money for. He changed his mind by the moment he passed the bill, but the new administration may, indeed, decide to buy troubled assets/bad bonds from those who invested in them. If this is the case, they should only buy such bonds if they were held by an American entity on September 20, 2008, which is the day that all of this bubbled up to the surface, the day of Secretary Paulson's original proposal.

When I say an ''American investor,'' I include as American investors those entities incorporated in the United States, or doing business in the United States, even if they are owned by foreign entities. So, if Fireman's Fund happens to be owned by an entity outside the United States, they are still very much a part of the business activity here in the United States, and if the bond was actually owned by the U.S. entity, it should be eligible for purchase under TARP. But it is a very different thing to allow what I call the China two-step.

The China two-step works like this: The Bank of Shanghai made some bad investments. You know, everybody around the world bought our bad bonds or mortgage-backed securities, whatever you want to call them. They bought some really bad bonds. Shanghai transfers those to some U.S. entity on Monday, and then the Treasury buys them on Tuesday. The China two-step.

We need to put into the statute that, before any bond is purchased, before any troubled asset is purchased, we know that it was owned by a U.S. investor, including those entities that may have foreign parents, but was owned by a U.S. investor on September 20.

The third issue that I'm concerned about and that now, I think, all of my

colleagues or our colleagues are concerned about is the issue of executive compensation and perks. Now, the outline—and I'm only working from the outline that's posted on the Web page—does say that those who receive bailout moneys cannot own or lease private jets, but it leaves it clear that they can charter the private jets. Better we should take the private jet provision out of the law entirely than we commit a fraud on the American people and say that the executives at companies which needed a bailout are not going to have private jets, and lo and behold, instead of owning jets, they charter them.

We should make it clear that chartered luxury aircraft cannot be used by those who receive bailouts, and we should provide an exception. We should provide an exception where the destination is a place very far from scheduled air service. We should focus not only on perks, but on the total compensation package.

Now, the automobile bailout bill that passed this House, but did not pass the Senate, did provide limits on bonuses paid to the executives of the bailed-out firm. What we need to make clear is that any grant of a stock option is covered whether or not called a ''bonus,'' because the creativity of the corporate world is enormous.

AIG said, when they paid millions of dollars to executives just last month, those weren't bonuses; those were retention payments. So, given the ability of some in the corporate world to say it's not a bonus just because it quacks like a bonus or walks like a bonus, you can be sure that there are those in the corporate world who think that granting a stock option is not a bonus.

Why are stock options so important? Because the stock prices of the bailed-out entities are currently trading very low. That's why they need a bailout. So, if you give an executive the right to buy thousands and thousands of shares of his company and to buy each share for today's $1 or $2 price, you are, perhaps, providing that executive with tens of millions or with hundreds of millions of dollars worth of options. It is, therefore, important that we not allow stock options to be granted or allow stock to be granted—either one—to executives at firms that receive a bailout.

Some will ask: What about those companies that took money from Paulson and didn't know that there would be tough restrictions? The answer is simple: Give us back the money. No firm should be required to live under these tough provisions if it no longer wants to hold taxpayers' money, but if they've got taxpayer money, they ought to either live under the restrictions or return it to us.

In addition to bonuses and stock options, in addition to chartered aircraft, I should point out that Goldman Sachs, one of the companies that is holding our bailout money, paid a quarter of a million dollars last year for a luxury limo for just one executive. So there are some other perks for us to limit. But in addition to perks and bonuses, we ought to look at salaries because some of these executives are getting $1 million-a-month salaries.

I think, if a company is receiving TARP funds, they should limit the total compensation package of every executive to a mere $1 million, and when I say total compensation package, that has got to count everything. That counts the salary, the bonus, the pension plan contributions, and the stock options.

Now, I'm not certain that everything I'm suggesting here will be in the bill we consider next week. My fear is that the bill will prohibit bonuses but will be a little unclear about stock options, that it will prohibit leasing the corporate jets, but will allow the companies to charter the corporate jets, and that it will put limits on bonuses but no limits on salaries.

The question then is a difficult one for those of us who were skeptical about the initial bill. Do we vote to put in some additional restrictions knowing that they are insufficient or do we vote against it? I will be analyzing that issue carefully, but I will say this:

If we pass a bill next week that imposes additional restrictions, I hope we do so to a bill that is considered under regular order. Let us mark up the bill in the Financial Services Committee, and if the amendments that I've alluded to here fail to pass the committee or the House, I'll be happy to vote for the bill knowing that these issues have at least been discussed, but if we are confronted with a bill that is a step forward but is not considered in regular order, as to which there is no markup in committee, and we are not allowed to consider amendments, substantive amendments on this floor, then it will be more difficult to support a bill even if that bill is a step forward.

If we pass a bill that strengthens the TARP program but insufficiently, I will then introduce legislation to deal with the issues that I've brought up in this speech, and we will hopefully, one way or another, pass even stronger restrictions than those that are currently outlined on the Web page of the Financial Services Committee, hopefully as part of the one bill we will consider next week, possibly as part of other legislation that will be considered before the day when we authorize or when we vote on whether to disapprove the disbursement of the second $350 billion. So I look forward to improving the TARP bill.

I think, of course, the greatest improvement is that I am far less skeptical of the incoming administration than I am of the outgoing administration, and that high skepticism of the current administration is justified by the fact that not one penny has been spent yet by Paulson to do anything that he told us that he would spend all of the money on. So a certain degree of skepticism of the current Treasury Secretary has been borne out by his remarkable departure from that which he was very clear was his promise to this House, right up until the minute when we passed the bill that he wanted.

Finally, let's take a look at the stimulus bill. I just want to comment on a few of the tax provisions. One of those that is being put forward by the administration that, I think, a number of those, including Senator KERRY, have some concerns with is the idea of providing employers with a $3,000-per-hire tax credit for each new person they hire. Let me illustrate the concern I have with this proposal.

Imagine two restaurants. One has been there for years and is desperately trying to hold on, is desperately trying to keep its 25 staff members employed. Then somebody else opens a new restaurant right across the street. It's going to hire 25 new people. Well, under the provision as I understand it—and there is no legislative language yet available; although the bill will probably be voted on within a few weeks—the new restaurant gets a huge credit. It receives $3,000 for every one of its 25 employees, thereby putting it in a position to put out of business the existing restaurant across the street.

Now, there are some tax provisions being suggested by the Transition Team that, I think, make a lot of sense. These involve giving businesses tax deductions in 2009 that they were otherwise going to reap in 2011 or in 2012 or in 2013 anyway.

The chief reason I support these provisions is they give us a lot of bang for the buck. They put a lot of money in the hands of businesses today, but when you look at the Federal deficit over the next 10 years, they increase that Federal deficit only a little bit. Why is that? Because the money we're giving these businesses today is money they're going to owe us in future years. So we're not giving them new tax deductions. We're simply letting them take the tax deductions sooner. Two provisions particularly meet this standard.

One is allowing operating loss carrybacks for 5 years rather than for 2 years by allowing those with operating loss deductions to be used now. We give money to the companies now, but we deprive the companies of those deductions in future years.

Second, what is called ''accelerated,'' sometimes called ''bonus depreciation'' where we allow small companies to write off up to $250,000 of new investment immediately rather than taking depreciation deductions over a number of years.

Another element that ought to be part of the stimulus package is aid to States and localities. There is nothing worse to do in the middle of a deep recession than to fire a bunch of police officers and a bunch of teachers.

First, that means their work is not being done; our kids aren't being educated, and at the worst possible time, our neighborhoods are less safe. Second, it has an immediate negative effect on employment and on the cash

available to consumers. So we ought to be providing enough aid to all of the States to make sure that they can, if anything, increase employment on those areas of public employment that are truly useful to their citizens.

What we may need to do also is provide some formula by which we can provide the money to local governments rather than just to the State governments. I would suggest payments to each school district based on the number of full-time students and payments to whichever entity of local government provides police protection based on the number of residents they are protecting.

I want to thank this House for giving me an hour of time to express these views. Even with all of this time, as I've said, I have not presented all of the evidence in support of these positions. That's why I hope my colleagues will visit Bradsherman.house.gov to look at the additional arguments in favor of these positions.

I yield back to the Chair.

ISRAEL

The SPEAKER pro tempore (Ms. HIRONO). Under the Speaker's announced policy of January 6, 2009, the gentleman from Arizona (Mr. FRANKS) is recognized for 60 minutes.

Mr. FRANKS of Arizona. Madam Speaker, the most fundamental purpose for any government is its national defense and the protection of its citizens. I stand here today in heartfelt support for Israel and for its right to defend its innocent citizens from the attacks of a relentless enemy that seeks its destruction. The conflict unfolding in Israel's heartland today is not unfamiliar to the Israeli people.

□ 1630

Since its establishment in 1948, the tiny State of Israel—22 of which would fit into our State of California—has faced enemies on every side that openly oppose its right to exist and work actively to bring about its destruction.

Indeed, Israel has never known a reality where its very existence was not threatened by this insidious ideology called jihad; an ideology so sinister as to make men and women leap for joy at killing their own children in order to be able to kill the children of others, whether that means flying commercial airplanes into the World Trade Center or sending a Qassam rocket into the side of a bus carrying small school children in Israel.

Madam Speaker, in Imperial China, there was a terrible form of execution known as death by a thousand cuts. It was an unspeakably cruel demonstration meant to terrify observers into submissions. Israel is fighting to stop the ''death by a thousand cuts'' strategy used by Hamas to inflict constant, incessant destruction and terror on the Israeli citizens; and the nation of Israel has acted nobly for the sake of innocent Israelis, as well as innocent Palestinian civilians to justly refuse to allow the bloodletting to continue.

Hamas was designated as a foreign terrorist organization by the United States in 1995. And it is a known proxy of the Iranian regime which openly seeks to see Israel wiped from the face of the Earth. The governing charter of Hamas openly calls for the destruction of the State of Israel, with the goal of raising the banner of jihad over every square inch of the State of Israel.

And still, Madam Speaker, time after time, Israel has acted in good faith and has extended gestures of goodwill towards its Palestinian neighbors and Hamas, including its complete disengagement from the Gaza Strip in 2005 and its commitment to target only military installations of its enemies despite the routine attacks against its own women and children on almost a daily basis.

Madam Speaker, in all of its conflicts, Israel seeks to minimize civilian casualties; Hamas has sought to maximize them. Hamas has broken every cease-fire agreement and every honorable rule of war by deliberately embedding their terrorist militants and weapons caches in the homes of private citizens, and in schools, and in hospitals, and mosques; and Hamas has repeatedly used innocent Palestinian civilians as human shields while they deliberately target Israeli civilians.

There is no moral equivalence here, Madam Speaker. Hamas and Israel are guided by two completely opposite philosophies: One is committed to equality and human dignity under God, and one is committed to a totalitarian ideology of hatred and intolerance; one is devoted to protecting innocent human life, and one commands its destruction.

When a cease-fire agreement was reached between Israel and Hamas last June, Hamas used that opportunity to build up its stockpiles of rockets and weapons that now threaten approximately one million Israelis. And now, Madam Speaker, in a struggle for peace and survival, Israel is once again forced to carry out defensive action against Hamas in order to stop the terrorizing of its innocent civilians.

And once again, once again, Madam Speaker, certain members of the international community are calling on Israel to ''exercise restraint.''

Madam Speaker, if 6,000 rockets had fallen on an American city over a space of four years, what would we say to anyone who called upon us to restrain ourselves in the effort to protect our own citizens? If those same members of the international community who so harshly criticize Israel for the defensive actions had to suffer for 1 week—just 1 week—under these indiscriminate incessant attacks against their families and their loved ones as Israel has done for decades, Madam Speaker, I would submit that the layers of Hamas would have been made ashes once and for all long ago.

Madam Speaker, Charles Krauthammer recently wrote in the Washington Post something I wish every world leader could understand. He said, ''Some geopolitical conflicts are morally complicated. The Israeli-Gaza war is not. It possesses a moral clarity not only rare, but excruciating.''

Madam Speaker, I could not agree with those words more.

If the beleaguered Jewish people have learned anything in their struggles for survival over the millennia against enemies who have sought their complete annihilation, it is, as one Holocaust survivor said, ''When someone says they intend to kill you, believe them.''

Madam Speaker, consider some of the things that terrorist enemies of Israel have said they intend to do to Israel.

Sheikh Hassan Nasrallah stated, ''We have discovered how to hit the Jews where they are most vulnerable. The Jews love life, so that is what we shall take from them. We will win because the Jews love life, and we love death.''

Wael al-Zarad, a Hamas Cleric, said, ''As Muslims, our blood vengeance against them will only subside with their annihilation . . .''

And Egyptian Cleric Safwat Higazi gave this mandate to jihadists on Hamas television. He said, ''We say to you: Dispatch those sons of apes and pigs to the Hellfire on the wings of the Qassam rockets. Jihad is our path . . . This is our strategic option, and not peace. . . . They [the Jews] deserve to be killed. They deserve to die. You should not care if you hit a man, woman, or a child. . . . Destroy . . . everything . . .''

Madam Speaker, those are horrifying words even when we hear them here in the safe enclaves of our own homes and work places of America. But for the people of Israel, such words mean terror and death.

Madam Speaker, America's enemies and Israel's enemies in this war are the same. Both of us face the reality of radical Islamic jihadists who would see our nations wiped from the face of the Earth if they could. Both of our nations have been struck deeply, and Israel, in its case, has been repeatedly, by any stretch of imagination, has been struck by this same ideology time and time again; the same ideology that murdered Olympic athletes in 1972, that took American hostages in Iran, that murdered Marines in their barracks in 1993, that bombed the World Trade Center in 1993, that bombed Riyadh in 1995, the Khobar Towers in 1996, the embassy in 1998, the USS *Cole* in 2000. And then, Madam Speaker, this murderous, hellish ideology massacred nearly 3,000 Americans on September 11.

And this enemy makes little distinction between those who support Israel and Israel itself, and for that reason, Madam Speaker, we must realize that an attack on Israel is an attack on America and freedom itself.

Listen to the words of Sheikh Ahmad Bahr, acting speaker of the Palestinian

Legislative Council. He said, ''Allah willing, America and Israel will be annihilated . . . kill them all, down to the very last one.''

Madam Speaker, any policy of the United Nations or the United States must articulate three concepts as prerequisites reached to any agreements reached between Israel and Hamas. First, it must reject any moral equivalence between the goals of Hamas and Israel. Secondly, it must place the blame for this current conflict squarely on the shoulders of Hamas, and third, it must clearly restate that America's commitment to the State of Israel remains unshakable.

We stand with Israel not as Republicans, Madam Speaker, not as Democrats, but as Americans and fellow members of the human family, equal heirs of those unalienable gifts of God we call life, liberty, and the pursuit of happiness; these basic human freedoms. We stand with the innocent people of Israel who have been terrorized on a daily basis, some for as long as they can remember. And we also, Madam Speaker, stand with those courageous Palestinian souls who also long for freedom and peace with their Israeli neighbors.

Madam Speaker, President Harry Truman, who formally recognized the State of Israel only 11 minutes after Israel had declared its independence, said, ''I had faith in Israel before it was established, I have faith in it now. I believe it has a glorious future before it—not just another sovereign nation, but as an embodiment of the great ideals of our civilization.''

Madam Speaker, we recognize those words to be true and believe that the cause of liberty will prevail in the land of Israel as it has so many times before and that Israel indeed does have a glorious future before it.

Throughout its history, the hand of God has been upon Israel, and today we join in the solidarity with the State of Israel, and its people, with the innocent Palestinians, and with all of who love peace, and we pray for the peace of Jerusalem.

Thank you, Madam Speaker.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. JONES (at the request of Mr. BOEHNER) for today on account of attending a friend's funeral.

Mr. TIAHRT (at the request of Mr. BOEHNER) for today on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. WOOLSEY) to revise and extend their remarks and include extraneous material:)

Ms. WOOLSEY, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. DOGGETT, for 5 minutes, today.

Ms. CORRINE BROWN of Florida, for 5 minutes, today.

Mr. KUCINICH, for 5 minutes, today.

(The following Members (at the request of Mr. PRICE of Georgia) to revise and extend their remarks and include extraneous material:)

Mr. NEUGEBAUER, for 5 minutes, today.

Mr. PRICE of Georgia, for 5 minutes, today.

ADJOURNMENT

Mr. FRANKS of Arizona. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 40 minutes p.m.), under its previous order, the House adjourned until Tuesday, January 13, 2009, at 12:30 p.m., for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

41. 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.

42. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

43. A letter from the Deputy 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.

44. A letter from the Deputy 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.

45. A letter from the Program Manager, Center for Medicare Management, Department of Health and Human Services, transmitting the Department's final ''Major'' rule—Medicare Program, Medicare Advantage and Prescription Drug Benefits Programs: Negotiated Pricing and Remaining Revisions [CMS–4131–FC] (RIN: 0938–AP24) received January 7, 2009 pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committee on Energy and Commerce and Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

[Omitted from the Record of January 3, 2009]

Mr. BERMAN: Committee on Foreign Affairs. Legislative Review Activities of the Committee on Foreign Affairs for the 110th Congress (Rept. 110–939). 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. BRIGHT:

H.R. 361. A bill to amend the Internal Revenue Code of 1986 to provide a 1-year extension of the increased expensing of certain depreciable business assets and the special depreciation allowance for certain business property; to the Committee on Ways and Means.

By Mr. BOSWELL (for himself, Mr. LOEBSACK, Mr. BERRY, Mr. BRALEY of Iowa, and Mrs. EMERSON):

H.R. 362. A bill to amend title XVIII of the Social Security Act to provide for temporary improvements to the Medicare inpatient hospital payment adjustment for low-volume hospitals and to provide for the use of the non-wage adjusted PPS rate under the Medicare-dependent hospital (MDH) program, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. ROS-LEHTINEN (for herself, Mr. BURTON of Indiana, Mr. ROYCE, and Mr. MCCOTTER):

H.R. 363. 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 Ms. ROS-LEHTINEN (for herself, Mr. ROYCE, Mr. SHERMAN, Mr. MARKEY of Massachusetts, Mr. FORTENBERRY, Mr. BURTON of Indiana, Mr. BOOZMAN, and Mr. WILSON of South Carolina):

H.R. 364. A bill to restrict nuclear cooperation with the United Arab Emirates, and for other purposes; to the Committee on Foreign Affairs.

By Ms. BORDALLO (for herself, Mr. BROWN of South Carolina, Mr. FARR, Mrs. CAPPS, Mr. ABERCROMBIE, Mr. PALLONE, Mr. INSLEE, Mrs. CHRISTENSEN, and Ms. SHEA-PORTER):

H.R. 365. A bill to direct the President to establish a program to develop a coordinated and comprehensive Federal ocean and coastal mapping plan for the Great Lakes and coastal state waters, the territorial sea, the exclusive economic zone, and the continental shelf of the United States, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Science and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FARR (for himself, Mrs. CAPPS, Ms. BORDALLO, Ms. SHEA-PORTER, Mr. MCINTYRE, and Mr. EHLERS):

H.R. 366. A bill to establish the national ocean exploration program and the national undersea research program within the National Oceanic and Atmospheric Administration, to direct the Administrator of the National Oceanic and Atmospheric Administration to establish and maintain an undersea research program, and for other purposes; to the Committee on Science and Technology, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. CAPPS (for herself, Mr. FARR, Ms. BORDALLO, Mr. INSLEE, Mr.

THOMPSON of California, Mr. HASTINGS of Florida, Mr. WAXMAN, Mr. GRIJALVA, Mr. MORAN of Virginia, Mr. PALLONE, Mr. DELAHUNT, and Ms. CASTOR of Florida):

H.R. 367. A bill to establish a national integrated system of ocean, coastal, and Great Lakes observing systems, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Science and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. CAPPS (for herself, Mr. FARR, and Ms. BORDALLO):

H.R. 368. A bill to authorize the acquisition of land and interests in land from willing sellers to improve the conservation of, and to enhance the ecological values and functions of, coastal and estuarine areas to benefit both the environment and the economies of coastal communities, and for other purposes; to the Committee on Natural Resources.

By Mrs. BONO MACK:

H.R. 369. A bill to designate certain Federal lands in Riverside County, California, as wilderness, to designate certain river segments in Riverside County as a wild, scenic, or recreational river, to adjust the boundary of the Santa Rosa and San Jacinto Mountains National Monument, and for other purposes; to the Committee on Natural Resources.

By Mr. SMITH of New Jersey (for himself and Mr. PAYNE):

H.R. 370. A bill 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; to the Committee on Foreign Affairs, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. BONO MACK:

H.R. 371. A bill to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Rancho California Water District Southern Riverside County Recycled/Non-Potable Distribution Facilities and Demineralization/Desalination Recycled Water Treatment and Reclamation Facility Project; to the Committee on Natural Resources.

By Mr. COSTA (for himself, Mr. CARDOZA, Mr. MCNERNEY, and Mr. RADANOVICH):

H.R. 372. A bill to authorize implementation of the San Joaquin River Restoration Settlement, and for other purposes; to the Committee on Natural Resources.

By Mr. FLAKE:

H.R. 373. A bill to amend the Immigration and Nationality Act to render inadmissible and deportable certain aliens convicted of drunk driving, and for other purposes; to the Committee on the Judiciary.

By Ms. HARMAN (for herself, Mr. CONYERS, Ms. ESHOO, and Mr. NADLER of New York):

H.R. 374. A bill to require the closure of the detention facility at Guatanamo Bay, Cuba, to limit the use of certain interrogation techniques, to prohibit interrogation by contractors, to require notification of the International Committee of the Red Cross of detainees, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on Intelligence (Permanent Select), 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. ROS-LEHTINEN (for herself, Mr. BURTON of Indiana, and Mr. MACK):

H.R. 375. 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 Ms. FALLIN (for herself and Mr. BOREN):

H.R. 376. A bill to authorize the Secretary of the Interior to convey to the McGee Creek Authority certain facilities of the McGee Creek Project, Oklahoma, and for other purposes; to the Committee on Natural Resources.

By Mrs. BLACKBURN (for herself, Mr. KLINE of Minnesota, Mr. CAMPBELL, Mr. BURTON of Indiana, Mr. FRANKS of Arizona, Mr. BARRETT of South Carolina, Mr. NEUGEBAUER, Mr. OLSON, Mr. SHIMKUS, Mr. GOHMERT, Mr. GINGREY of Georgia, Mr. ROE of Tennessee, Mr. FLAKE, Ms. FOXX, Mr. AKIN, Mr. PITTS, Ms. FALLIN, Mr. HENSARLING, Mr. BROUN of Georgia, Mr. HERGER, Mr. BRADY of Texas, Mr. LAMBORN, and Mr. GARRETT of New Jersey):

H.R. 377. A bill to make 2 percent across-the-board rescissions in non-defense, non-homeland-security discretionary spending for fiscal year 2009; to the Committee on Appropriations.

By Mrs. BLACKBURN (for herself, Mr. KLINE of Minnesota, Mr. CAMPBELL, Mr. BURTON of Indiana, Mr. FRANKS of Arizona, Mr. BARRETT of South Carolina, Mr. NEUGEBAUER, Mr. OLSON, Mr. SHIMKUS, Mr. GOHMERT, Mr. GINGREY of Georgia, Mr. ROE of Tennessee, Mr. FLAKE, Mr. BURGESS, Ms. FOXX, Mr. AKIN, Mr. BARTLETT, Mr. PITTS, Ms. FALLIN, Mr. HENSARLING, Mr. BROUN of Georgia, Mr. BRADY of Texas, Mr. HERGER, Mr. LAMBORN, and Mr. GARRETT of New Jersey):

H.R. 378. A bill to make 1 percent across-the-board rescissions in non-defense, non-homeland-security discretionary spending for fiscal year 2009; to the Committee on Appropriations.

By Mrs. BLACKBURN (for herself, Mr. WAMP, Mr. HENSARLING, Mr. WILSON of South Carolina, Mr. BROWN of South Carolina, Mr. POSEY, Mr. BROUN of Georgia, Mr. DANIEL E. LUNGREN of California, Mr. GINGREY of Georgia, Mr. OLSON, Mr. CULBERSON, Mr. BARTLETT, Mr. BURTON of Indiana, Mr. KLINE of Minnesota, Mr. AKIN, Mr. GARRETT of New Jersey, Mr. WESTMORELAND, Mr. GOHMERT, Mr. PAUL, Mrs. BACHMANN, Mrs. SCHMIDT, Mr. NEUGEBAUER, and Mr. MCHUGH):

H.R. 379. A bill to amend the Internal Revenue Code of 1986 to ensure that all taxpayers have the ability to deduct State and local general sales taxes; to the Committee on Ways and Means.

By Ms. JACKSON-LEE of Texas:

H.R. 380. A bill to provide for the establishment of a task force within the Bureau of Justice Statistics to gather information about, study, and report to the Congress regarding, incidents of abandonment of infant children; to the Committee on the Judiciary, 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 Mrs. BLACKBURN (for herself, Mr. CAMPBELL, Mr. BURTON of Indiana, Mr. FRANKS of Arizona, Mr. BARRETT of South Carolina, Mr. NEUGEBAUER, Mr. OLSON, Mr. GOHMERT, Mr. GINGREY of Georgia, Mr. ROE of Tennessee, Mr. FLAKE, Ms. FOXX, Mr. AKIN, Mr. HENSARLING, Mr. BROUN of Georgia, Mr. PITTS, Mr. HERGER, Mr. LAMBORN, Mr. BRADY of Texas, and Mr. GARRETT of New Jersey):

H.R. 381. A bill to make 5 percent across-the-board rescissions in non-defense, non-homeland-security discretionary spending for fiscal year 2009; to the Committee on Appropriations.

By Ms. JACKSON-LEE of Texas:

H.R. 382. A bill to create a separate DNA database for predators against children, and for other purposes; to the Committee on the Judiciary.

By Ms. LORETTA SANCHEZ of California (for herself, Mr. CALVERT, Mr. ROYCE, Mr. ROHRABACHER, and Mr. CAMPBELL):

H.R. 383. A bill to authorize the Secretary of the Interior to participate in additional phases of the project to reclaim and reuse water within the service area of the Orange County Water District in California; to the Committee on Natural Resources.

By Mr. FRANK of Massachusetts:

H.R. 384. A bill to reform the Troubled Assets Relief Program of the Secretary of the Treasury and ensure accountability under such Program; to the Committee on Financial Services, and in addition to the Committees on Ways and Means, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROGERS of Alabama (for himself, Mr. PASCRELL, Mr. CANTOR, Mr. CAMPBELL, Mr. ADERHOLT, Mr. BACHUS, Mr. WESTMORELAND, Mr. TIBERI, Mr. BONNER, Mr. DAVIS of Alabama, and Mr. MCCOTTER):

H.R. 385. A bill to amend the Internal Revenue Code of 1986 to provide tax incentives to consumers and lenders for the purchase of a passenger vehicle during 2009; to the Committee on Ways and Means.

By Mr. DOGGETT:

H.R. 386. A bill to amend the Internal Revenue Code of 1986 to simplify and improve the current education tax incentives; to the Committee on Ways and Means.

By Mr. LATOURETTE (for himself and Mr. AL GREEN of Texas):

H.R. 387. A bill to amend the Federal Deposit Insurance Act to require each insured depository institution which receives an investment or other assistance under the Troubled Assets Relief Program to include in the quarterly call report the amount of any increase in new lending that is attributable to such investment or assistance, and for other purposes; to the Committee on Financial Services.

By Ms. BALDWIN (for herself, Ms. GINNY BROWN-WAITE of Florida, Mr. OBERSTAR, Mr. KIND, and Mr. GRIJALVA):

H.R. 388. A bill to assist in the conservation of cranes by supporting and providing, through projects of persons and organizations with expertise in crane conservation, financial resources for the conservation programs of countries the activities of which directly or indirectly affect cranes and the

ecosystems of cranes; to the Committee on Natural Resources.

By Ms. BALDWIN (for herself, Mrs. MALONEY, Mr. FRANK of Massachusetts, Mrs. CAPPS, Ms. MOORE of Wisconsin, Mr. KUCINICH, Mr. HASTINGS of Florida, Mr. LEWIS of Georgia, Mr. KILDEE, and Mr. COHEN):

H.R. 389. A bill to amend the Family and Medical Leave Act of 1993 to eliminate an hours of service requirement for benefits under that Act; to the Committee on Education and Labor, and in addition to the Committees on Oversight and Government Reform, and House Administration, 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. BARTON of Texas (for himself, Mr. RUSH, and Mr. MCCAUL):

H.R. 390. A bill to prohibit, as an unfair and deceptive act or practice, the promotion, marketing, and advertising of any post-season NCAA Division I football game as a national championship game unless such game is the culmination of a fair and equitable playoff system; to the Committee on Energy and Commerce.

By Mrs. BLACKBURN (for herself, Mr. FRANKS of Arizona, Mr. BURTON of Indiana, Mr. BARRETT of South Carolina, Mr. NEUGEBAUER, Mr. SHIMKUS, Mr. TERRY, Mr. NUNES, Mr. GOHMERT, and Mr. GINGREY of Georgia):

H.R. 391. A bill to amend the Clean Air Act to provide that greenhouse gases are not subject to the Act, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BLUNT (for himself, Mr. KIRK, Mr. HENSARLING, Mr. MCHENRY, Mr. CONAWAY, Mr. FRANKS of Arizona, Mr. AKIN, Mr. UPTON, Mr. SENSENBRENNER, Mr. PETRI, Mr. JONES, Mr. MANZULLO, Mr. MARCHANT, Mr. WHITFIELD, Ms. FALLIN, Mr. KLINE of Minnesota, Mr. ROSKAM, Mr. LINDER, Mr. HERGER, Mr. COLE, and Mr. REHBERG):

H.R. 392. A bill to amend the Clean Air Act to provide for a reduction in the number of boutique fuels, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BRADY of Texas (for himself, Mr. BACHUS, Mr. BARTLETT, Mr. BARTON of Texas, Mrs. BIGGERT, Mr. BLUNT, Mr. BURTON of Indiana, Mr. COLE, Mr. CONAWAY, Mr. CRENSHAW, Mr. EDWARDS of Texas, Ms. FOXX, Mr. GARRETT of New Jersey, Mr. GOHMERT, Mr. HENSARLING, Mr. HERGER, Mr. HOEKSTRA, Mr. SAM JOHNSON of Texas, Mr. KINGSTON, Mr. MARCHANT, Mr. MCHENRY, Mrs. MYRICK, Mr. NEUGEBAUER, Mr. PENCE, Mr. SENSENBRENNER, Mr. SESSIONS, Mr. TERRY, and Mr. WESTMORELAND):

H.R. 393. A bill to provide for the periodic review of the efficiency and public need for Federal agencies, to establish a Commission for the purpose of reviewing the efficiency and public need of such agencies, and to provide for the abolishment of agencies for which a public need does not exist; to the Committee on Oversight and Government Reform.

By Mr. BROWN of South Carolina:

H.R. 394. A bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to increase the amount of the Medal of Honor special pension provided under that title by up to $1,000; to the Committee on Veterans' Affairs.

By Mr. BURTON of Indiana:

H.R. 395. A bill to prevent Members of Congress from receiving any automatic pay adjustment in 2010; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COHEN (for himself, Mr. WEXLER, and Mr. GALLEGLY):

H.R. 396. A bill to amend the Internal Revenue Code of 1986 to provide that certain net capital gain of individuals who have attained age 65 shall not be subject to tax; to the Committee on Ways and Means.

By Mr. COURTNEY (for himself and Mr. NEAL of Massachusetts):

H.R. 397. A bill to extend the authorization of the Quinebaug and Shetucket Rivers Valley National Heritage Corridor Act of 1994, and for other purposes; to the Committee on Natural Resources.

By Mr. CROWLEY (for himself, Mr. KIRK, Mr. RYAN of Ohio, Mr. DENT, and Mr. SCHIFF):

H.R. 398. A bill to amend title XIX of the Social Security Act to restore and protect access to Medicaid discount drug prices for university-based and safety-net clinics; to the Committee on Energy and Commerce.

By Mr. DINGELL (for himself and Mrs. MALONEY):

H.R. 399. A bill to direct the Secretary of Labor to make a grant to a public university to establish the Center for the Study of Women and Workplace Policy; to the Committee on Education and Labor.

By Mr. DINGELL (for himself, Mr. MARKEY of Massachusetts, Mr. BOUCHER, Ms. ESHOO, Mr. STUPAK, Ms. HARMAN, Mr. DOYLE, Mr. GORDON of Tennessee, and Mrs. CAPPS):

H.R. 400. A bill to amend the Communications Act of 1934 to prevent the granting of regulatory forbearance by default; to the Committee on Energy and Commerce.

By Mr. DINGELL:

H.R. 401. A bill to provide for the designation of certain sites in Monroe County and Wayne County, Michigan, relating to the Battles of the River Raisin during the War of 1812 as a unit of the National Park System; to the Committee on Natural Resources.

By Mr. DUNCAN (for himself, Mrs. BLACKBURN, Mr. WAMP, Mr. ROE of Tennessee, Mr. COOPER, Mr. COHEN, Mr. TANNER, Mr. GORDON of Tennessee, and Mr. DAVIS of Tennessee):

H.R. 402. A bill to designate the Department of Veterans Affairs Outpatient Clinic in Knoxville, Tennessee, as the ''William C. Tallent Department of Veterans Affairs Outpatient Clinic''; to the Committee on Veterans' Affairs.

By Mr. AL GREEN of Texas (for himself and Mr. MICHAUD):

H.R. 403. A bill to provide housing assistance for very low-income veterans; to the Committee on Financial Services, 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. GRIJALVA (for himself, Mr. MORAN of Virginia, Mrs. BONO MACK, Mr. HINCHEY, Mr. INSLEE, Mrs. MALONEY, Mr. PALLONE, Mrs. CAPPS, Mr. WAXMAN, Mr. BLUMENAUER, Mr. FARR, Ms. BALDWIN, Mr. GEORGE MILLER of California, Mr. PASTOR of Arizona, Ms. LEE of California, Ms. BORDALLO, Ms. SUTTON, Mr. HOLT, Mr. SCHIFF, Mr. SARBANES, Mr. REICHERT, Mr. BERMAN, Mr. PRICE of North Carolina, and Mr. GORDON of Tennessee):

H.R. 404. A bill to establish the National Landscape Conservation System, and for other purposes; to the Committee on Natural Resources.

By Mr. HELLER:

H.R. 405. A bill to authorize appropriations for the Bureau of Reclamation to carry out the Lower Colorado River Multi-Species Conservation Program in the States of Arizona, California, and Nevada, and for other purposes; to the Committee on Natural Resources.

By Mr. BACA (for himself, Mr. MCDERMOTT, Mrs. MALONEY, Mr. GRIJALVA, Mr. BOSWELL, Mr. GUTIERREZ, Mr. GONZALEZ, Ms. BERKLEY, Ms. BORDALLO, Ms. MOORE of Wisconsin, Mr. MOORE of Kansas, Mr. BLUMENAUER, Mr. WEXLER, Mrs. MCCARTHY of New York, Mr. SIRES, Ms. MCCOLLUM, Ms. JACKSON-LEE of Texas, Mr. HINCHEY, Mr. OLVER, Mr. SCOTT of Georgia, Mr. DOYLE, Mr. HIGGINS, Mr. DINGELL, Mrs. GILLIBRAND, Mr. KLEIN of Florida, Mr. TOWNS, Mr. WATT, Mr. MARKEY of Massachusetts, Mr. CHANDLER, Mr. NUNES, Mr. FRANKS of Arizona, Mr. CONAWAY, Mr. COHEN, Ms. MATSUI, Mrs. BONO MACK, Mrs. CHRISTENSEN, Mr. PAYNE, Mr. FARR, Mr. CARTER, Mrs. NAPOLITANO, Mr. JONES, Mr. HASTINGS of Florida, Mr. FILNER, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. WOLF, Mr. CARNAHAN, Mr. HOLT, Mr. SHERMAN, Mr. DELAHUNT, Mr. MCCOTTER, Mr. LEVIN, Ms. LEE of California, Mr. MCGOVERN, Ms. ROYBAL-ALLARD, Ms. EDWARDS of Maryland, Ms. WOOLSEY, Mr. PASTOR of Arizona, and Ms. ZOE LOFGREN of California):

H.R. 406. A bill to award a congressional gold medal in recognition of Alice Paul's role in the women's suffrage movement and in advancing equal rights for women; to the Committee on Financial Services.

By Mr. HELLER:

H.R. 407. A bill to provide for the release of any reversionary interest of the United States in and to certain lands in Reno, Nevada; to the Committee on Natural Resources.

By Mr. HELLER:

H.R. 408. A bill to direct the Secretary of the Interior to convey to the City of Henderson, Nevada, certain Federal land located in the City, and for other purposes; to the Committee on Natural Resources.

By Mr. HELLER:

H.R. 409. A bill to provide for the conveyance of certain Bureau of Land Management land in the State of Nevada to the Las Vegas Motor Speedway, and for other purposes; to the Committee on Natural Resources.

By Ms. HIRONO (for herself and Mr. ABERCROMBIE):

H.R. 410. A bill to provide for the establishment of a memorial within Kalaupapa National Historical Park located on the island of Molokai, in the State of Hawaii, to honor and perpetuate the memory of those individuals who were forcibly relocated to the Kalaupapa Peninsula from 1866 to 1969, and for other purposes; to the Committee on Natural Resources.

By Mr. INSLEE (for himself, Mr. TANNER, Mr. ROGERS of Kentucky, Mr. ROYCE, Ms. BORDALLO, and Mr. MCHUGH):

H.R. 411. A bill to assist in the conservation of rare felids and rare canids by supporting and providing financial resources for the conservation programs of nations within the range of rare felid and rare canid populations and projects of persons with demonstrated expertise in the conservation of rare felid and rare canid populations; to the Committee on Natural Resources.

By Mr. ISRAEL:

H.R. 412. A bill to amend the Internal Revenue Code of 1986 to allow the deduction for

property taxes in determining the amount of the alternative minimum taxable income of any taxpayer (other than a corporation); to the Committee on Ways and Means.

By Mr. KILDEE (for himself and Mr. DUNCAN):

H.R. 413. A bill to provide collective bargaining rights for public safety officers employed by States or their political subdivisions; to the Committee on Education and Labor.

By Mr. KING of New York:

H.R. 414. A bill to require mobile phones containing digital cameras to make a sound when a photograph is taken; to the Committee on Energy and Commerce.

By Mr. KING of New York:

H.R. 415. A bill to provide Capitol-flown flags to the immediate family of fire fighters, law enforcement officers, emergency medical technicians, and other rescue workers who are killed in the line of duty; to the Committee on House Administration.

By Ms. LEE of California (for herself, Mr. TOWNS, Mr. HONDA, Mr. RANGEL, Mr. ENGEL, Mr. LEWIS of Georgia, Ms. BORDALLO, Mrs. CHRISTENSEN, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. PAYNE, Mr. FATTAH, Mr. JOHNSON of Georgia, Ms. CORRINE BROWN of Florida, and Ms. JACKSON-LEE of Texas):

H.R. 416. A bill to authorize the establishment of educational exchange and development programs for member countries of the Caribbean Community (CARICOM); to the Committee on Foreign Affairs.

By Ms. LEE of California (for herself, Mr. TOWNS, Mr. ENGEL, Mr. CONYERS, Mr. CROWLEY, Ms. CORRINE BROWN of Florida, Mr. MEEK of Florida, Mr. JOHNSON of Georgia, Mrs. CHRISTENSEN, Mr. LEWIS of Georgia, Ms. EDWARDS of Maryland, Mr. HASTINGS of Florida, Mr. RANGEL, and Mr. RUSH):

H.R. 417. A bill to provide for professional exchanges with Haiti, and for other purposes; to the Committee on Foreign Affairs.

By Ms. LEE of California:

H.R. 418. A bill to confirm the jurisdiction of the Consumer Product Safety Commission with respect to releasing systems on residential window bars and to establish a consumer product safety standard ensuring that all such bars include a quick-release mechanism; to the Committee on Energy and Commerce, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MARKEY of Colorado (for herself and Mr. POLIS of Colorado):

H.R. 419. A bill to designate as wilderness certain land within the Rocky Mountain National Park and to adjust the boundaries of the Indian Peaks Wilderness and the Arapaho National Recreation Area of the Arapaho National Forest in the State of Colorado; to the Committee on Natural Resources.

By Mr. MCCAUL (for himself, Mrs. BLACKBURN, Mr. KIRK, Mr. MACK, Mr. ALEXANDER, Mr. SESSIONS, Mr. BURTON of Indiana, Mr. HENSARLING, Mr. NEUGEBAUER, Mr. PITTS, Mr. FLAKE, Mr. CULBERSON, Mr. DENT, Mr. UPTON, Ms. FOXX, Mr. MCCOTTER, Mr. ISSA, Mrs. BACHMANN, Mr. MATHESON, and Mr. SULLIVAN):

H.R. 420. A bill to prohibit the use of Federal funds for a project or program named for an individual then serving as a Member, Delegate, Resident Commissioner, or Senator of the United States Congress; to the Committee on Oversight and Government Reform.

By Mr. MEEK of Florida:

H.R. 421. A bill to amend the Emergency Economic Stabilization Act of 2008 to restrict which assets banks can write off as loss for purposes of the Troubled Assets Relief Program, and for other purposes; to the Committee on Financial Services.

By Mr. MEEK of Florida (for himself and Mr. BRADY of Texas):

H.R. 422. A bill to amend the Internal Revenue Code of 1986 to extend the research credit through 2010 and to increase and make permanent the alternative simplified research credit; to the Committee on Ways and Means.

By Mr. MICA:

H.R. 423. A bill to provide compensation for certain World War II veterans who survived the Bataan Death March and were held as prisoners of war by the Japanese; to the Committee on Armed Services.

By Mr. TIM MURPHY of Pennsylvania:

H.R. 424. A bill to amend the Internal Revenue Code of 1986 to extend the temporary waiver of the required minimum distribution rules for certain retirement plans and accounts for an additional year; to the Committee on Ways and Means.

By Mr. NEAL of Massachusetts (for himself and Mr. RYAN of Wisconsin):

H.R. 425. A bill to amend the Internal Revenue Code of 1986 to prevent the alternative minimum tax from effectively repealing the Federal tax exemption for interest on State and local private activity bonds; to the Committee on Ways and Means.

By Mr. PASCRELL (for himself, Mr. HERGER, Ms. VELÁZQUEZ, Mr. MOORE of Kansas, Mr. HINCHEY, Mr. CARNAHAN, Mr. PITTS, Mr. DAVIS of Alabama, and Mr. BRADY of Pennsylvania):

H.R. 426. A bill to amend the Internal Revenue Code of 1986 to reduce the depreciation recovery period for certain roof systems; to the Committee on Ways and Means.

By Mr. POE of Texas:

H.R. 427. A bill to prohibit the transfer of personal information to any person or business outside the United States, without notice; to the Committee on Financial Services.

By Mr. POE of Texas:

H.R. 428. A bill to amend title 18, United States Code, to prohibit certain disclosures of cell phone numbers; to the Committee on the Judiciary.

By Mr. POE of Texas:

H.R. 429. A bill to permit the televising of Supreme Court proceedings; to the Committee on the Judiciary.

By Mr. POE of Texas (for himself, Mr. BROWN of South Carolina, Mr. BURTON of Indiana, Mr. HALL of Texas, Mr. EDWARDS of Texas, Mr. MCCOTTER, Mr. SENSENBRENNER, Mr. MCHENRY, Mr. LOBIONDO, Ms. FALLIN, Mr. CARTER, Mr. RYAN of Wisconsin, Mr. JONES, Mr. BRADY of Pennsylvania, Mr. PUTNAM, Mr. MARCHANT, Mr. MARIO DIAZ-BALART of Florida, Mr. BUCHANAN, Mr. PITTS, Mrs. MILLER of Michigan, and Mr. GALLEGLY):

H.R. 430. A bill to amend title 18, United States Code, to provide criminal penalties for the destruction of memorials, headstones, markers, and graves commemorating persons serving in the Armed Forces on private property; to the Committee on the Judiciary.

By Mr. POE of Texas:

H.R. 431. 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. POE of Texas:

H.R. 432. A bill to amend the Internal Revenue Code of 1986 to allow parents of murdered children to continue to claim the deduction for the personal exemption with respect to such child; to the Committee on Ways and Means.

By Mr. POE of Texas (for himself, Ms. BORDALLO, Mr. LAMBORN, Mrs. GILLIBRAND, Ms. ROS-LEHTINEN, Mr. MCCOTTER, Mr. LINCOLN DIAZ-BALART of Florida, and Mr. PITTS):

H.R. 433. A bill to amend the Internal Revenue Code of 1986 to allow employers a credit against income tax equal to 50 percent of the compensation paid to employees while they are performing active duty service as members of the Ready Reserve or the National Guard and of the compensation paid to temporary replacement employees; to the Committee on Ways and Means.

By Mr. POE of Texas:

H.R. 434. A bill to amend title 5, United States Code, to permit access to databases maintained by the Federal Emergency Management Agency for purposes of complying with sex offender registry and notification laws, and for other purposes; to the Committee on Oversight and Government Reform, 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. POMEROY:

H.R. 435. A bill to amend the Internal Revenue Code of 1986 to provide a 5-year extension of the credit for electricity produced from certain renewable resources; to the Committee on Ways and Means.

By Mr. POMEROY:

H.R. 436. A bill to amend the Internal Revenue Code of 1986 to repeal the new carryover basis rules in order to prevent tax increases and the imposition of compliance burdens on many more estates than would benefit from repeal, to retain the estate tax with a $3,500,000 exemption, and for other purposes; to the Committee on Ways and Means.

By Mr. RADANOVICH:

H.R. 437. A bill to authorize the Secretary of the Interior, acting through the Bureau of Reclamation to enter into a cooperative agreement with the Madera Irrigation District for purposes of supporting the Madera Water Supply Enhancement Project; to the Committee on Natural Resources.

By Mr. RADANOVICH:

H.R. 438. A bill to transfer administrative jurisdiction of certain Federal lands from the Bureau of Land Management to the Bureau of Indian Affairs, to take such lands into trust for Tuolumne Band of Me-Wuk Indians of the Tuolumne Rancheria, and for other purposes; to the Committee on Natural Resources.

By Mr. REHBERG:

H.R. 439. A bill to amend the Public Health Service Act regarding residential treatment programs for pregnant and parenting women, a program to reduce substance abuse among nonviolent offenders, and for other purposes; to the Committee on Energy and Commerce.

By Mr. REHBERG:

H.R. 440. A bill to provide small businesses certain protections from litigation excesses; to the Committee on the Judiciary.

By Mr. REHBERG:

H.R. 441. A bill to grant immunity from civil liability to any person who voluntarily notifies appropriate security personnel of suspicious activity believed to threaten transportation safety or security or takes reasonable action to mitigate such activity; to the Committee on the Judiciary.

By Mr. REHBERG:

H.R. 442. A bill to provide an amnesty period during which veterans and their family

members can register certain firearms in the National Firearms Registration and Transfer Record, 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. ROYCE:

H.R. 443. A bill to create a national commission, modeled after the successful Defense Base Closure and Realignment Commission, to establish a timely, independent, and fair process for realigning or closing outdated, ineffective, or inefficient executive agencies; to the Committee on Oversight and Government Reform.

By Mr. RUSH (for himself, Mrs. EMERSON, and Mr. STUPAK):

H.R. 444. A bill to amend section 340B of the Public Health Service Act to revise and expand the drug discount program under that section to improve the provision of discounts on drug purchases for certain safety net providers; to the Committee on Energy and Commerce.

By Mr. SENSENBRENNER (for himself, Mr. EHLERS, Mr. WU, Mr. REICHERT, and Mr. SMITH of Texas):

H.R. 445. A bill to establish a research, development, demonstration, and commercial application program to promote research of appropriate technologies for heavy duty plug-in hybrid vehicles, and for other purposes; to the Committee on Science and Technology.

By Mr. SESSIONS (for himself, Mr. MARCHANT, Mr. DREIER, Mr. MCHUGH, Mr. CONAWAY, Mr. TIAHRT, Mr. MCCAUL, and Mr. SENSENBRENNER):

H.R. 446. A bill to amend the Internal Revenue Code of 1986 to repeal certain limitations on the expensing of section 179 property, to allow taxpayers to elect shorter recovery periods for purposes of determining the deduction for depreciation, and for other purposes; to the Committee on Ways and Means.

By Mr. SESTAK:

H.R. 447. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to expand the definition of firefighter to include apprentices and trainees, regardless of age or duty limitations; to the Committee on the Judiciary.

By Mr. SESTAK (for himself, Mr. CONYERS, Mr. SCOTT of Virginia, and Mr. KING of New York):

H.R. 448. A bill to protect seniors in the United States from elder abuse by establishing specialized elder abuse prosecution and research programs and activities to aid victims of elder abuse, to provide training to prosecutors and other law enforcement related to elder abuse prevention and protection, to establish programs that provide for emergency crisis response teams to combat elder abuse, and for other purposes; to the Committee on the Judiciary.

By Mr. SESTAK:

H.R. 449. A bill to amend title 38, United States Code, to expand the availability of health care provided by the Secretary of Veterans Affairs by adjusting the income level for certain priority veterans; to the Committee on Veterans' Affairs.

By Mr. SHADEGG:

H.R. 450. A bill to require Congress to specify the source of authority under the United States Constitution for the enactment of laws, and for other purposes; to the Committee on the Judiciary, 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. TEAGUE:

H.R. 451. A bill to amend the Internal Revenue Code of 1986 to provide a 2-year extension of the credit for electricity produced from certain renewable resources; to the Committee on Ways and Means.

By Mr. TEAGUE (for himself, Ms. FUDGE, Mr. HEINRICH, and Mr. LUJAN):

H.R. 452. A bill to amend the Internal Revenue Code of 1986 to make the child credit refundable for 5 years; to the Committee on Ways and Means.

By Mr. WAMP (for himself and Mr. LEWIS of Georgia):

H.R. 453. A bill to direct the Secretary of the Interior to study the suitability and feasibility of designating Green McAdoo School in Clinton, Tennessee as a unit of the National Park System, and for other purposes; to the Committee on Natural Resources.

By Mr. WAMP (for himself and Mr. SHULER):

H.R. 454. A bill to amend the National Trails System Act to provide for the inclusion of new trail segments, land components, and campgrounds associated with the Trail of Tears National Historic Trail, and for other purposes; to the Committee on Natural Resources.

By Mr. WELCH:

H.R. 455. A bill to amend the Wild and Scenic Rivers Act to designate a segment of the Missisquoi and Trout Rivers in the State of Vermont for study for potential addition to the National Wild and Scenic Rivers System; to the Committee on Natural Resources.

By Mr. WITTMAN:

H.R. 456. A bill to amend the Small Business Act to make service-disabled veterans eligible under the 8(a) business development program; to the Committee on Small Business.

By Mr. WITTMAN:

H.R. 457. A bill to amend the Internal Revenue Code of 1986 to restore the obligation of the Secretary of the Treasury to invest the balance of the Highway Trust Fund in interest-bearing obligations of the United States; to the Committee on Ways and Means.

By Mr. POE of Texas:

H.J. Res. 17. A joint resolution expressing support for designation of the month of October 2009 as ''Country Music Month'' and to honor country music for its long history of supporting America's armed forces and its tremendous impact on national patriotism; to the Committee on Education and Labor.

By Ms. ROS-LEHTINEN (for herself, Mr. ROYCE, Mr. BURTON of Indiana, Mr. ROHRABACHER, Mr. MANZULLO, and Mr. SMITH of New Jersey):

H. Con. Res. 16. Concurrent resolution recognizing the threat that the spread of radical Islamist terrorism and Iranian adventurism in Africa poses to the United States, our allies, and interests; to the Committee on Foreign Affairs.

By Ms. LEE of California (for herself, Mr. LEWIS of Georgia, Mr. PAYNE, Mrs. CHRISTENSEN, and Mr. RUSH):

H. Con. Res. 17. Concurrent resolution expressing the sense of Congress with regard to providing humanitarian assistance to countries of the Caribbean devastated by Hurricanes Gustav and Ike and Tropical Storms Fay and Hanna; to the Committee on Foreign Affairs.

By Mr. LINDER:

H. Con. Res. 18. Concurrent resolution expressing the sense of Congress that the United States should resume normal diplomatic relations with Taiwan, and for other purposes; to the Committee on Foreign Affairs.

By Mr. POE of Texas:

H. Con. Res. 19. Concurrent resolution expressing the sense of the Congress that State and local governments should be supported for taking actions to discourage illegal immigration and that legislation should be enacted to ease the burden on State and local governments for taking such actions; 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.

By Mr. ROGERS of Alabama (for himself and Mr. FRANKS of Arizona):

H. Res. 37. A resolution condemning Hamas for the recent attacks against Israel; to the Committee on Foreign Affairs.

By Mr. PENCE:

H. Res. 38. A resolution electing certain minority members to certain committees; considered and agreed to.

By Mr. LIPINSKI (for himself and Mr. SMITH of New Jersey):

H. Res. 39. A resolution honoring the contributions of Catholic schools; to the Committee on Education and Labor.

By Mr. TANNER (for himself and Mr. CARDOZA):

H. Res. 40. A resolution amending the Rules of the House of Representatives to require each standing committee to hold periodic hearings on the topic of waste, fraud, abuse, or mismanagement in Government programs which that committee may authorize, and for other purposes; to the Committee on Rules.

By Mrs. DAVIS of California (for herself, Mr. ROGERS of Michigan, Ms. MCCOLLUM, Mr. SHERMAN, Mr. GRIJALVA, Mr. KENNEDY, Ms. BORDALLO, Mr. EHLERS, Mr. HARE, Mr. HINCHEY, Mr. MOORE of Kansas, Mr. HONDA, Ms. EDWARDS of Maryland, Mr. VAN HOLLEN, and Mrs. MCCARTHY of New York):

H. Res. 41. A resolution supporting the goals and ideals of National Mentoring Month 2009; to the Committee on Education and Labor.

By Ms. ROS-LEHTINEN (for herself, Mr. SMITH of New Jersey, Mr. BURTON of Indiana, Mr. ROHRABACHER, Mr. ROYCE, Mr. MANZULLO, Mr. WILSON of South Carolina, Mr. POE of Texas, Mr. BILIRAKIS, and Mr. GARRETT of New Jersey):

H. Res. 42. A resolution calling on the President and the Secretary of State to withhold United States funding for and participation in the Durban Review Conference and its preparatory activities, and for other purposes; to the Committee on Foreign Affairs.

By Mr. PLATTS (for himself, Ms. MATSUI, and Mr. PRICE of North Carolina):

H. Res. 43. A resolution recognizing the efforts of those who serve their communities on Martin Luther King Day and promoting the holiday as a day of national service; to the Committee on Education and Labor.

By Mr. POE of Texas (for himself, Mr. ROHRABACHER, Mr. BURTON of Indiana, Ms. ROS-LEHTINEN, Mr. MCCOTTER, Mr. SMITH of New Jersey, Mr. WILSON of South Carolina, Mr. WOLF, Ms. FALLIN, and Mr. MCHENRY):

H. Res. 44. A resolution condemning the People's Republic of China for its socially unacceptable business practices, including the manufacturing and exportation of unsafe products, casual disregard for the environment, and exploitative employment practices; to the Committee on Foreign Affairs.

By Mr. POE of Texas (for himself, Mr. COSTA, Mr. HOLDEN, Ms. MATSUI, and Mr. MARCHANT):

H. Res. 45. A resolution raising awareness and promoting education on the criminal

justice system by establishing March as ''National Criminal Justice Month''; to the Committee on the Judiciary.

By Mr. POE of Texas (for himself, Mr. COSTA, Ms. EDWARDS of Maryland, Mrs. MALONEY, Mr. MOORE of Kansas, Ms. ROYBAL-ALLARD, Ms. MATSUI, and Mr. MARCHANT):

H. Res. 46. A resolution raising awareness and encouraging prevention of stalking by establishing January 2009 as ''National Stalking Awareness Month''; to the Committee on the Judiciary.

By Mr. POE of Texas (for himself, Mr. COSTA, Mr. COURTNEY, Mr. REYES, Mr. BURTON of Indiana, Mr. HOLDEN, Mr. LOBIONDO, Mr. MCHENRY, Mr. LATTA, Mr. MACK, Ms. LORETTA SANCHEZ of California, Ms. BORDALLO, Mr. WALDEN, and Mr. GALLEGLY):

H. Res. 47. A resolution supporting the goals and ideals of Peace Officers Memorial Day; to the Committee on Oversight and Government Reform.

By Mr. REHBERG:

H. Res. 48. A resolution amending the Rules of the House of Representatives to establish the Committee on Indian Affairs; to the Committee on Rules.

By Ms. WATSON (for herself, Mrs. DAVIS of California, Ms. LEE of California, Ms. ZOE LOFGREN of California, Ms. WOOLSEY, Mr. FARR, Ms. MATSUI, Mrs. CAPPS, Mr. FILNER, Ms. SOLIS of California, Ms. ROYBAL-ALLARD, Mr. COSTA, Mr. SCHIFF, Mr. GEORGE MILLER of California, Ms. SPEIER, Ms. WATERS, and Mr. CARDOZA):

H. Res. 49. A resolution honoring Karen Bass for becoming the first African-American woman elected Speaker of the California State Assembly; to the Committee on Oversight and Government Reform.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. PASTOR of Arizona:

H.R. 458. A bill for the relief of Alejandro E. Gonzales; to the Committee on the Judiciary.

By Mr. PASTOR of Arizona:

H.R. 459. A bill for the relief of Alfredo Ramirez Vasquez; to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 11: Mr. BARROW and Mr. GUTIERREZ.

H.R. 12: Mr. BARROW and Mr. GUTIERREZ.

H.R. 13: Ms. ROS-LEHTINEN.

H.R. 16: Ms. GRANGER.

H.R. 20: Ms. EDWARDS of Maryland, Mr. CARNAHAN, and Mr. MURPHY of Connecticut.

H.R. 21: Ms. LEE of California, Mr. FALEOMAVAEGA, Mr. HINCHEY, Mr. BERMAN, Mr. BLUMENAUER, Mr. THOMPSON of California, Ms. HIRONO, Mrs. CAPPS, Mr. WEXLER, Mr. SIRES, Mr. MOORE of Kansas, Mr. WAXMAN, Mr. KENNEDY, Ms. ESHOO, Ms. BORDALLO, Mr. ABERCROMBIE, Mr. GEORGE MILLER of California, and Mr. FILNER.

H.R. 25: Mr. ISSA and Mr. MICA.

H.R. 30: Mr. UPTON, Mr. PITTS, and Mr. KING of New York.

H.R. 31: Ms. MATSUI, Mr. ADERHOLT, Mr. LYNCH, Mr. NEAL of Massachusetts, Mr. KUCINICH, Ms. WATERS, Mr. DAVIS of Illinois, Mr. JOHNSON of Georgia, Mr. WALZ, Mr. WILSON of Ohio, Ms. JACKSON-LEE of Texas, Mr. KANJORSKI, Mrs. BIGGERT, Mr. SCOTT of Georgia, Mr. LEWIS of Georgia, and Mr. BISHOP of Georgia.

H.R. 80: Mr. MORAN of Virginia, Mr. BROWN of South Carolina, and Mr. FARR.

H.R. 124: Mrs. MYRICK and Mrs. BLACKBURN.

H.R. 138: Mrs. MYRICK and Mrs. BLACKBURN.

H.R. 143: Mr. DUNCAN.

H.R. 144: Ms. MOORE of Wisconsin, Mr. CONNOLLY of Virginia, Mr. CROWLEY, Mr. TOWNS, Mr. BISHOP of Georgia, Ms. LEE of California, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. MCGOVERN, and Ms. CLARKE.

H.R. 156: Mr. TAYLOR, Mr. MARSHALL, Mr. GRAVES, Mr. TERRY, Mr. KILDEE, Mr. JOHNSON of Illinois, Mr. FORBES, and Mr. FLAKE.

H.R. 159: Mr. MOORE of Kansas, Mr. TIBERI, Mr. HOEKSTRA, and Mr. DOYLE.

H.R. 173: Mr. RODRIGUEZ, Mr. SIMPSON, Mr. DONNELLY of Indiana, and Mr. CHILDERS.

H.R. 174: Ms. JACKSON-LEE of Texas, Ms. DEGETTE, and Mr. HARE.

H.R. 176: Mr. HINCHEY.

H.R. 186: Mr. KING of New York and Ms. ROS-LEHTINEN.

H.R. 213: Mr. LAMBORN, Mr. PITTS, Mr. EHLERS, Mr. GERLACH, Mr. SHIMKUS, Ms. BORDALLO, and Mr. PATRICK MURPHY of Pennsylvania.

H.R. 225: Ms. SCHAKOWSKY, Mr. MORAN of Virginia, Mr. CUMMINGS, and Ms. SUTTON.

H.R. 227: Mr. SCALISE, Mr. THOMPSON of Pennsylvania, Mr. MARCHANT, and Mr. GOHMERT.

H.R. 230: Ms. GIFFORDS, Mr. COSTA, Mr. HINCHEY, and Mr. FILNER.

H.R. 235: Ms. EDWARDS of Maryland, Mr. DELAHUNT, Mr. ALTMIRE, Mr. COURTNEY, Mr. KIRK, Mr. GOHMERT, and Mr. MCHUGH.

H.R. 240: Mr. GRAVES, Mr. SIMPSON, Mr. SESSIONS, Mr. MILLER of Florida, Mrs. BACHMANN, Mr. MCCLINTOCK, Mrs. CAPITO, Mr. WILSON of South Carolina, Mr. BURTON of Indiana, and Mr. MANZULLO.

H.R. 286: Ms. SUTTON.

H.R. 331: Ms. NORTON.

H.R. 333: Mr. REYES, Mr. MASSA, and Ms. BORDALLO.

H.R. 347: Mr. PASTOR of Arizona, Mr. COSTA, and Mr. THOMPSON of California.

H.J. Res. 3: Mr. LINDER and Mr. LATHAM.

H. Res. 18: Ms. CORRINE BROWN of Florida, Mr. MASSA, and Mr. KUCINICH.

H. Res. 19: Mr. JOHNSON of Illinois.

H. Res. 20: Mr. BOOZMAN and Ms. ROS-LEHTINEN.

H. Res. 22: Ms. SLAUGHTER, Ms. MATSUI, Mr. ROTHMAN of New Jersey, Mr. PAYNE, Mr. GRIJALVA, Mr. ACKERMAN, Mrs. CAPPS, Ms. LORETTA SANCHEZ of California, Mr. MORAN of Virginia, Ms. MCCOLLUM, Mr. WEXLER, Ms. SUTTON, Mr. STARK, Mr. CROWLEY, Ms. MOORE of Wisconsin, Ms. SCHAKOWSKY, Mr. MICHAUD, Ms. TSONGAS, Ms. DELAURO, Mr. HONDA, Mr. BISHOP of Georgia, and Ms. BALDWIN.

H. Res. 34: Mr. WEXLER, Mr. BLUNT, Mr. LOBIONDO, Mr. MANZULLO, Mrs. MILLER of Michigan, Mr. POE of Texas, Mr. ROHRABACHER, Mr. MACK, Ms. HARMAN, Mr. ROYCE, Mr. BILIRAKIS, Mr. KIRK, Mr. SCHOCK, Mr. RYAN of Wisconsin, Mr. ROGERS of Alabama, Mr. SHERMAN, Mr. CUELLAR, Mr. PATRICK MURPHY of Pennsylvania, Mr. GENE GREEN of Texas, Mr. SCOTT of Georgia, Mr. WEINER, Mr. DAVIS of Alabama, Mr. HALL of New York, Mrs. MCCARTHY of New York, Ms. BERKLEY, Mr. CARNEY, Mr. CARNAHAN, Ms. SUTTON, Mr. COSTA, Mr. MAFFEI, Mr. MILLER of North Carolina, Mrs. MALONEY, Mr. HIGGINS, Mr. MARKEY of Massachusetts, Mr. ROTHMAN of New Jersey, Mr. CONNOLLY of Virginia, Mr. CROWLEY, Mr. ELLSWORTH, Mr. MCMAHON, Mr. PETERS, Mr. SKELTON, Mr. GALLEGLY, Mr. PRICE of Georgia, Mr. SESSIONS, Mr. JACKSON of Illinois, Mr. KLEIN of Florida, Ms. BEAN, Mr. SCHIFF, Mr. TURNER, Mr. ENGEL, Mrs. LOWEY, Mr. ADLER of New Jersey, Mr. ALEXANDER, Mrs. TAUSCHER, Mr. GARRETT of New Jersey, Mr. REICHERT, Mr. GRAYSON, Mr. LIPINSKI, Mr. SCALISE, Ms. JACKSON-LEE of Texas, Mr. HODES, Mr. FLAKE, Mr. SHADEGG, Mr. HASTINGS of Florida, Mr. WAXMAN, Mr. POLIS of Colorado, Mr. SPACE, Ms. WASSERMAN SCHULTZ, Mr. DAVIS of Kentucky, Mr. CAO, Mr. SARBANES, Mr. ISRAEL, Mr. AL GREEN of Texas, Mr. MCCAUL, Mr. MITCHELL, Mr. BOCCIERI, Mr. TOWNS, Ms. SCHWARTZ, Mr. HIMES, Mr. WILSON of South Carolina, Mrs. KIRKPATRICK of Arizona, Mr. WILSON of Ohio, Mr. KRATOVIL, Mr. CAMPBELL, Mr. DRIEHAUS, Mr. GOODLATTE, Mr. KAGEN, Mr. SHUSTER, Ms. FOXX, Mrs. GILLIBRAND, Mr. MCCLINTOCK, Ms. HALVORSON, Ms. GIFFORDS, Mr. KING of Iowa, Mr. BROWN of South Carolina, Mr. LINDER, Mr. MCCOTTER, Mr. LAMBORN, Mr. SIRES, Mr. LATHAM, Mr. BOOZMAN, Mr. SMITH of New Jersey, Mr. GRAVES, Mr. COSTELLO, and Mr. AUSTRIA.

H. Res. 36: Mr. BERMAN.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the Clerk's desk and referred as follows:

3. The SPEAKER presented a petition of City Council of Brook Park, Ohio, relative to Resolution No. 35-2008, urging the Federal Government to provide assistance to the automobile industry; to the Committee on Financial Services.

4. Also, a petition of City of Atlanta, Office of Municipal Clerk, GA, relative to Resolution 08-R-2320, urging the Federal Government to establish an Urban Infrastructure Renewal and Development Initiative; to the Committee on Transportation and Infrastructure.

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PROCEEDINGS AND DEBATES OF THE 111th CONGRESS, FIRST SESSION

Vol. 155 WASHINGTON, FRIDAY, JANUARY 9, 2009 No. 4

Senate

The Senate met at 10 a.m. and was called to order by the Honorable SHELDON WHITEHOUSE, a Senator from the State of Rhode Island.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Almighty God, who has made and preserved us as a nation, guide our lawmakers through this day by Your higher wisdom. Take from them all that stains their lives or keeps them from intimacy with You. Lead them to a fresh dedication to serve and to choose the harder right. In the living of their days, may faith replace fear, truth conquer falsehood, justice triumph over greed, love prevail over hate, and peace abide with all humanity.

We pray in the Redeemer's Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable SHELDON WHITEHOUSE led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, January 9, 2009.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable SHELDON WHITEHOUSE, a Senator from the State of Rhode Island, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. WHITEHOUSE thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following the remarks, if there be any, from the leaders, there will be a period of morning business, with Senators allowed to speak for up to 10 minutes each.

MEASURES PLACED ON THE CALENDAR—S. 181 AND S. 182

Mr. REID. Mr. President, it is my understanding there are two bills at the desk due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will report the bills by title.

The legislative clerk read as follows:

A bill (S. 181) to amend title VII of the Civil Rights Act of 1964 and the Age Discrimination in Employment Act of 1967, and to modify the operation of the Americans with Disabilities Act of 1990 and the Rehabilitation Act of 1973, to clarify that a discriminatory compensation decision or other practice that is unlawful under such Acts occurs each time compensation is paid pursuant to the discriminatory compensation decision or other practice, and for other purposes.

A bill (S. 182) to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes.

Mr. REID. Mr. President, I object to any further proceedings with respect to these bills en bloc.

The ACTING PRESIDENT pro tempore. Objection is heard.

The bills will be placed on the calendar.

Mr. REID. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

DESIGNATING CERTAIN LAND COMPONENTS OF THE NATIONAL WILDERNESS PRESERVATION SYSTEM—MOTION TO PROCEED

Mr. REID. Mr. President, I will now ask that we move to S. 22, order No. 13. I move we proceed to S. 22.

The ACTING PRESIDENT pro tempore. The motion is pending.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DORGAN. I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DORGAN. I ask unanimous consent to speak in morning business for up to 40 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ECONOMIC STIMULUS

Mr. DORGAN. Mr. President, we have learned this morning that the unemployment rate has gone to 7.2 percent. Percentages don't mean much to a household in which one spouse comes home and says: Honey, I lost my job. We have seen now more than 2.5 million people lose their jobs in the last 12 months. We face a very severe and deep financial crisis. There is no question

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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about that. There has not been a debate in the Senate about whether there is a problem. This is probably the first area of agreement. There is a big problem with this economy.

The question is, What do we do about it? What can give people confidence that we can pull this economy out of the ditch and try to provide for growth and opportunity and expansion once again?

It is interesting. I read in the newspaper yesterday that the New York Yankees offered a pitcher $22 million a year to pitch for the next 8 years. So not all of the economy is in deep trouble, apparently. There is at least one baseball team and one pitcher smiling today. But even as we read those kinds of stories, many American families are worried about losing their jobs and their homes, concerned about what the future holds. I wanted to talk about that today.

All of us understand the economic engine of America has stalled. All of us understand the mechanics of starting an engine. If the engine of the ship of state is stalled, I am all for hooking up jumper cables and trying to start it. That is the discussion we had in our caucus for 2 hours yesterday—about what kind of emergency actions can jump-start the economy, what kind of jumper cables or hand crank or whatever effort one wants to make will help get the economy up and running again. The point I made yesterday was, that is important to do, and I support it. But we ought to focus like a laser if we are going to spend money we don't have to put together an emergency plan for some sort of economic recovery. That means we are going to borrow money. If we are going to borrow money at a time of escalating substantial Federal deficits, I want every single penny to go toward creating a job that will put somebody back on the payroll and give their family hope for the future.

This is all about building confidence. But even as we do that, if we ignore the fundamental requirement to rewire this engine, then we have missed the boat. By rewiring, I mean this financial system has collapsed. The biggest names in finance have collapsed. They have been the recipient of hundreds of billions of dollars of Federal help. We have to rewire the whole thing. If we don't rewire that system and make basic fundamental reforms, we will not restore confidence in the American people about the financial system going forward. That means accountability looking back and accountability looking ahead.

It means making certain we end what we have seen created in recent years—a house of cards. I have the house on top because this starts with an unbelievable scandal in the mortgage industry, subprime lending, and so on. I know we read in the papers about Mr. Madoff having absconded with $50 billion of investor money by building a Ponzi scheme. The tongue and groove of all of the rest of this fits and is no different than the Ponzi scheme of Mr. Madoff. It was brokers, mortgage bankers, investment banks and hedge funds. It was collateralized debt. It was securitized instruments. It was exotic structured financial instruments created for one purpose: to give everybody a lot of money as they all wallowed in the creek. So the fact is, we have to fix it.

Everybody is talking about jump-starting economy, putting people back to work. I am all in favor of doing that, but I want to make certain we rewire this system. I want to talk a little about what needs to be done.

Let me say also that people who created this wreck, the people who steered this country into the ditch, are not going to be the ones who show up with an ambulance. They will not be the ones we will turn to for advice on how to fix it. That is just a fact. My great worry is we have already authorized $700 billion for the Treasury Department's Troubled Asset Relief Program. Isn't it interesting that the title of that program has nothing to do with what is happening? I didn't vote for it because I didn't think those who requested it had the foggiest idea what they were going to do with it. The request came from the Secretary of the Treasury saying: I need $700 billion in emergency money, and I need it in 3 days. Here is a three-page bill to do it. That made no sense. He wanted to relieve financial institutions of troubled assets.

Why did they have all these troubled assets? Because they were greedy and dumb, buying things that now in retrospect had very little value and very big risk. So we ended up with the biggest financial institutions in the country having massive amounts of assets on their balance sheets that have lost value.

So the Treasury Secretary said: Give me $700 billion of taxpayer money so I can go buy those bad assets and relieve those poor companies of these failed assets. So the Congress voted for $700 billion, $350 billion of which was made available right away.

The Treasury Secretary then decided: I really don't want to do that at all. I don't want to buy troubled assets, despite the fact that is in the name of the program. What I would like to do is provide capital for big banking institutions so they can expand lending because that is the circulatory system of our economy. We need to expand lending.

So a rather substantial amount of money was given to the biggest financial institutions, $125 billion in one tranche to nine of the big financial institutions. It was essentially no-strings-attached money. The money was provided to those financial institutions without saying to them: By the way, you have to use this to expand lending in order to deal with the credit freeze. There were no restrictions that said: If you take this money, you can't then give it out in executive bonuses. In fact, we now have a report from December of last year on the Troubled Asset Relief Program by the GAO. It says:

> The standard agreement between Treasury and the participating institutions does not require that these institutions either track or report how they plan to use or do use this money.

Isn't that unbelievable? We gave all this money to the biggest banks, and there is no requirement that they track or report on how they plan to use or do use the money? Then when a number of them were asked what they did with the money by the GAO, many executives of those companies said: Well, money is fungible. They don't intend to track or report what they did with that capital.

That is unbelievable to me. This is apparently some sort of no-accountability Government. There is nothing I am aware of, of course, in the U.S. Constitution that decides this is the way that representative Government ought to perform.

But when the Treasury Secretary came to the Congress, along with the Chairman of the Federal Serve Board—talk about secrecy, by the way, that is another institution that has another story attached to it—but they came to the Congress—the two of them; the head of the Fed and the Treasury Secretary—and here are the kinds of things we heard from them: We need oversight. We need protection. We need transparency. I want it. We all want it.

Well, the administration the Treasury Secretary works for—after he told us that—has failed. This is a Washington Post report: The administration has failed to establish sufficient oversight over its $700 billion program and must move rapidly to guarantee that banks are complying with the limits on conflict of interest, lavish executive compensation. So they say, yes, we agree. Give us the money. There will be oversight. And we discover: Well, there is no oversight at all.

The Federal Reserve Board, they are refusing to identify the recipients of almost $2 trillion of assistance backed emergency loans from American taxpayers. They refuse to identify the troubled assets they are accepting as collateral. The Federal Reserve opened it window for the first time in history to noninsured banks. They have all kinds of programs now to move money out. I understand there is an urgency here, but I do not understand why the American taxpayers are told: By the way, you are the guarantor of a lot of these debts, you are going to pick up the pieces, and you are going to pay for it, but we are not going to tell you what it is we are doing. Mr. President, $2 trillion of emergency loans for troubled assets and they say: You don't deserve to know. We are not going to tell you.

In fact, Bloomberg, the news organization, had to sue the Federal government to try to get details about the

total has gone out in terms of guarantees and capital which, by the way, is over $8 trillion. It does not mean we are going to lose all that. My point is, why should a news organization have to sue the Government in order to give the American people some information about how much they are on the hook for with all of this emergency activity?

About $8.5 trillion is what we have discovered as a result of Bloomberg and the work of some other enterprising reporters. It certainly is not the work of a Federal agency that has come to the Congress to say: Oh, by the way, here is exactly what you need to know. In fact, just the opposite has happened. The Federal Reserve program has about $5.5 trillion now they have engaged. I understand that is an organization that prints money, but I also understand that organization, in the end stage, is an organization created by the U.S. Congress, and any liabilities existing there are liabilities of the American people. The FDIC program is $1.5 trillion; the Treasury Department, $1.1 trillion; and Federal housing, $300 billion. That is, at this point, a compilation of about $8.5 trillion of liability that exists out there.

Now, I want to make a couple points before I try to describe what has happened and what I think should happen.

This has been a consumer-driven economy. It is not surprising. I brought to the floor of the Congress one day a whole stack of letters. At that point, I had a 12-year-old son, and the Diners Club had written to my son offering him a credit card, preapproved, suggesting perhaps a trip to Europe would be in line. So I brought that and probably a dozen or two dozen other solicitations to my children from credit card companies—from MasterCard and Visa and Diners Club and American Express—all of them writing to my kids. Obviously, they had no idea whose kids they were or how old they were. They were just names in some sort of a name bank. They were writing to them to say: Here is a preapproved credit card for you. Go have a good time.

What has happened all across this country is they are wallpapering college campuses with credit cards. It is unbelievable. On most college campuses, many kids don't have a job. They are going to school. Yet credit card companies understand that is the best place to go find a customer.

So there are credit cards all around, wallpapering the entire country with credit card solicitations. In fact, if you have another card, get rid of it. Bring it to us. We will charge you zero interest for 3 months. We don't tell you, by the way, if you have a little problem one month, we are going to jack your rate up to 25 percent or whatever it is they are doing these days in rates and fees.

The fact is, that dramatic runup in the last couple of decades in credit card debt has been unbelievable, and that is what has been supporting a substantial amount of the consumption.

In addition, about $300 to $350 billion a year has been supporting additional American consumption because of the increase in home values which, of course, represents that huge bubble that was created in home values. That allowed people to believe they had more money because their home was more valuable and they could borrow against the home, and that contributed another $350 billion to the economy. But it was a substantial amount of consumer initiative coming from credit card debt and from home values that they could borrow against which it turns out were illusory increases in home values because those values have now collapsed.

My point is that our consumer-driven economy was driven by, in some cases, fumes that are not going to be around in the future, and we are not going to be able to replicate that to build a new economy with that same kind of debt consumer-driven initiative.

As you know, about at that point, oh, 8, 10 years ago, as the bubble began to develop in home values, there was this issue of thinking that everybody could make a lot of money by developing new and exotic mortgages for homes and putting people into their homes who probably could not buy a home or finding people who were in existing homes and saying to them: You are paying way too much. So what happened was, a huge industry developed in this country. Even as they were securitizing credit card debt and selling it back upstream, they began to develop a new industry to finance homes, and then found a way to securtize those home mortgages and sell those back upstream as well.

This is what we began to see in this country. Everybody saw it. All you had to do was watch your television set and you saw the commercial come across. This was Countrywide, which was the biggest bank: Do you have less than perfect credit? Do you have late mortgage payments? Have you been denied by other lenders? Call us.

The biggest mortgage company in the country said: Are you a bad person because you can't pay your bills? Are you a bad credit risk? Do you have lots of trouble? Are you buying things you can't pay for? Hey, I tell you what, we have a deal for you. Come. We will give you a loan. That is Countrywide.

By the way, this company failed and has been purchased by someone else. But the head of this company, Mr. Mozilo, was given the Horatio Alger award as one of the best executives in America, and from what I can tell, he it appears to have walked away with about $200 million. So even though his company is gone and he does not have the job he had, he certainly cannot be weeping, or if he is, he is wiping his tears with $200 million of cold cash.

So it was not just Countrywide. Millenia Mortgage—again, we saw all these. This was not some dark secret: Twelve months no mortgage payment. That's right. We will give you the money to make your first 12 payments on your home. Just call in 7 days. We will pay it for you. Our loan program could reduce your current monthly payment by 50 percent and allow you to make no payments for the first 12 months. Just call us. Pretty enticing, right? You want a home, you want a mortgage, you don't want to make a payment for a year. No problem. Just call us up.

ZoomCredit. ZoomCredit says in their advertisement: Credit approval is seconds away. Get on the fast track at ZoomCredit. At the speed of light, ZoomCredit will preapprove you for a car loan, a home loan, or a credit card. Even if your credit is in the tank, ZoomCredit is like money in the bank. ZoomCredit specializes in credit repair, and debt consolidation, too. Bankruptcy, slow credit, no credit—who cares?

Can you imagine a company that says: I have a new model. We are so proud of our company, we actually specialize in giving credit to people who don't deserve it?

Now, does one wonder—when companies such as this sprang up all over the country—why our economy is in a wreck, why we have experienced this economy being driven into the ditch by a lot of bad people? Three mortgage companies—and, oh, by the way, just in case you are wondering, is it over? No.

This is from the Internet: Low-doc loans and no-doc loans. What does that mean? It means if you go to the Internet, you can still find a company that says, just as the others did: We have a new financial instrument for you that is really intriguing—no documentation of your income. That is right. We will loan you money without you having to document your income to us. Does that sound ignorant? It does to me. But we will charge you a higher interest rate in exchange for your deciding not to document your income. No-doc loans: no doc, no payments for the first 12 months. And, oh, by the way, when you do first start making payments, you don't have to make any payments on principal, just interest. If that is not good enough, we will give you a no-doc loan, no payments for 12 months, no principal, and you don't have to pay all the interest because we will wrap the principal and some of the interest on the back side. Does anybody wonder why we had a financial wreck?

So we had all these companies put out this sort of Ponzi scheme. Yes, Madoff is apparently a pretty awful guy because he ran a Ponzi scheme of $50 billion, it appears to me. This was all a Ponzi scheme as well, and everybody was involved in it.

So these mortgage companies put people in these mortgages called subprime mortgages, and then the broker made a lot of money because the broker was able to get people into these mortgages. And I did not mention, they put prepayment penalties into the mortgages so you could not pay it off early or you had a big penalty? Then they wrapped it into a big

security. They put all of them together, like you put a snowball together, in a big security—that is called securitization—and then you sell it. So you sell it to perhaps an intermediary or perhaps you sell it to a Wall Street firm that takes a look at it and says: That is pretty good. That has a high rate of return because you have prepayment penalties and all these things, and the interest rates were really low, but they reset in 3 years to be really high. What a good deal. So I am going to buy these securities.

Everybody is buying securities like hogs in a trough. The brokers are making money. The mortgage company is making massive amounts of money. The people who are securitizing it are making money. The big investment banks are making money. In fact, the current Secretary of the Treasury—his firm and four other firms came to the Securities and Exchange Commission one day in 2004 and said: What we need you to provide is some relaxation for us so we can take on more debt to buy more of these kinds of securitized instruments and make more money.

In the basement, deep in the bowels of the Securities and Exchange Commission, after a hearing, by unanimous vote, the SEC, for the company that was headed by the current Treasury Secretary and four other of the largest investment banks, said: It is OK. We will allow you to take some of this money you set aside in the event of failure of your assets—the reserves—and you can take some of those reserves and use them now to make more money by these investments. That meant some of those firms went from 12 times leverage to 30 times leverage.

Isn't that unbelievable? They were all fat and happy, making money left and right. And then the whole thing crashed. That financial scandal, this subprime scandal, took this country right to the edge of a cliff. It was not just this, but it was led by this, and it was especially this.

At the same time all of this carnival of greed was going on in this country—at the same time we were spending, in budget policy—President Bush leading the charge; and Congress, Republicans and Democrats, a part of it—spending in fiscal policy way beyond our means, $600 billion a year. Oh, I know the reported budget deficit was $400 billion last year. It was not $400 billion. What your deficit really is is what you had to borrow for the year. That was over $600 billion. So we were $600 billion out of balance in fiscal policy, and that is going to be over $1 trillion this year.

Then add to that a trade problem of $700-plus billion a year, consuming 3 percent more than you produce every year—year after year after year—and then energy prices on a roller coaster. Oil runs way up to $147 a barrel in day trading, just like that, and then collapses right back down, and now goes back up because of the circumstances in the Middle East between Israel and the Palestinians. Then health care is busting everybody's budget—the family budget, the business budget, the Government budget. All of those together is an almost perfect storm.

So the question is, What do we do about all that because this economy is a mess? It is in very serious trouble, and the one thing that unites me and the smartest economist or the most prescient business mind in this country is that neither of us have ever been here before. We are walking in woods that have no maps. We do not know. None of us know exactly how you are going to move people out of this situation, how you move this country. I taught economics in college ever so briefly but I do know this: This is not about charts and bar graphs, and it is not about supply demand curves. It is all about confidence. Will we see the restoration of confidence? Because if people are confident about the future, they do things that manifest that confidence. If they are confident about themselves and their jobs, they buy a suit, they buy a car, buy a home, take a trip; they do the things that expand America's economy. If they are not confident, they do exactly the opposite. They defer the purchase. They decide not to take the trip, not to buy the car. That is the contractional side of the business cycle, but this is much more than a business cycle. Still, confidence is at the root of our opportunity to put this country back on track.

I have great hope for this country, but I wish to say this again. I have described some of the unbelievable circumstances of the carnival of greed that has led us into this economic trap, and if we don't address both sides of this issue—first, to try to jump start this engine of ours and rewire it at the same time—but if we don't at the same time, then, make those in this kind of financial industry accountable for past actions and for future actions, we will not in any way give the American people confidence about the future.

So the question of what do you do in addition to a recovery package or stimulus program—which I will speak about in a moment—the question of what you do in addition to that leads me to the discussion I had with my colleagues last evening. I said we must revisit unbelievably bad decisions and judgments that have been made in the last 10 and 15 years. For example, in 1999, the Financial Modernization Act was passed by this Congress; financial modernization to help create the large financial holding companies, to take away the Glass-Steagall Act—abolish the very act that was put together following the Great Depression that said: You have to separate banking interests from risk interests. You have to separate securities and you have to separate real estate. That was Glass-Steagall. You have to keep them separate. In 1999, this Congress, in legislation called Gramm-Leach-Bliley, after Senator Phil Gramm from Texas, said: You know what. We have to do something that modernizes our financial system. We have to get rid of Glass-Steagall. We have to create big bank holding companies. We have to allow that to be the case, and we have to allow banks to merge with real estate, with insurance, with securities.

Now, I was one of eight Senators to vote no. On the floor of the Senate, here is what I said in 1999: This bill will, in my judgment, raise the likelihood of future massive taxpayer bailouts.

I regret I was right.

It will fuel consolidation and mergers in the banking and financial services and it will be done at the expense of the American people.

I said at the same time in that debate: I say to people who own banks—talking about the folks who pushed this—and, by the way, this was pushed because one large bank wanted to merge with one large insurance company and they couldn't do it because the law wouldn't allow it. What is the response? We will go get the law changed. It wasn't just this Congress; it was President Clinton and his advisers—some of whom, by the way, are going to work in this new administration. They said all of this is good. We are going to modernize the system. I thought it was nuts. Three years before this, I had written a cover story for the Washington Monthly Magazine, talking about derivatives and what I had previously described as securities sold upstream by the big mortgage companies, and the title of my cover story, in 1994, I believe it was, in Washington Monthly Magazine: ''Very Risky Business.'' From that time, I have introduced five pieces of legislation to require the regulation of derivatives and to prohibit banks from trading on derivatives on their own proprietary accounts but to no avail because there were too many people who believed we need to modernize the system—meaning, they said, take away the restrictions that were put in place after the Great Depression. Take away the restrictions that prohibited banks from engaging with real estate and securities and other things that were risky. Well, they succeeded. I failed in stopping it. The fact is, it is what set up this unbelievable, spectacular financial collapse in this country. The question is: Now what?

I am going to introduce some legislation today, and I wish to talk about, specifically, the requirements of the legislation. I am not willing—as I was not willing last fall on the $700 billion proposal—I am not willing to advance assistance proposals unless the American people are protected. I am going to introduce the Taxpayer Protection Act that does four things that are tough, certain, and require accountability. I don't know whether there is the support or the stomach to pass this kind of legislation, but I will not be advancing support for additional taxpayers' money until and unless we have some assurance that these things are done. First of all, establishing a Financial Market Investigation and Reform Commission.

Back at the end of the Roaring Twenties, which, by the way, the history books will certainly compare the era of the Roaring Twenties with the Gay Nineties and the unbelievable excess and greed—but at the end of the twenties and early thirties, the Congress put together a committee that investigated and subpoenaed and brought people here to find out what happened, who did it, how did it happen, and what do we do to stop it from ever happening again. That needs to be done again. There ought to be a select committee of the Congress doing that right now, and I hope we will do that. Some will say: Well, we have existing authorizing committees in the Congress that can do that. The fact is they are not going to do it. They have never done it and will not do it. If we don't put together those kinds of committees or commissions here and now and issue subpoenas and discover what happened, we will not know how to prevent it from happening again. We need to establish that reform commission to investigate and then propose reforms. That is the rewiring portion of what I described.

Second: I want all emergency economic assistance programs, including the troubled asset relief program—the $700 billion that I didn't vote for, but others did—to have oversight, accountability, and transparency. That needs to be required for all of that. There is no oversight for $7.8 trillion in emergency economic assistance at this point that has been issued by the Federal Reserve Board. No oversight at all. None. The same requirements in the TARP program ought to be applied to every other bailout by the Fed or by the Treasury or others providing similar help.

Third: we should make conditions imposed on one company receiving emergency economic aid applicable to all companies, and that is limits on executive compensation, prohibiting bonuses and golden parachutes, and payment of dividends and private aircraft ownership, and more. We should require those private entities receiving the emergency economic assistance to be subject to audit, provide detailed monthly reports, tell us: What did you do with that money? Is that money advancing the economic interests of this country to put this country back on track?

Finally, we should create a Taxpayer Protection Prosecution Task Force to investigate and prosecute financial fraud cases and other violations of laws that contributed to the collapse of this country's economy.

It is unbelievable to me that a couple things conspired at the same time. One, Congress passes the Financial Modernization Act, which was a complete disaster for this country. Two years later, President Bush came to town and hired a bunch of folks who were supposed to be regulators who, actually, in some cases, boasted: We don't intend to regulate. We want to be willfully blind. That combination has injured this country in a very significant way.

Our country's financial markets—the Wall Street Journal said in an article by Arthur Levitt on October 23—are in their darkest hours in 76 years. We are in this situation because of an adherence to a deregulatory approach. Our regulatory system failed.

I know there are people I serve with who think regulation is a four-letter word. It is essential. The free market must, in certain areas, have proper regulatory authority.

Alan Greenspan, who bears a significant part of this responsibility as then chairman of the Fed, here is what he says now: I made a mistake in presuming that the self-interests of organizations—specifically banks and others—were best capable of protecting their own shareholders and their equity. What he was saying, if I translate this to English, he was saying: I believed in self-regulation, or I believed in no one regulating because they will self-regulate.

I come from a small town and a small school. I graduated in a high school class of nine. That wouldn't pass a laugh test in second grade. Just let them all go and they will do what is in the country's best interests? That is unbelievable to me.

So we have a lot of work to do. The banking system after 1999 evolved so that we had a lot of banks that were considered too big to fail, but they weren't big enough to regulate, apparently. Too big to fail, which means that if they get in trouble, we are the ones who are going to pick up the costs. We bear the burden. We will be responsible. But they are not big enough to regulate, so they get the best of all worlds. They get taxpayer protection with no requirements, no accountability. This is just a few of them.

Let me make an aside. Even as I have described on the floor of the Senate in the past, some of the same firms that, by the way, require bailouts are firms that have been so irresponsible in other areas. Yes, I am upset about the way these mortgages were put out. I am upset about the greed and the avarice and all the money people were making; one guy making $20 million a year and his buddy making $30 million a year, running one of the biggest investment banks into the ground, by the way. One of the biggest bailouts has been of one of the biggest investment banks. To my knowledge, nobody lost their jobs, nobody parked their airplanes.

Wachovia Bank. Wachovia Bank went sour, so they had to be purchased, but it wasn't just because they were involved in toxic assets. Wachovia Bank—it is a culture apparently here. They had bought a German sewer system. You might ask the question: Why would an American bank buy the sewer system of a German city? Because they like sewers? Because they have a sewer department in the bank? Because they have special knowledge of sewers? No. They bought a German city's sewer system and leased it right back to the city because you are not going to dig up the sewer pipes of a German city, right? Why would you want to own it in a German city? Because you can lease it right back. It is a big scam because you can reduce your U.S. tax bill to the U.S. Government by hundreds of million of dollars.

I shouldn't pick on Wachovia because there are plenty of others who did it. This happens to be a convenient case. A big old bank buying a sewer system of a German city so they can avoid paying U.S. taxes. By the way, the same company got in trouble with bad assets; part of the whole scam in terms of what happened with the scandal of the subprime system that steered this country into the ditch.

Now, let me say that this issue of President-elect Obama proposing to us a stimulus program or economic recovery program is a very important issue for us to consider. I am a chairman of one of the subcommittees on appropriations. We are working on my portion of this effort to find out what could we invest in, in what some call ''shovel ready jobs'' that will put people to work immediately. There are water programs, highways, bridges, schools, things we can do that will put people to work and do it immediately, put people back on payrolls. At the end of that expenditure, you have better schools, better roads, better bridges, and water projects that will enhance life. So those are the right things to do. But we all know there are plenty of people who have proposals that have nothing to do with putting people back to work. I am very concerned about that.

I am also concerned about the tax side of this. We are talking about 40 percent of this proposal representing the tax side. I think there are some things we can do in the tax system to encourage investment which encourages employment. Here are some of the proposals I have made: $250,000 expensing for small business equipment so we encourage the decisions to make or buy or build equipment right now. That puts people to work. So there are some things on the tax side that I think make some sense, but I worry about 40 percent on the tax cut side. No one is going to have a problem saying: Yes, give us a tax cut. Everybody likes that.

But the proposition on the expenditure side, a whole lot of folks are coming in with projects that have nothing to do with creating jobs. I don't want to be part of that. Money is going to be borrowed in any event. We need to get this right. I am willing to participate, and I am willing to support the kinds of investments that will put people back to work and create an asset for our country—better roads, better bridges, better schools, water projects that we need for the future. I am willing to do all that if it puts people back to work. But we ought to be looking

with a laser at what is it that will put people on payrolls to try to jump-start the economy.

Even if we do that, if we don't rewire this system and do the financial reform I described in the legislation I am introducing today, we are not going to succeed because the people will not be confident about the future.

We have to fix what has helped cause this scandal, and that includes fixing a trade system where we consume 3 percent more per year than we produce, fixing a trade system where we have $700 billion a year trade deficit, fixing a fiscal policy budget situation that is way out of balance. We have to do all those things.

I would not be able to come to work in the morning if I were not hopeful. I still have great hope for this country. I am an optimist. Yes, I want to look back and hold people accountable. I want subpoenas, and I want to prosecute wrongdoing. I want to do all those things with respect to this financial scandal. I think it is big. I think a whole lot of folks took the $30 million, and they are at home and they are wiping their tears with American currency while a lot of other people have lost their homes and their jobs. I want us to investigate. I want accountability looking back, and I want accountability going forward. All of that is very important to me. But I do want to say this: I am somebody inspired by the ability of this country to recover and to ask the American people to be a part of something bigger than themselves and to come together and do things that will pull up this country, lift this country.

The other day, I was reading a news report of a guy, and I was so inspired by it. It is so typically American of somebody out there—way out there thinking: I can do this. I read about a guy named Ken Mink. I don't know Ken Mink from a cord of wood.

Ken Mink comes into the house one night and says to his wife: Honey, it is back.

She said: What is back?

He is 73 years old.

Honey it is back.

What is back?

My shot.

He had been out shooting baskets in the backyard.

My shot—I am shooting baskets. I am not missing any.

He had been a college basketball player, and because of a prank, he got kicked out of college. At the age of 73, he is shooting baskets in his backyard and says: Honey, it is back.

So he sat down and wrote applications to college. A junior college said: Yes, we will give you a shot; you can come to school here and try out for the basketball team. At the age of 73, Ken Mink played basketball with a junior college team just a month ago and made two free throws. He was the oldest man, I think, by 42 years to ever score a point in a college basketball game. Isn't that wonderful? It is so inspiring that people don't know what they can't do.

As an aside, my Uncle Harold is 88 years old, and he is training for the Senior Olympics because he qualified to go to San Francisco to run in the 100-meter dash. He runs it in under 19 seconds, by the way, at age 88. My aunt thinks he had a stroke, she thinks he has gone crazy because he runs all over the country running races. My uncle is 88 and can run faster than most people his age and has 100 medals. I am inspired by my Uncle Harold and by Ken Mink, and I am inspired by people who don't know what they can't do.

I hope in the coming days when we talk about all the ingredients of all the issues, the proposals that are complicated and difficult, I hope all of us will understand, if we ask the American people to be a part of something bigger than themselves, to help this country recover and put this country back on track. You go back over two centuries of history, and there is not much this country cannot do. There is just not much America cannot do. This is a country that rolls up its sleeves and has great hope for the future.

I know my colleague from Oklahoma is here to speak. I appreciate his forbearance. I will be back Monday to talk some more about these issues.

There is no social program in this country as important as a good job that pays well. The reason I say that is the root of giving people hope about the future is to have opportunities for the American people to find a good-paying job, keep a job that has some benefits, to give them an opportunity to take care of their families. That is where we start.

I hope in the coming days, as we discuss and work on these issues, we will have the opportunity to call on what is the best in this country rather than the worst and come together and do what we can to restore to America the kinds of opportunities we have always felt will exist for our children.

I yield the floor.

The PRESIDING OFFICER (Mr. WEBB). The Senator from Oklahoma.

Mr. COBURN. Mr. President, I ask unanimous consent to speak in morning business, the time I might consume not to exceed 1 hour.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COBURN. Mr. President, let me give some praise to my chairman of one of my committees. He hit right on the nose. Confidence is what the American people need to see. We have great resources in this country, and I am not talking materially. The resource we have that is the most bountiful and most productive and strongest and made of steel is the American people. When we get together, united as a nation, there is not anything we cannot accomplish.

I appreciate his words very much. I also appreciate some of his wisdom and foresight we heard today. I am hopeful that in the months and years to come, we can continue to work and we can draw on that American spirit which he so directly outlined, which is what makes us unique and allows us to come from behind and accomplish the things in front of us. I thank him for his words.

I wish to spend a few minutes—we are going to have several votes between now and next week over the Bingaman lands bill. I thought we ought to spend some time today to do that since I know we won't want to come in early on Sunday. I wish to talk about procedure for a moment so we can understand.

We are going to be here on Sunday not because we have to but because the majority leader has decided that we will. There are other things we can be accomplishing. And goodness knows, the problems in front of this country require extra effort on our part. We are going to have a $10 billion to $12 billion bill in front of us again that will have no amendments available to it and very limited discussion. As a matter of fact, I think I am the only one who has discussed anything on this bill thus far, and we probably will not see a lot of discussion.

There are a lot of issues we need to address, and my colleague, Senator DORGAN, just outlined the most important of them; that is, confidence, how do we reestablish confidence in this country. It is my position that we are not going to reestablish confidence in the country until we reestablish confidence in this institution.

Since July 16, the Republicans have had one amendment allowed on the floor of the Senate. In the last 6 months, one amendment—that was September 10. In 6 months of legislation, we have had one amendment allowed to the minority side to express the views for greater than 50 percent of the American people.

If the Senate is about anything, it is about the ability to debate and amend the interests of the American people. What we have seen over the past 6 months is that the rights of Americans have been taken away in terms of discussion, debate, and amendment of the very large issues that are in front of us.

My position on this bill—which the American people should know is a hodgepodge of a ton of bills; it is not just all lands bills—is about priority. It is about reestablishing confidence. It is about doing the most important things that are of the highest priority for our country and not doing the things that are of the lowest priority even though it may make us look extremely good back home.

Some will contend this is just an authorization bill, that it doesn't spend any money whatsoever, that it will have to be appropriated. I remind them there is mandatory spending in this bill, so there is actual spending involved.

Also—and I won't do this, but I am prepared to do so if I need to—I will

offer into the RECORD the press releases of everybody talking about all the money that is going to be spent because of this bill. You cannot be on the Senate floor saying this does not spend any money and at the same time send a press release out telling your constituency that you just passed a bill that will spend money that will do something because you are actually creating a false expectation if you don't expect to appropriate the money.

So let's be clear about why we cannot afford to pass this bill. It has to do with a whole lot of things. One is we cannot continue to operate the Senate where there are no amendments for the minority because what it does is it cuts off the voice of over half the American public, by populations that are represented by the minority. But there are other greater reasons.

We have a $10.6 trillion debt at this point. We are going to have a $1.8 trillion deficit next year. That is $1.2 trillion as a minimum estimate by CBO, which does not include the $160 billion we will steal from Social Security and will not include half of the money that is coming in a stimulus package. If you take 300 million Americans and divide them by $1.8 trillion, what you get is $6,000 per man, woman, and child that we are going to run in the red next year, real dollars, real loss in the future, and we are going to have to pay that back sometime. The people in this room, the Members of the Senate are not ever going to be attached the cost of the price to pay that back.

Last year, we paid $230 billion in interest alone. That is about $900 per man, woman, and child in this country—$860, actually—that we are paying in interest, which is going to double over the next 4 years. So not only are we going to run a $6,000 deficit, we are going to run another $800 in interest costs that are going to take away the potential of families across this country who are struggling, and that is what we are going to put into their future.

So when my colleague talks about confidence, what I want the American people to see is us working on the real problems that are at hand, not problems that are not real or are not a priority.

We offered several amendments. We were told we were getting no amendments to this bill. I am going to spend some time going through those amendments because I think a lot of them make sense. I am also going to spend the majority of my time talking about the main reason I oppose this bill.

If you will recall, back in the summer we were paying $4 for gasoline. We saw oil at $146 a barrel, which is now around $40. And the assumption of this bill is we will never see high oil and gas prices again. The very time to be fixing our future energy needs is now, not when there is a crisis again.

What this bill does is essentially take 1.3 trillion barrels of oil in this country and say: You can never touch it. That is 1.3 trillion barrels that we will never, ever—regardless of our technology, regardless of whether we can do it totally without any impact whatsoever on the environment, we will never be able to touch it under the auspices of this bill. It takes 9.3 trillion cubic feet of known natural gas that is in proven reserves right now, enough to fuel this country for 2½ years, and it says: You cannot touch that; you can never touch it. And then another couple hundred trillion cubic feet that are known to exist, with the technology that is here today.

Why would we do that? We just went through a big problem, and because we are in an economic cycle, we are seeing the only benefit of that is lower energy costs. Yet through this bill, we are going to tie the hands of our children for available energy.

This is not about whether you believe in global warming or CO_2 as an anthropogenic gas because even if I agreed with that 100 percent, and everybody would agree with it, we are going to take 20 years to transition away from hydrocarbons. Every dollar we send out of this country for the purchase of energy is part of that $700 billion my colleague, Senator DORGAN, just noted as one of our big structural financial problems. So why would we pass a bill that is going to eliminate our ability to achieve some greater level of energy independence?

Another area of why I oppose this bill: property rights are—should be—pristine in this country, and this bill adds 15 new heritage areas, and the Federal Park Service will then fund those who are against the development of the land around it or in it, against the homeowners, the landowners who are actually part of it, through zoning. Even though several of the individual bills in this bill put a prohibition on eminent domain, the vast majority of the bill has no prohibition on eminent domain.

One of the rights fought for, one of the foundational principles of this country, is property, the right to have and hold property and be free, as long as you are not endangering somebody else with that property. Yet we are going to step all over that with this bill. Five separate property rights groups who recognize this is a protected guarantee under the Constitution have come out supporting the defeat of this bill because it tramples on property rights.

Finally, one of the reasons I am opposing the bill is the fiscal nature of what it does. It sets in motion $12 billion ad infinitum over the next 5 years—year by year by year by year—that we are going to spend, and it is going to go into the mix of priorities that are not a priority. Now, there are some things in this bill, I will admit, 20 or 30 items, that should go through here. But the vast majority of the bills in this mega bill are not a priority for this country. They are not a priority whatsoever right now considering the condition in which we find ourselves. So as we contemplate this bill, I believe it demonstrates that we are more interested in looking good at home than fixing the real problems that are facing the country.

So let me for a moment summarize the bill and highlight some of the things that are in it, and then ask the American people to answer this question: Should we add four new National Parks at a time when we have a $9 billion backlog in maintaining the parks we have today? We can't even take care of the parks we have today. We have 10 million gallons of raw sewage in Yellowstone, in the Grand Tetons, which seeped out because we didn't maintain the pipelines. We have a $700 million backlog on The National Mall; in Lake Mead, NV, a $258 million backlog.

We are not addressing any of the backlogs whatsoever. Yet we are creating greater responsibilities for the National Park Service and the resources they have today. In a declining discretionary budget, because of the fiscal nature in which we find ourselves, we are going to make worse and worse this situation. We are going to create 10 new heritage areas and study 15 others.

Now, remember what happens when we create a new heritage area. We create the inability to ever extract minerals, oil, gas, timber, and other resources. We are saying: Off limits and, by the way, if you like to enjoy the outdoors—maybe you want to go hunting or maybe you want to ride a three-wheeler or four-wheeler or a motorcycle—that may not be available to you. It may be limited.

There are 19 separate provisions in this bill that directly withdraw Federal land from mineral leases, such as oil and gas and geothermal. Nineteen specific. That doesn't have anything to do with the undergirding statutes in terms of the National Park Service, the Bureau of Land Management, and heritage areas that will eliminate the opportunity for exploration of energy and make us more energy independent.

There are 130-plus bills in this legislation, 1,300 pages, that was introduced two nights ago. I will tell you, other than my staff and probably the committee staff, nobody in this body has looked at it—1,300 pages. It is going to get passed out through the body next week, and the vast majority of the Senators and their staffs will have never taken a look at it, at a time when we should be about building confidence not undermining it.

We have 1.2 million acres in one small area of Wyoming that in the 1960s, 1970s, and 1980s contained the greatest and largest and most powerful pressurized source of natural gas the country had ever seen. As a matter of fact, we didn't have the technology to handle it, so we capped it. It eliminates any additional leasing. It sets it up so those people who have a lease will have a lawsuit filed against them. It will never be developed. It will never be developed because the cost of fighting the

lawsuits will be greater than the benefit of developing the natural gas. The companies that developed that came from Oklahoma. We now have the technology to handle that. It is a proven reserve.

We have 92 new scenic rivers in this bill. Now, I am all for scenic rivers, but we should understand the consequences of a scenic river designation. What does it mean? There will be no power lines across it, there will be no transmission lines, there will be no natural gas pipelines, water pipelines, or slurry lines that can cross a scenic river. What we know, with our desire to use alternative energy, especially in terms of the Southwest for solar and in my part of the country on up through the wind corridor, is that we are going to have to develop transmission lines, probably up to 40,000 miles of transmission lines, and we are going to double the cost of developing those lines because we would not be able to cross a scenic river. There is a prohibition in this bill.

We will eliminate the ability to take the natural gas that is available in abundance in Alaska today, in proven known quantities, and the pipeline that is scheduled to come down to the greater 48 will be tripped up by these designations. Again, another way to shoot ourselves in the foot when energy independence ought to be part of our goal.

The people who want to do the things in these bills are highly motivated for good reasons, but the judgment is suspect at the time in which we find ourselves. We find ourselves dependent on energy and in a financial mess. Yet we are going to make both of those problems worse with this bill.

Today, in this country, we have 108 million acres of developed land. Now, that is cities, that is manufacturing sites, that is towns, and that is highways. That is all of it. We have 109 million acres right now of wilderness designation already, which is twice what was ever thought about being accomplished when the wilderness designation was first started in the 1950s and early 1960s. Then the Government owns another 656 million acres of land. So we are not only robbing the future from our children because we have been fiscally irresponsible, we are robbing their future potential to make decisions about independence and freedom in the future because we are going to be totally indebted in the 20 years that we transition from a carbon-based economy to a noncarbon-based economy. We are going to make that extremely painful, much more difficult, and extremely more expensive.

Let me talk about why the National Park Service is overburdened for a minute and the things we ought to be doing. We have in Hawaii the USS Arizona Memorial. Now, 1,117 Americans died on that ship. The visitors' center—and if you have ever been there, you go out on a boat to the visitors' center—is sinking. The maintenance backlog is about $33 million. What are we going to do? What should we be doing? Creating these new ones or should we take care of the memorial for the USS *Arizona*? Which one is a priority? Should we maintain what we have or should we do something and say we did it through a press release, even though we are probably not going to have the money to do much of this, and create a false sense of expectation with the American people?

The Gettysburg National Battlefield has a $29 million backlog; the Statue of Liberty Park, a $197 million backlog right now. Remember when Lee Iacocca helped to raise funds for the Statue of Liberty in 1976, and we did all that. That is the last time we have done any regular maintenance. So we have let it fall down. We haven't been responsible. We haven't put the money there. As a matter of fact, today President-elect Obama, in a press conference, asked for ideas as to how to spend money that will actually create jobs and create an investment. Well, I can tell you how I would spend the money. Let's fix up our parks, let's fix up The Mall, let's take care of the $29 million backlog we have on some of the greatest treasures we have in this country before we add to the maintenance headaches of the National Park Service by creating new National Parks. That is a way we could actually create some jobs and invest our money; things we are going to have to invest in someday anyway.

The Grand Canyon National Park has a $299 million backlog. These aren't my numbers, these are National Park Service numbers. And there is the National Mall, as I talked about earlier.

What is in this bill that doesn't make sense just from a commonsense standpoint, maybe something we should do at the right time? How about spending $5 million to compensate ranchers for losses from gray wolves that we reintroduced into the wild? We put them back in there, and now we are going to pay ranchers for the cattle they lost to them. We repopulated a species that is now overgrowing its habitat and coming onto private lands, and our answer to that is, well, we will just pay the losses.

Do we have the money to waste $5 million paying for cattle losses from wild wolves? We might at some point in time. I hardly think we have the money to do that right now. The ranchers aren't going broke. There is no question it is an irritation and a cost to them, but I am not sure the Federal Government ought to be responsible for the cost.

What about the coyotes in Oklahoma that kill our sheep and our chickens? Should we compensate the chicken farmers and the sheep farmers for the coyotes that kill their livestock?

How about $1 billion and counting on the San Joaqin River project to make sure we restore 500 salmon? You heard me right—$1 billion is going to be spent over the next 10 years, and then money after that, to make sure we restore at least 500 salmon. How does that fit with our priorities? It may be something that we ultimately ought to do. How is it that we should do that now? Why should we even be thinking about doing that? How does that fit with any air of common sense?

How about building a road to 800 residents, after we provided a hovercraft to get there? One hundred environmental groups are against building this road through a very pristine area. We do have access another way. Yet we are going to do that, and we are going to spend $2 million per mile over 17 miles, building a one-lane road that many times is not going to be accessible in the winter, through some of the greatest pristine areas that we have. Therefore, 100 environmental groups are adamantly opposed to including this in this bill. You can understand why they think that might not make sense for protecting such pristine land.

This is my favorite: $3.5 million to the city of St. Augustine, FL, to plan—just to plan—for a birthday party 16 years from now for the 450th birthday of St. Augustine, FL. Does that restore confidence in the Senate, that we would say we are going to spend $3.5 million on a city that has been having a birthday party every year? Yet we are going to put another $3.5 million into the kitty to plan for a big one? There is no doubt we should recognize the historic significance of the longest lived settlement in this country at 450 years. But the question is, in today's economic climate, is that something we should be doing? Who out there without a job today would agree that we should do such a thing?

How about spending a quarter of a million dollars to go down to the Virgin Islands to study whether Alexander Hamilton's old home down there ought to be made into a park? Is that a priority now? What would a quarter of a million dollars do for somebody who is unemployed right now? How many mortgages would it get people out from behind who are in arrears? How many people would not default if we could leverage $250,000 to them? We have our priorities messed up.

The reason there is a lack of confidence in the Congress, with an approval rating of 9 percent, is because it is deserved.

There is also $12 million for us to build a new greenhouse for orchids for the Arboretum. We may need to do that. There is no question we should preserve the things that mark our heritage. But is now the time to build a new greenhouse in Maryland to grow orchids? Is it the time? What can we do with that $12 million? Who could we help with that $12 million? Could we use it in a better, more efficient way so that the American people would benefit? If we are going to spend $12 million, couldn't we spend it in a better way?

My State has Route 66 all through it. We have all these tourism things that are in this bill. Now is not the time for

us to be working with grants to promote Route 66 in Oklahoma. Now is the time to be putting that money to work on something that is going to create a job or save a foreclosure or absolutely make a difference in somebody's life, not an aesthetic benefit of the past. We need to start thinking about the benefits of the future.

I talked about the Wyoming range. It will be disputed by the Wyoming Senators, but the fact that the Bureau of Land Management used the latest geologic data and their study uses one that is 2 years old and makes the assumption that all land in Wyoming is the same would refute some of my statistics. But all of the geological engineers in this country and all the oil and gas exploration would remind us of the tremendous loss we are going to achieve by cordoning all that off and not making it available.

I talked about the wilderness designations. I am not against, necessarily, new wilderness designations as long as we limit their impact on property rights. But we do not. As a matter of fact, they directly impact property rights. They directly limit individual property rights. So as we add wilderness areas and zoning requirements within them, we take away the right of the landowner because we fund a specialized group through the National Park Service to change the property rights to the disadvantage of the property owner. People who have no ownership in it will decide what the property's zoning rules will be because they will be funded by the Federal Government. If you are opposed to that, you are disadvantaged because the Government is going to send dollars to your opponent, so we attack property rights at the very basic level. Not only do we challenge them, we take your own money and support your opponent on what you can and cannot do with your own property.

I love scenic rivers. We have the Illinois River in Oklahoma. It is a beautiful, pristine river. It has had some tributary problems, but we actively worked and cleaned it up and it is markedly improving every day. It is a real pleasure.

Should every river in America be a scenic river? And, if it is, how are we going to cross them with utility lines, power transmission lines, natural gas lines, coal slurry lines, bridges, roads? How are we going to do that? We can't. Yet the goal of some is to make everything, every river, a scenic river. Now is not the time for us to do that because it will limit our ability to achieve greater energy independence.

Those are not just threats. A 2001 lawsuit was filed against the U.S. Forest Service for failure to protect wild and scenic rivers in Arizona because a transmission line was coming across a 30-yard segment of it. Guess what happened. We didn't build the transmission line, so power was not made available.

As we think about wind energy and solar energy, especially in the Southwest in the wind corridor, it will do us no good to put windmills out there if we do not have a way to send that energy somewhere else. Yet with this bill there are multiple instances, over 50 instances, where we are going to block our ability to send transmitted power to other areas of the country.

In 2002, on scenic rivers, the lawsuit was won that said within the collection territory of the Los Padres National Forest in California we will not ever permit oil, gas, or mineral development within the river corridor. What happens if we can drill from outside? What if we can send a line 20 miles from the outside? What we are doing is we are saying no matter what the technology you ever develop, no matter how you ever attempt to make us energy independent, it is never going to be OK; we are never going to allow it.

If you look at what this bill does in terms of geothermal—this is the potential geothermal source of energy. It is clean, renewable in this country. We markedly go after some of the most potent areas of geothermal availability in this bill. We say you can't use them. We can use geothermal—clean, alternative energy. But because we want to look good, because we want to say we did something, we changed that.

Just so we might all be informed about how much land the Government actually owns, as you can see in the Western States, in Alaska, the vast majority of the land is owned by the Government. But that is not nearly as significant as what is happening with this bill because large portions of what is not owned by the Government now is very difficult to develop because when we try to get a permit for extraction of minerals, geothermal, gas, coal, or oil, it is hit with lawsuit after lawsuit.

Now, in addition to these high percentages, nearly 50 percent, we are adding all these other things on top of it, the vast majority of which are moving to the west. It makes no common sense, no matter whether you are an avid global warming enthusiast or you are an energy explorer, if we want to stay warm in the winter, it doesn't make sense to anybody.

Mr. President, 29 percent of all the land in this country is owned by the Federal Government. We are markedly increasing that by 2.2 million acres in this bill. We are going to threaten property rights. We are going to use eminent domain. We are going to use very sophisticated and poised sleight-of-hand zoning requirements to change land that is not owned by the Federal Government—to change the ability of the owner of that land to use that land if we pass this bill.

There are about 40 of the bills in this bill that we don't have any problem with. They make sense; they don't cost a lot of money; they accomplish some of the things that are a priority. Let me spend a minute, if I might, just talking about the amendments we were going to offer had we had the ability to offer them. I note again, since July 16 the minority has had the opportunity to offer one amendment in this body, one amendment. In the greatest deliberative body in the world, the minority has had the opportunity to offer one amendment.

One amendment we wanted to offer that I thought made sense: ''No funds can be made available . . . to establish a new unit of the National Park System or National Wilderness Preservation System, a new National Heritage Area . . . new Wild and Scenic Rivers, new wilderness areas . . . until the Secretary of the Interior certifies that the maintenance backlog at the Statue of Liberty National Monument, Grand Canyon National Park, Yellowstone National Park, Glacier National Park, Gettysburg National Park, Antietam National Battlefield, the National Mall'' in Washington, are up to date.

Why wouldn't we want to take care of what we have now before we add to it?

The Grand Canyon cannot even keep its trails open right now, or employees, due to lack of funding. There are 10 million gallons of raw sewage in Yellowstone. The Pearl Harbor USS Arizona Memorial is sinking. The manager of the Glacier National Park declared his park bankrupt—the manager. His words: ''We are bankrupt.''

At Gettysburg the number of employees has gone down. Their ability to maintain that significant monument to the history of us coming back together through war, through the results of ending that war and the tremendous number of lives that were lost on that day, General Pickett's charge—the fact is, we are ignoring them. According to some, the National Mall has now become a national disgrace because it is not maintained. We are going to see some of the great difficulties with that when we swear in our next President, with the tremendous burden being placed on it.

ELEANOR HOLMES NORTON, the delegate from DC, said we should be ashamed of what the average Mall visitor sees. It is not a priority. We made it politically expedient. We made looking good at home a priority. We have not taken care of our national treasures.

The second amendment we offered, having been through this crush of energy price escalation, what we did was to prohibit new restrictions on American exploration and production—new restrictions; have not changed any of the old ones; we just said: Let's not put any more roadblocks in the way right now until we have a cogent energy policy that does not put us at the mercy of the nations that would like to see us destroyed. That is all we said: Let's not hurt ourselves any worse.

But let me show you what occurs in this bill 19 times. Here is what it says:

Subject to valid existing rights, all Federal land within this proposed area is withdrawn from all forms of entry, appropriation or disposal under the public land laws (in other words, we can never sell it) location, entry

and patent under the mining laws, or disposition under all laws relating to mineral or geothermal leasing.

It says that 19 times. What we have done is we have completely excluded any ability to get any energy. The ability for us to solve our energy problems over the next 20 years is being tremendously hampered by this bill. That does not include the 2.2 million acres that are added to the wilderness area.

Amendment 3 to strike the Wyoming Range leasing withdrawal provision—if we can extract natural gas and oil and do it in a totally clean, environmentally friendly way and we know we have 300 million barrels of oil and 8.8 trillion cubic feet, probably closer to 15 trillion cubic feet of proven reserves now, why would we take that away? Why would we do that? Tell me how it makes sense to tell OPEC: Keep doing what you have been doing through the years because we know we have some oil, but we are never going to touch it. In the fields around this Wyoming Range, we know there are another 30 trillion cubic feet of natural gas.

Locking the resources away is not a partisan issue. My colleague from Louisiana, Senator LANDRIEU, claims this bill is moving us backward, not forward.

Amendment 4 was to strike the $1 billion and counting for 500 salmon.

Amendment 5 was to not spend $3.5 million on a birthday party for St. Augustine, FL, even though it is not directed at—Florida beat Oklahoma last night. It is kind of hard for me to offer that today thinking that is just revenge, but I wrote this long before we lost that game.

Cut the $200,000 for a tropical botanical garden in Hawaii. Should we be spending $200,000 on a tropical botanical garden right now? I mean, does it make sense to anybody in America, when we are going to have a $1.8 trillion deficit, that we just throw $200,000 out there for a botanical garden? Is that a priority? I am not suggesting that we abandon everything, but what I am suggesting is that we ought to be about priorities, and I cannot see that as a priority at this time.

How about a cave institute in New Mexico to receive unlimited Federal funding, an authorization that puts no limits on this funding. What happened is this used to be a Federal program, but it could not take private money. So they took it and made it to where it was a private program, hoping to get matching money from Federal grants. Well, they were not successful in getting matching money for Federal grants, so now we are going back and saying it is going to be a Federal program and it gets all the Federal money it wants. Is it a priority for us to have a cave institute right now? I do not think it is a priority.

An amendment to limit Federal employees from using eminent domain to take away the private property rights of American citizens. We either have a right or we do not. But the more we take away property rights, it is not going to be long before we lose other rights. Simple, straightforward amendment, vote it up or down, but at least let the American people see where you stand on property rights for them.

How about an amendment, very straightforward—the Federal Government does not know what it has and what it does not have. How about an annual report detailing the amount of Federal property the Federal Government owns and the cost of Government land ownership to taxpayers. As an aside, we do know the Federal Government is currently holding about $20 billion worth of property that is costing them about $4 billion a year to maintain that they do not want but we can't sell. And last year, property disposal legislation failed to go through this body, even though it costs us $4 billion a year. Common sense.

How about to make sure we can always have a hunting preserve in this country, to limit the restriction on hunting activities as far as the land use on Federal lands with reason, control. We have lots of Federal lands that are overpopulated with species that need to be thinned. Yet we limit the ability of sportsmen to address that.

There were several others. We do not expect to get all of those amendments or the rights for those. As a matter of fact, if the record is right, if you look at what the last 6 months have been, the minority will get one amendment over the next 6 months. We represent over half the population of this country in the greatest deliberative body in the world.

So how are we to rebuild confidence in this country? Is it by packaging 134 bills together and ramming them through because everybody has something in it? Even though some of them may be very much a priority, the rest of them do not have and do not pass the priority test. Is that what we are about? Is that going to build confidence in this country? Is that going to restore the American people's confidence that we are up to the task of attending to the very real and practical, severe needs of this country at this time? Is this something President-elect Obama would say: This is the first thing I want you to pass out of the Senate in terms of a priority. It would not even pass his smell test.

My hope is that we go forward, but that as we go forward, we do it in a way that the American people would like to see us do. The goal is not to delay, the goal is to make the point that we ought to have an option to amend and debate bills. These bills got here because they were trying to be passed without any debate, with no amendment, passed by a procedure called unanimous consent.

It is important that the American people know what that is. Unanimous consent is where a bill comes to both cloakrooms, whether it has gone through committee or not, and it is said, can we pass this bill? Well, the problem is, I read the bills and I put a test on them: Are they a priority? Are they a necessity? Are they something that lessens our debt? Are they within the role that has been granted to us under the enumerated powers of the Constitution as something we ought to be doing? If they are not, I am not trying to stop the bill; all I am saying is, bring it to the floor and let's have some debate and amendments on it. And what we have seen is that there is something wrong if you won't, in the dark of night, let bills go through that the American people never hear anything about. Well, the American people need to hear about it all. This stuff all needs to be online.

There needs to be 30 Senators here today debating this. Instead, we are not. And we are going to let status quo, poor priority, lead us down the path to where we do not have the courage to do what is necessary to fix what is wrong in our country. And this is symbolic of what is wrong, is that we do what is politically expedient rather than what is in the best long-term interests of our country.

I have already readily admitted there are several, maybe 60 bills I have no problem with; I think they are a priority. But when they are packaged together, that takes away property rights, that eliminates our ability to be independent in terms of energy in the future, and that blocks the ability to take alternative forms of energy and create transmission lines so that we can use it somewhere after we produce it. I am going to stand up every time—every time. As a Senator representing 3.8 million people from Oklahoma, that voice is going to be heard; it is not going to be stifled. It may not have an amendment, but it is going to be heard. This country is worth us fighting for. And this is not worth our priority at this time. At the dilatory state we find ourselves in, we ought to be about bigger and better things that really impact people both in the long run and short run and get us out of the problems we are in.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. INHOFE. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INHOFE. I ask unanimous consent to speak in morning business for whatever time I shall consume.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLIMATE CHANGE

Mr. INHOFE. Mr. President, yesterday I spent over an hour on the floor talking about a report that we put together that is pretty incredible, the numbers of scientists coming forth now who were always on the other side, or 10 years ago were on the other side of

this issue and at that time were agreeing with former Vice President Gore in saying that manmade gases, anthropogenic gases, CO_2 and such were the major causes of global warming. Now these scientists are coming over in droves, even individuals who are leading riots in the streets throughout the world talking about having to do something or we are all going to die. I spent more time than I should have on it because it deserved the time. But I had to read a lot of the stuff. I know you go to sleep when you think about things like this, and it does get to be heavy lifting. What I am trying to say is, we need to view this with a fresh look because so many things have happened.

It is going to be difficult for many of my colleagues whom I deeply respect who crawled way out on the limb saying it is manmade gases and we will have to have expensive cap-and-trade solutions to the problem; they now are facing a very liberal constituency that is saying: Wait a minute. Now we have the White House, the House, and the Senate. We have everybody lined up on this issue, as if it is a done deal, a fait accompli; we are now expecting you to come forward.

This is totally ignoring the fact that everything has changed from what it was before. Last year we had the Lieberman-Warner bill. Let's go back further than that. Let's go back to the original Kyoto Treaty. Quite frankly, way back 7 years or so ago, when I became chairman of the Environment and Public Works Committee, all we ever heard was that manmade gases were causing global warming and, therefore, we have to do something about it.

Frankly, when the Kyoto Treaty was first suggested, I was one who thought it must be true because that is all we heard in the media. When I became chairman, I knew that I would have an impact on the decisions that were made that would concern global warming. I thought at that time it was something we should address.

Then the Wharton School of Economics came out with the Wharton Econometric Survey. This was something that was pretty well done, and it is still out there. In fact, I have a Web site, epw.senate.gov. If you access that, you can see this in more detail than you probably really want. If you are not a believer in the cost of this issue, then you would want to do that. The Wharton Econometric Survey asked: What would it cost the United States if we were to ratify the Kyoto Treaty and live by its emission requirements? They came to the conclusion that it would be in the range of between $300 to $330 billion a year. I always hesitate to use figures such as that because it is hard for people to conceive how that affects them. What I normally do is take the number of families in America who file tax returns, and then I do the division. That $330 billion a year it would cost us to comply with the treaty comes out to be almost $3,000 a family. We are talking about something that is big. This is huge.

After looking at that, I thought: If it is going to cost that much, let's be sure the science is real and it is there. After looking at it, we found that the science was not there. Even though you had the appearance of it being there because the National Academy of Sciences and the United Nations all said the science was there, the Intergovernmental Panel on Climate Change, something started by the United Nations—I hasten to say I have never been much of a fan of the United Nations to start with. Maybe I am a little bit biased in this analysis. When they put together the Intergovernmental Panel on Climate Change, they did so for the purpose of trying to do something to force the whole world to be involved and say: This is a world problem that we will have to correct.

This is just a suspicion I have. Every once in a while the United Nations comes out with something that totally contradicts our interests. My good friend from Alabama and several of us put together resolutions. These resolutions say we will withhold 20 percent of our dues to the United Nations unless they reverse their position. The United Nations doesn't like that. They would like not to have to answer to anyone. Consequently, if they could ever get in a situation of global taxation, which is what they have openly been promoting for many years, they would be in a position not to be accountable to anyone.

This is kind of what happened. So this was the Kyoto Treaty.

Fastforward then to 2003 and 2005 when we had two bills, the first of which was McCain-Lieberman. Those bills were also cap and trade. Cap and trade costs about the same amount of money. This is very interesting. You will hear a lot of people during the next few months say: We want some kind of controls on CO_2. But we are not going to do it in a way that will cost a lot of money. We will have offsets. The bottom line is, it is going to cost about the same $300 billion regardless of what scheme we adopt and how we massage it.

I have to say, there has been an awakening in the last few years. In 2005 there were only two Senators who came to the floor and helped me. I was the one, as chairman of the Environment and Public Works Committee, who was charged with fighting this issue. It was on the floor of the Senate for 5 days, 10 hours a day. That is 50 hours. We only had about 3 hours of other Senators coming to assist me. Now fastforward to 2008. That was the Warner-Lieberman bill. We had 25 Senators, including the Senator in the Chamber presently from Alabama, who came down to assist in this debate. That is a huge difference. We resoundingly defeated that bill, mostly on the economic arguments, not on the scientific arguments.

When we started the debate, I said: I don't believe the science is there. Evidence is showing that it is not there. But let's assume for purposes of this debate that the science is there, that manmade gases, anthropogenic gases, CO_2, methane, are all responsible for climate change and for increasing the temperature or global warming. Let's assume that. So the debate started, and we talked about the economics of the issue. Even assuming the science is there, we defeated that by a huge margin. In fact, BARBARA BOXER was handling the Democratic side. They only had 37 Democrats committed for final passage. That is a big change from 2005.

Now we have something where everybody is assuming that it is going to pass because the Democrats have control of everything. They have the White House, the House, and the Senate. I remind them not to get too arrogant because we went through the same thing, or they went through the same thing in 1992, and things turned out pretty well after that.

If you look at where the attitudes of people are right now, that we are going to be passing something, I wouldn't get too far ahead. What we are trying to do and what I did yesterday—and I took far too long in doing it—was talk about the size of the tax and the fact that the tax is going to be a regressive one.

I have to say also that I was one of the few people who actively opposed the $700 billion bailout. Again, when we relate that to each family that files a tax return, it is about $5,000 a family. That was giving an unelected bureaucrat the sole control over $700 billion. One of the things I don't like about that, not only was it the wrong thing to do, but that also got people changing their thinking as to these large numbers. Now that $300 billion a year that it would cost us, if we had a cap-and-trade policy, doesn't seem nearly that big. But it would be, and it would be regressive.

The argument on the other side is, you may be right in the regressive nature of a tax because everybody has to buy energy. Everybody has to buy gasoline and heat their homes, so a larger percentage of the expendable income of someone who is in a lower income is going to be far greater than it would have been otherwise, but we can take care of that by redistribution of wealth toward low-income consumers. They have actually said that. That sounds a little bit un-American to me. Keep in mind, if we are talking about redistributing wealth, somebody has to create wealth before it can be redistributed. Right now—and we are looking at the figures going around now—there will not be a lot of wealth to redistribute, if we get to that point.

Anyway, that was the main argument I was using yesterday and have used up through the last 7 years. I have had occasion to give 13 rather lengthy floor speeches on the science on global warming. What I did yesterday was use this report that we put together of the 650 very top international scientists who refute all the arguments used

heretofore. I would like to concentrate for a moment on some of the left-of-center scientists, environmentalists, and activists we are talking about, the so-called consensus.

The Huffington Post is a left-leaning publication. We all understand that. Harold Ambler was demanding an apology from Al Gore for promoting unfounded global warming fears. The Huffington Post article accused Gore of selling ''the biggest whopper ever sold to the public'' in American history.

We see a former Greenpeace member who was in Finland. His name is Jarl Ahlbeck. He says there has been little or no global warming since 1995. This is interesting. Everyone is talking about global warming. We are in a cooling spell now. It has been that way since the turn of the century. Nobody argues that. I am sure that upset a lot of people, the promoters, because it is kind of hard to be talking about some very expensive scheme to fight global warming when we are going through global cooling.

Nonetheless, we have all types of people, and I cited a long list of them, who say we are in the middle of this cooling period right now.

Going into the liberal side or the left-leaning scientists, one of them is Martin Hertzberg, a meteorologist with a Ph.D. in physical chemistry. He said:

> As a scientist and life-long liberal Democrat, I find the constant regurgitation of the anecdotal fear mongering clap-trap about human-caused global warming to be a disservice to science.

You have some of the punishment that has been covered in this report. They talk about how they no longer can get grants from various organizations, whether it is the Heinz Foundation or others, unless they go along with their philosophy.

The other argument that has come up that we want to use and make sure everybody understands is, even if you are a believer that manmade gases cause climate change, global warming, the things we are looking at now and the things we looked at after Kyoto, Kyoto actually made more sense than some of the bills I have been talking about that happened in 2003 and 2005 and 2008 because that would single out the United States and say: This is what we are going to do regardless of what they do in China and Mexico and India and other countries.

So, obviously, if we did it, and we had this punitive tax arrangement, that would drive our manufacturing base overseas to places where they wouldn't have this heavy expense. Consequently, it would be going to countries such as Mexico and China where they have almost no restrictions on their emissions. It would have a net increase on the amount of CO_2 going into the atmosphere.

As to the manual we have with over 650 scientists, I would like to suggest to you that you compare that to the IPCC reports. The IPCC—that is the United Nations Intergovernmental Panel on Climate Change—report is called a Summary for Policymakers. We never saw the report. We just see the summary. That was put together by 52 scientists who are pretty much owned by the politicians who are wanting to come to these conclusions.

So if you canvas the scientists now in Canada who came out with a report just recently—51,000 Canadian scientists—68 percent of them disagree that global warming is a science that is settled. At the same time, you have the same percentage—and this came from the International Geological Congress which just had their meeting in Norway—an overwhelming number of the scientists were skeptical. Two-thirds of the presenters and question askers were hostile and even dismissive of the U.N. IPCC report. So the same two-thirds keeps reappearing in terms of what the scientists are saying about this issue.

Now, yesterday, I did not get into this, but if you look at those scientists who are on the left side, Dr. Robert Giegengack, the former chair of the Department of Earth and Environmental Science at the University of Pennsylvania, actually was a strong Gore supporter in the 2000 election. He now states that global warming does not even qualify as 1 of the top 10 environmental problems facing the world. This is not me or any other Senator talking. This is one of the far left leaning environmental scientists.

With Alexander Cockburn it is the same situation. He is a maverick journalist who leans left on almost all topics. He lambasted the alleged global warming consensus on a political Web site called counterpunch.org, arguing that there is no evidence that humans are causing the rise in global temperature. This gets to the intimidation factor. He said:

> I have been treated as if I have committed intellectual blasphemy.

Alexander Cockburn stated:

> This turn to climate catastrophism is tied into the decline of the left, and the decline of the left's optimistic vision of altering the economic nature of things through a political program.

I guess what he is saying is, these intellectuals, any of these scientists who were formerly on the far left side who have come over—as most of them now have; more than 50 percent of them have—are beat up pretty badly by the scientific community, or at least by the National Academy of Scientists.

Another left-leaning individual is Denis Rancourt, professor of physics and an environmental science researcher at the University of Ottawa. He stated that the global warming campaign does a disservice to the environmental movement by beating this drum. He is a big environmentalist. When, obviously, the science is not there, it is doing a great disservice, and I think that is right.

Then you get into the three I like the best. Dr. Claude Allegre is a socialist. He is one of the top French scientists. He is the one who was marching in the streets with Al Gore 10, 15 years ago. Claude Allegre is recognized by everyone. He has now totally reversed his position. He was the top guy in France. With Dr. David Bellamy from the UK, it is the same situation. He was on the far left side of this issue. He has come around.

I have all the quotes by these individuals. There is not enough time to read them. The same thing is true with Nir Shaviv. Nir Shaviv was a scientist in Israel who is now quite outspoken in his opinion that the science just flat is not there.

Ecologist Dr. Patrick Moore, he was a founder of Greenpeace and has now joined the ranks of the dissenters. He said:

> It is clear the contention that human-induced CO_2 emissions and rising CO_2 levels in the global atmosphere are the cause of the present global warming trend is a hypothesis that has not yet been elevated to the level of a proven theory.

So this goes on and on and goes over many of these areas. I think even some of the mainstream media has begun to take notice of this issue. An article in Politico noted the other day—that is a paper we are all familiar with in the Senate—that a ''growing accumulation'' of science is challenging warming fears, and added that the ''science behind global warming may still be too shaky to warrant cap-and-trade legislation.''

Canada's National Post, which is always promoting cap and trade, is now saying ''the number of climate change skeptics is growing rapidly.''

So I leave with three thoughts: First of all, the left is now abandoning the whole global warming fear concept, and we have all the names. I can recall when we had our 2-hour session with former Vice President Al Gore, and I never saw any sweat coming off his forehead until we started talking about people such as Claude Allegre, David Bellamy, and Nir Shaviv, who were always on his side before.

Second is the cost. If you do not want to use my $300 billion-a-year tax increase figure, use the figure that was used in the Boxer-Lieberman-Warner bill last year. It was $6.7 trillion.

The third thing to keep in mind has to do with Kyoto. It would have been bad enough, but for us to do it unilaterally would really be a very bad idea.

I would suggest people go to a Web site. I have the Web site: epw.senate.gov/minority. ''EPW'' stands for Environment and Public Works—epw.senate.gov/minority. I have a lot of documentation there for anyone who might be interested in the truth, not that that always produces a lot of interest around here.

BAILOUT AND JOBS

Lastly, Mr. President, I want to go into one other thing unrelated, and I do not want to use too much time because others want to speak.

I have said—I do not think it is unfair, at least in my mind—that as to

this whole idea of the $700 billion bailout, 75 percent of the House and the Senate supported this legislation. Let's keep in mind that was to give an unelected bureaucrat the power to do with the first half of the $700 billion anything he wanted to do.

In fact, when Secretary Paulson—he actually said at one time: I promise this is going to be used to buy damaged assets. Well, we found out that, obviously, 3 our 4 minutes after he received the money, it did not go to that. I have heard, and just this past Wednesday an economist gave a presentation, that if we had used that for the intended purpose, it might have had an effect. They contend this did not have any effect at all on what has happened.

So with the concern that several of us have, I would only like to say that it has fallen on deaf ears. But I have been trying to get Members of this body to understand—I am talking about Democrats and Republicans; we have some Democrats, such as BERNIE SANDERS, who do understand this—and that is, the concept of giving the money to an unelected bureaucrat is wrong.

This is something we can do now on the second half of the $350 billion that remains. They spent every cent of the first $350 billion. As to the second $350 billion, if we leave the law like it is today, they can come forward and say this: Well, I want to have the other $350 billion. I am going to spend it on this and this and this—and maybe not even talk about the whole amount. They may be very uncertain as to what he is going to use it for. But then the only way to stop that would be to pass a resolution of disapproval.

Now, it would be very difficult to pass a resolution of disapproval. In fact, for obvious procedural and other reasons, it could not be done. What I have proposed, in S. 64, is to make a modest change in that law, and instead of saying it is going to automatically pass unless a resolution of disapproval, in a 15-day period, is successfully passed, say that you have to come forward and show us what it is going to be, how you are going to spend the money.

I have been trying to get more sponsors on this legislation. As I say, I already have some Democratic sponsors, and I applaud them for having the courage to come out and say: We want accountability. We don't care who it is in the White House, we need to have accountability.

So as we get toward the bailout bill, the last thing I want to mention is something I have very strong feelings about, and that is this: The figures I have heard—and at this point I do not think anyone can intelligently say exactly what the bailout bill is going to be—we have heard figures batted around about $1.2 trillion, huge amounts of money. But the report I got from the President-elect's team, they talked about out of $1.2 trillion, only $25 billion in total investment would be on infrastructure. That is nothing, $25 billion out of $1.2 trillion.

Now, I would say this: My good friend, JIM OBERSTAR, over in the House of Representatives, with whom I served on the Transportation Committee for 8 years before coming over here, has come up with a much more ambitious portion of it.

Now, if we are going to spend money for a stimulus bill, let's spend money on something that will actually come up with some jobs. I am not saying I want to spend all this money, but if it is going to be spent anyway.

I do not want to play down the whole idea of tax relief. We all know—we have learned from experience—what can happen if tax relief is done in the right way. We all remember what Woodrow Wilson did after World War I. He decided to cut taxes because the war was over. He did not need them anymore, and he expected revenue to drop down. It did not. It increased.

A very smart President of the United States, in the 1960s, John Kennedy, said—this is an exact quote—we need more money for the Great Society programs, and the best way to increase revenue is to decrease marginal rates. So he decreased rates, and it increased revenue.

Remember in 1980, the total amount of money that was raised from marginal rates was $244 billion. In 1990, it was $466 billion. That was during the 10-year period that had the largest tax reductions in the history of this country.

So we know we can stimulate the economy. I fear that is not going to be that type of tax reduction if we just merely have a redistribution of wealth and give money to people who do not pay taxes. That is not going to do it. So I say that because if tax relief were done properly, I would not be standing here and saying we ought to have a larger percentage of this spent on infrastructure. We have huge critical needs in the United States on our infrastructure. We are in a position right now where we had passed the last authorization bill, and it was a $286 billion bill in 2005. That was the transportation reauthorization. We are going to do it again. But if we could get a running start and spend some of the money that is going to be spent anyway on providing jobs immediately, we have $80 billion ready to go right now for jobs, where we could have the spade in the dirt tomorrow.

Then we have the categoric exclusion projects that are out there in addition to this. Those are projects that do not increase capacity, do not increase the footprint, but just maintain some of the crumbling bridges and infrastructure that is out there. So all that can be done. I think Gary Ridley is the best director of highways anywhere in America. He is our highway director in Oklahoma. We have, just in our State, one billion dollars' worth ready to go right now. So this is what we want to do.

On Monday, I am going to elaborate a little more on our opportunities that we have for infrastructure. I have been ranked most of the time as the most conservative Member of the Senate, and yet I am a big spender in some areas. One is in national defense, but another certainly is in infrastructure. That is what we are supposed to be doing.

I think we have an opportunity to do what we are supposed to be doing and at the same time produce jobs, and that will be my intent. I plan to talk about this in more detail on Monday.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Briefly, Mr. President, I see the Senator from Hawaii is in the Chamber. I see he has some remarks, and I would be pleased to yield to him and would ask unanimous consent that I be recognized after he has full opportunity to make any remarks he desires.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Hawaii.

Mr. AKAKA. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. AKAKA. Mr. President, I thank my colleague for giving me this opportunity to speak at this time.

TRIBUTE TO SENATOR ROBERT BYRD

Mr. President, this year marks my 19th year in the Senate, a mere fraction of the time served by my esteemed colleague and good friend, Senator ROBERT BYRD, the Senator from West Virginia.

Senator BYRD has been a Senator as long as Hawaii has been a State—50 years. I rise here today to pay tribute to this great human being, this great man, this great Senator, who has served for those many years here for our country. His contributions are well documented, his influence legendary, and his grasp of history and knowledge about our democracy and our institutions is without equal.

It is my great honor to serve alongside the distinguished Senator BYRD. I consider him my Senate mentor. He has been a mentor for many of my colleagues. He has taught me much, both trivial and profound. For example, one of the first things he told me was to always wear my pin while at work. In the early years, it helped distinguish me from all the other people wearing suits at the Capitol. So as Senator BYRD can see, I learned that lesson well, and I do wear my pin every day. He also taught me the intricacies of presiding over the Senate. He said: Speak in sentences, and don't take any of your work with you to do while you are presiding. I have done that when I did preside. His point was respect for the Senate as an institution.

As I mentioned, I have learned a lot from Senator BYRD, but I chose to share with my colleagues those two

lessons, as simple they may seem, so they can appreciate how much he cares about his colleagues and the Senate. For him, no detail is too small and no challenge is too big.

Many know that Senator BYRD usually carries a copy of the U.S. Constitution in his pocket and frequently displays it to make a point. It is an appropriate place; it is close to his heart.

Senator BYRD, God bless you abundantly, and congratulations on 50 years of distinguished service to the people of West Virginia and the United States. Thank you for all you have done for me. I cherish your friendship and look forward to our continued work together on behalf of our great country.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

EROSION OF SENATE TRADITIONS

Mr. SESSIONS. Mr. President, I thank Senator AKAKA for his comments about the Senate and Senator BYRD, and I would share those. Certainly it is a good lead-in, I think, to the remarks and thoughts I wish to share right now.

In the Senate, individual Senators have traditionally had substantial powers to participate in the debate and to offer amendments to improve legislation. The Senate has been described as the saucer which allows the hot coffee to cool, and I think that is a good description.

I have been very concerned that Senator COBURN of Oklahoma, who has desired to offer just one or two amendments to legislation that is pending in the Senate before it becomes automatically passed into law, has systematically been denied that right and has been held up as someone who does not respect the body and is doing something wrong. I think that is a very bad analysis of the principled stands he takes. I think he is one of the finest Members of this Senate. He has the odd belief that a Senator should actually read the legislation, and if it can be improved and should be improved, a Senator has an obligation to offer an amendment to fix that, and he has done so. However, as we know, Senators have gotten into the habit of believing that if they have produced a piece of legislation and it is essentially a piece of legislation that a lot of people would agree ought to be passed without any debate and/or without, certainly, any amendments—and the majority leader, who I have to say is going to have to watch this and is going to lead continued activity in this area—to deny the fundamental right of Senators to debate and vote to improve legislation cannot continue without causing very serious disruption of the body because it changes the historical nature of it.

I participated in a bankruptcy bill. It was my subcommittee. We passed the bankruptcy bill. It took several weeks. It was an important piece of legislation. We had 39 votes asked for by the Democrats, who were in the minority. They got those votes, and eventually the bill passed with 83 or 87 votes, I have forgotten which. That is what this body is capable of doing and should do much more often.

Let me go back to what has happened here. Senator COBURN has objected to various pieces of legislation. They asked unanimous consent that the bill be passed without amendment and basically without debate. That is what the request is. Senator COBURN has said: Well, I have an amendment. I don't like section such-and-such. I don't approve of provisions in this bill that will restrict further our already restricted ability to produce oil and gas in America, for example or I don't want to see that become law or I think that expenditure in the bill is unacceptable and it ought to be eliminated or cut substantially or my constituents think this is not good policy for America, and I wish to at least be able to offer an amendment to it. Well, the powers that be are not comfortable with that. It has been done during Republican times, but it has gotten to the high-water mark now, where the leadership of the Senate systematically denies people the right to vote.

I was really taken aback that Senator COBURN has announced that not a single amendment has been voted on in this Senate since July. How can that be? It is unthinkable to me that that has been the case, but I can't remember any. I know they were able to ram through a $700 billion TARP financial bailout without an amendment. Unthinkable.

So I think the history, the integrity, the traditional role of the Senate is being eroded because leadership does not want votes. They don't want their members to have to take tough votes. That is what you hear. They want to pass bills quickly—let you have a little say and then pass the bill, but nobody really gets to try to offer amendments to make the bill better and anybody who insists on that is obstructing.

So basically what has happened in this body is that we now have a public lands bill that has attached to it some of what Senator COBURN has objected to, and they want to move the bill without any amendments. I don't think that is right.

Let me just say this about Senator COBURN: He is a medical doctor. He works extraordinarily hard. He is highly intelligent. He has been a successful businessman, an inventor, and one of the smartest Members of this body. He campaigned in his State that he was going to read the legislation that comes before this Senate and he would work to make it better. He committed to his people that he would work to control wasteful Washington spending. I think almost every Member of the Senate has said the same; the only difference is he does it with a tenacity and a courage and an analytical ability that few of us possess. He is willing to come down here and ruffle feathers by saying: I know, Senator, you love this bill and you think it is perfect, but I have a different view. I think this part of it ought to be fixed. I have an amendment, and I want a vote on it to see if my colleagues agree with me. We have gotten in the habit of denying this opportunity.

If anybody thinks this is such an insignificant matter—when we passed last fall, over my objection, the financial bailout, the $700 billion bailout, I think I can say without fear of contradiction it was the greatest expenditure in the history of the Republic or allocation of Federal money in the history of the Republic. Not one amendment was allowed. Blame it on President Bush. Blame it on President Bush, but the Democrats had the majority in the Senate. I didn't support it. I would have been delighted to stand with them to object to the breadth of this bill, the lack of control that was exercised over $700 billion in taxpayers' money. But Senator REID brought it up in a fashion that allowed no amendments, and they rammed it right through the great Senate of the United States, and we committed this country to $700 billion in expenditures and guarantees.

Well, how did it work out? Most economists now tell us that using that money to buy stock in banks, private banks, to buy stock—$100 billion-plus—in a big insurance company with taxpayers' money has not helped the economy. Had the money been spent on buying toxic assets, as promised, it might have worked. At least we would have been further along in the game. Why did that happen? Secretary Paulson told us he wanted to buy toxic assets. He told us he didn't want to buy stock. He was asked about that in the House committee. He said: No, I don't think we should buy stock. But one thing Secretary Paulson told the Congress—and I was stunned by it, really—he said it publicly and repeatedly: I want maximum flexibility to do what I think is necessary to fix this economy. That is what this Senate gave him. Within a week of getting $700 billion to buy toxic mortgages to try to stabilize the housing market, he was spending the money to buy stock in banks and insurance companies—directly contrary to what he said.

All I am saying to my colleagues is that the Senate is a great body. I am just commencing my third term. I remember when I first came up here and I attended a luncheon and they asked me to say something briefly. The words I recall saying were that I can think of no greater honor than to represent the people of Alabama in the greatest deliberative body in the history of the world. That is this Senate. But we are eroding that tradition, that heritage. If we can't have amendments, it can no longer be called the great U.S. Senate. I think Senator BYRD can't help but be uneasy about these trends in the Senate he has so loved and served for so long.

We ought to be appreciative of Senator COBURN from Oklahoma for taking

the time to study this legislation, to offer amendments to fix it and to make it better, and to serve in the classical manner of ''Mr. Smith Goes to Washington'' to serve the American people. We ought not create a freight train designed to run over him and to silence and muzzle him and to deny him the ability to offer amendments. That is what we are about.

There is no reason for us having to vote on Sunday except the majority leader has insisted on it and tried to blame Senator COBURN. If we are going to stay in session until Sunday, why are we not voting? Why don't we have some votes? What are they afraid of to have a vote? I am serious. What could be so fearful about casting votes? Isn't that what we were sent here to do? We know on every vote, we are going to make somebody unhappy. The Senate, since the founding of the Republic, has found it acceptable to vote. Why are we stopping voting now?

I want to be counted in his favor. I know the legislation before us today has a number of good provisions in it. I support some of them, and some of them I have worked hard to support and see they are in the legislation. I don't think it is a horrible piece of legislation. But just as a matter of procedure, we ought not to deny good Senators the right to offer amendments. I object to that procedure.

I believe we will have to confront this change in the procedures of the Senate because we are going to wake up and find it is not the same Senate we used to know.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. BINGAMAN. Mr. President, I wish to speak a few minutes in support of the motion to proceed to S. 22, the Omnibus Public Lands Management Act.

S. 22, which I introduced earlier this week, is a collection of over 160 bills. Primarily, they are bills that came out of our Committee on Energy and Natural Resources. The question before us is whether the Senate should proceed to consider the bill. I strongly believe we should, and that is the vote the majority leader has scheduled us to have on Sunday.

Although S. 22 itself is a new bill, the individual pieces of legislation contained in it and incorporated in it are not. This package includes 159 bills which were considered by our committee during the previous Congress. Several of the bills in the package have even been considered in one or more Congresses prior to the previous Congress.

Let me make the obvious point that needs to be understood by everyone paying attention to this issue. This is not a partisan bill. The bills in this package have been developed on a bipartisan basis. Last year, we developed this legislation hand in hand with Senator Domenici, who was at that time the ranking member of the Energy Committee. This year, we have worked with Senator MURKOWSKI, who is taking over as the ranking member of the Energy and Natural Resources Committee, to develop this legislation.

Almost all of the bills that were reported from our committee were reported on a unanimous vote. In cases where there was not a unanimous vote, we have made further modifications in some of those bills in an effort to address remaining concerns.

Collectively, the legislation that is before us or that we are going to vote on whether to proceed to is one of the most sweeping conservation laws that has been considered by the Senate in recent years. It will designate over 2 million acres of wilderness in nine different States. It will establish three new units of the National Park System, a new national monument, and three new national conservation areas. It will codify the Save America's Treasures and Preserve America historic preservation programs.

In addition, it will designate over 1,000 miles of new additions to the national wild and scenic river system, including several hundred miles in Wyoming that are dedicated to our late friend and colleague, Craig Thomas, and will help protect 1.2 million acres of the Wyoming range. This is in large part due to the leadership of Senator BARRASSO, who is on the Senate floor and intends to speak following my remarks.

The bill designates four new national scenic or national historic trails, enlarges the boundaries of several existing units of the National Park System, and establishes 10 new national heritage areas. It establishes in law the Bureau of Land Management's National Landscape Conservation System and the collection of national monuments and conservation areas that are administered by the BLM.

The package is not just about new designations. The bill authorizes numerous land exchanges and conveyances to help local communities throughout the West. It includes several provisions to improve land management, such as the Forest Landscape Restoration Act which will facilitate collaborative landscape-scale restoration to help reduce fire risk and fire costs and provide new forest product jobs.

Another example which is in my home State of New Mexico, the bill will reauthorize the Rio Puerco Management Committee. This committee has become one of the most effective collaborative land management efforts in the Southwest which, for more than 10 years, has helped to facilitate the restoration of the highly degraded Rio Puerco watershed, which is a major tributary leading into the Rio Grande.

This package incorporates 30 separate bills that, taken in their entirety, will have an unprecedented positive impact in helping address critical water resource needs on both the local and national level. It authorizes a range of studies to assist several communities conduct indepth reviews of local water supplies and evaluate the best ways to meet their future water challenges.

There are also approximately 18 specific authorizations for local and regional projects that enhance water use efficiencies, that address infrastructure that is in disrepair, that provide a sustainable supply of water to rural communities, and conserve water to promote environmental health and alleviate conflicts that arise under the Endangered Species Act.

The overall understanding of our critical water resources, including the impact of climate change on our water resources, is also promoted by provisions in this legislation.

Finally, I note that the bill will reduce the workload of water lawyers in the West by ratifying three extremely important water settlements in the States of California, Nevada, and New Mexico. These settlements, involving Indian tribes, agricultural and municipal water users, environmental interests, and the applicable States themselves, will resolve decades old litigation in a manner that is consistent with Federal responsibilities and with the broad support of diverse interests in each of these situations.

As most who are familiar with the history of western water can attest, it is a near impossible task to bring competing interests together to agree on long-term solutions. That has been achieved in this bill, and this bill ensures that the Federal Government will be a full partner to help implement reasonable solutions to complex water issues.

I think it is important to note the lengthy public process associated with many of the individual bills in this package. Many of these land and water bills began as an effort by local citizens to resolve important resource issues within their States. In many cases, local working groups were formed and discussion took place over a period of years, before a local consensus developed.

Following all of that, many of these proposals then spent additional years under consideration in Congress, often with further negotiations and modifications. In my opinion, this is exactly the way the legislative process should work, and this process reflects why there is such strong local support for many of these provisions.

Based on the action of our committee last Congress, there is also strong bipartisan support in the Senate for the bills in this package. I commend the majority leader for his commitment to pass this bill in such a timely manner, and I urge my colleagues to support the motion to proceed and, following that, passage of the legislation.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Mr. President, I come to the floor today to put into perspective some statements made by my

good friend from Oklahoma, and he made those with regard to the Wyoming Range Withdrawal Act. This is a bill that I introduced.

I am especially pleased to be giving this speech from this desk. People back home in Wyoming ask about the desk and whose desk do you have? As you know, after the election and the new swearing in of Senators, some of the desks switched around. Due to the generosity of Senator SHELBY—and I am very grateful to him—he has allowed me to have this desk because this is the desk of F.E. Warren, who was Wyoming's first Senator when we became a State in 1890. He took the oath of office, and he served for almost four decades. This is the desk he got when he came to the Senate on day one.

It is important to give this speech from this desk because we are talking about a part of Wyoming's past and a part of Wyoming's future that is very important, and it is the Wyoming range. Wyoming has a long history of getting it right when it comes to multiple use of the land. We have done it for 119 years that we have been a State, and we will continue to do it forever.

I am here to tell you and to tell the people of Wyoming, tell the people of America that I introduced this bill, the Wyoming Range Withdrawal Act, to fulfill a commitment I made to the people of Wyoming and to complete the work that was started by my good friend, Senator Craig Thomas. We lost Senator Thomas in 2007. At the time of his death, he was working on this bill. He had traveled the State. He had visited with people, listened to people. That is exactly what I did when I took the oath of office—having town meetings, traveling to all of the parts of the State, visiting, listening to people, and then working to try to improve the bill that is in front of us today as part of this lands package.

I am here to tell you that right now, today, there is oil and gas development going on in the Wyoming range. I have a picture of the Wyoming range, a beautiful part of western Wyoming. It means so much to so many people. There are certain places that are so special and so pristine that they need to be protected for future generations. But we do it right in Wyoming. We rely on multiple uses of the land.

This legislation we have heard about today seeks to protect from future oil and gas activity—let me say that again—from future oil and gas activity, lands in the Wyoming range that are not currently under lease. And there are lands in Wyoming that are currently under lease.

As we can see in this picture, it is still a very pristine, beautiful area, but some of this land is under lease for oil and gas development. The legislation in this lands package does not—does not—affect areas that have been currently leased for exploration. There are 18 oil and gas leases within the proposed withdrawal area. These leases cover over 70,000 acres. These leases are primarily located in areas that have some of the most significant potential, the most significant potential for mineral development. They represent valid existing rights, and they will not be canceled in any way by this bill. I repeat: These leases represent valid existing property rights and will not be canceled by this bill.

In addition, there are 35 oil and gas leases covering almost 45,000 additional acres that have been issued and are under protest or have been sold but not yet issued. The legislation does not cancel any of these areas which are being contested. There does exist an appropriate administrative process whereby the Bureau of Land Management, the U.S. Forest Service is evaluating these contested leases to determine their status. I repeat: This legislation today does not cancel any of these currently contested leases. Everyone should keep in mind that the acres currently leased or currently leased but under protest represent the area where the most promising reserves exist. This bill does not touch that.

Now, my colleague from Oklahoma stated that the legislation would take off the table 8.8 trillion cubic feet of recoverable natural gas and over 300 million barrels of recoverable oil. Well, let us first set aside whether those figures are accurate, and we will get to that in a minute. I reiterate: The areas believed to hold the majority of the oil and gas reserves are leased, those areas are leased, and those are valid existing rights and will not be changed by this piece of legislation. Now, regarding the figures. I have an updated estimate, an estimate of the reserves of the Wyoming Range that has been prepared by the U.S. Department of Interior, the U.S. Geological Survey, and this was prepared on June 19, 2008. I have shared these numbers with Members of the Senate.

Under the revised estimates, the best minds, the best geological thinking, they believe there is some natural gas potential in this area of 1.5 trillion cubic feet, not 8.8, and an oil potential of 5 million barrels, not 300 million barrels.

Mr. President, I ask unanimous consent to have printed in the RECORD, following my remarks, the USGS letter to the chairman of the Senate Committee on Energy and Natural Resources, Senator BINGAMAN, who earlier spoke.

The PRESIDING OFFICER (Mr. REED). Without objection, it is so ordered.

(See exhibit 1.)

Mr. BARRASSO. Mr. President, these figures, particularly the estimated gas reserves, are still not a small amount, but they are significantly lower than the previously stated estimates and much smaller in size and in scope relative to other known gas reserves in the area of western Wyoming. Currently, in this area, there are 4,300 producing oil and gas wells in the three counties that are touched by this legislation. There is a proposal being considered for up to 4,339 additional wells that would not be affected by this legislation. There is production currently taking place in the Wyoming Range that will not be stopped by this legislation.

The people of Wyoming are doing their part to keep America's energy flowing. We in Wyoming are the largest net exporter of energy in the United States. We support development of our coal, of uranium, of oil, of gas, and of renewable resources—the electricity from wind. We have never been a State that has said: Not in my back yard. We are No. 1 in coal production in the country, we are No. 1 in uranium production in the country for nuclear power, and we are No. 2 in the country in production of onshore natural gas. The people of Wyoming continue to do their part.

We also recognize, through 119 years of statehood, that there must be a balance, a balance between helping the Nation meet its energy needs and maintaining the quality of life the people of Wyoming have come to enjoy. The Wyoming Range Withdrawal Act has bipartisan support throughout the State of Wyoming. The Governor of Wyoming, Governor Dave Freudenthal, a Democrat, came to Washington to testify at a hearing before the Senate Energy and Natural Resources Committee, and he spoke in favor of the bill. My colleague in the Senate, Senator MIKE ENZI, is a cosponsor of the bill. It truly is a bipartisan measure.

The Wyoming Range Withdrawal Act strikes the proper balance. I have come to the Senate floor today to put this bill in context with what is occurring on the ground in Wyoming, as well as what is occurring under the ground. My goal is to provide an accurate and a complete picture for the Senate and, much more importantly, for the American people.

EXHIBIT 1

U.S. DEPARTMENT OF THE INTERIOR,
U.S. GEOLOGICAL SURVEY,
Reston, VA.

Hon. JEFF BINGAMAN,
Chairman, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter of May 27, 2008, and your request for U.S. Geological Survey (USGS) oil and gas resource information regarding the Wyoming Range Withdrawal Area (WRWA), outlined in S. 2229.

Based on the map your staff provided, the withdrawal area encompasses parts of two geological provinces assessed by the USGS—the Southwestern Wyoming Province and the Wyoming Thrust Belt Province. The USGS conducts assessments of the undiscovered, technically recoverable oil and gas resources of the entire geologically defined province.

To approximate the amount of the estimated resources underlying the proposed withdrawal area, we placed the map provided to us into a geographic information system (GIS), calculated the amount of WRWA area that overlaps the assessment units we had analyzed and assessed in the two geologic provinces, and calculated the percentage geographic area that the WRWA represents of each assessment unit. We then calculated a

first approximation of the potential undiscovered, technically recoverable oil and gas resources in this region by taking the mean estimates of each resource category and multiplying by the percent geographic area of each assessment unit. Results are as follows:

Mean oil potential in the WRWA is 5 million barrels.

Mean natural gas potential is 1.5 trillion cubic feet.

Mean natural gas liquids potential is 60 million barrels.

Please note that these GIS-analyzed estimates can only be considered approximations, for the following reasons: (1) The map provided to us of the WRWA was a general outline and therefore subject to error when calculating the geographic extent of the assessment units relative to the WRWA; and (2) a homogeneous distribution of oil and gas resources was assumed across each entire assessment unit.

For an overview of USGS mean estimates for undiscovered, technically recoverable natural gas resources for geologic provinces within in the United States and their relative sizes, please see the map at http://certmapper.cr.usgs.gov/data/noga00/natl/graphic/2007/total_gas_mean_07.pdf

Please let us know if you have any further questions or we can be of further help.

Sincerely,

MARK D. MYERS,
Director.

Mr. BARRASSO. Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLOTURE MOTION

Mr. REID. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to S. 22, the Omnibus Public Land Management Act of 2009.

Harry Reid, Jon Tester, Daniel K. Inouye, Robert Menendez, Ken Salazar, Jeff Bingaman, Robert P. Casey, Jr., Mark L. Pryor, John F. Kerry, Richard Durbin, Ron Wyden, Dianne Feinstein, Ben Nelson, Evan Bayh, Thomas R. Carper, Carl Levin, Patrick J. Leahy.

Mr. REID. Mr. President, I ask unanimous consent that the vote on the motion to invoke cloture on the motion to proceed to S. 22 occur on Sunday, January 11, at 2 p.m., with the mandatory quorum waived, and that on Sunday, after the Senate convenes, the time until 2 p.m. be equally divided or controlled between the leaders or their designees.

The PRESIDING OFFICER. Without objection, it is so ordered.

RESIGNATION OF SENATOR JOSEPH R. BIDEN, JR.

The PRESIDING OFFICER. At this point, the Chair lays a communication before the Senate.

The legislative clerk read as follows:

Hon. RICHARD CHENEY,
President of the United States Senate, U.S. Capitol, Washington, DC.

DEAR MR. VICE PRESIDENT: I am resigning my seat in the United States Senate as the senior Senator from the State of Delaware to assume my duties as Vice President of the United States of America. My resignation is effective January 15, 2009, at 5 p.m.

Sincerely,

JOSEPH R. BIDEN, Jr.,
U.S. Senator.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Mr. President, what a sad but happy day it is to have that letter read before the world. JOE BIDEN, from the day I came to the Senate, was the most gracious, helpful person one could imagine. Having chosen him speaks volumes about Barack Obama. We will miss Senator BIDEN, with his many years in the Senate, but we look forward to his working arm in arm with Barack Obama for the next 8 years.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUDAN

Mr. FEINGOLD. Mr. President, today marks the 4-year anniversary of the signing of Sudan's Comprehensive Peace Agreement, which brought an end to the tragic north-south civil war that raged for over two decades; a war, frankly, that for a long time seemed virtually endless. We should keep the CPA in mind as we lament the horrific suffering that endures in eastern Congo, Darfur, Somalia, and Zimbabwe. I am hopeful that 2009 will be a year in which we make significant progress toward peace in all of these countries, and that the United States plays an active role in that progress. The CPA is a remarkable testament to the fact that transformation is possible in even the most seemingly intractable conflicts when there is political will. I am proud of the critical role the United States played in bringing about this historic agreement 4 years ago, and it is a testament to the hard work of Special Envoy Jack Danforth and the leadership of President Bush.

Nevertheless, the CPA is not merely about a piece of paper or a moment in history but a commitment to secure lasting peace throughout Sudan. Unfortunately, this process remains unfinished and increasingly fragile, as evidenced by the clashes that broke out in the oil-rich Abyei region last May. Several flashpoints in the states of South Kordofan, Jonglei, and Blue Nile remain highly volatile. There remain too many arms and armed actors in these areas that are capable of undermining the agreement. Both sides, anticipating future clashes, are spending increased resources to build up their militaries. It is not difficult to imagine a minor incident causing renewed fighting in these areas, which could quickly plunge the north and the south back into full-scale war. Such a scenario would not only be devastating for the Sudanese but could have dramatic repercussions for the wider region.

With elections under the CPA scheduled for this year, 2009 may well be a watershed year for Sudan. The United States must renew and intensify its support for the implementation of the CPA as part of a comprehensive strategy for Sudan. We must continue to demonstrate, both in terms of our diplomacy and resources, a commitment to rebuild southern Sudan's institutions, and support the approaching elections. Simultaneously, we must work with our international partners to ensure that the UN Mission in Sudan, UNMIS, is doing all it can to monitor and keep the peace in Sudan's flashpoints. I am confident that the Obama administration understands the importance of implementing the CPA and will bring bold leadership and a holistic vision to peace efforts in Sudan.

Finally, we cannot ignore how the continued violence and humanitarian crisis in Darfur is a deep stain on the vision of a peaceful Sudan. Efforts at peacebuilding in Sudan will prove futile without a workable political solution for Darfur. Too often in the past, we have made the mistake of focusing on one region of Sudan at the expense of others. This kind of piecemeal approach has proven limited, if not counterproductive at times. In this critical year ahead, we need a comprehensive approach that can pave the way for lasting peace and stability for all of Sudan. I look forward to working with my colleagues and the Obama administration to make that a reality.

ADDITIONAL STATEMENTS

TRIBUTE TO HELEN SUZMAN

• Mr. FEINGOLD. Mr. President, today I honor the life of South Africa's Helen Suzman, a champion of equality and rights for the people of South Africa who suffered under apartheid. For generations to come, her story will be an inspiration to people around the world who have the courage to speak out against injustice.

Helen Suzman dedicated her life and 36 years in South Africa's Parliament to fighting institutionalized racism in South Africa. Often she stood alone in defiance of her own Government as it systematically obstructed the rights and freedoms of the majority of South Africans. Particularly during the 13

years when she was the only anti-apartheid member of South Africa's Parliament, Helen Suzman provided the voice of reason that reminded the world of the injustices that persisted in South Africa.

Helen Suzman's intelligence, courage, and perseverance helped to end apartheid in South Africa. Her contribution to ending that evil has become a symbol of hope for millions in South Africa and around the world. That is a powerful and inspiring legacy, and it is one I am pleased to recognize and celebrate today.●

MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

S. 181. A bill to amend title VII of the Civil Rights Act of 1964 and the Age Discrimination in Employment Act of 1967, and to modify the operation of the Americans with Disabilities Act of 1990 and the Rehabilitation Act of 1973, to clarify that a discriminatory compensation decision or other practice that is unlawful under such Acts occurs each time compensation is paid pursuant to the discriminatory compensation decision or other practice, and for other purposes.

S. 182. A bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. SCHUMER, from the Joint Economic Committee:

Special Report entitled ''2008 Joint Economic Report'' (Rept. No. 111–1). Minority views filed.

By Mr. KERRY, from the Committee on Small Business and Entrepreneurship:

Special Report entitled ''Summary of Legislative and Oversight Activities During the 110th Congress'' (Rept. No. 111–2).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. INHOFE:

S. 192. A bill to authorize the Secretary of the Interior to convey to the McGee Creek Authority certain facilities of the McGee Creek Project, Oklahoma, and for other purposes; to the Committee on Energy and Natural Resources.

By Mrs. FEINSTEIN (for herself, Mr. BROWNBACK, Mr. INOUYE, Mr. ROBERTS, Mr. AKAKA, Mr. VOINOVICH, Mrs. BOXER, Mr. JOHANNS, Mr. NELSON of Nebraska, and Mr. BROWN):

S. 193. A bill to create and extend certain temporary district court judgeships; to the Committee on the Judiciary.

By Mr. CASEY (for himself, Ms. SNOWE, and Mr. VOINOVICH):

S. 194. A bill to amend the Emergency Food Assistance Act of 1983 to require the Secretary of Agriculture to help offset the costs of intrastate transportation, storage, and distribution of bonus commodities provided to States and food assistance agencies under the emergency food assistance program; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. DORGAN:

S. 195. A bill to extend oversight, accountability, and transparency provisions of the Emergency Economic Assistance Act of 2008 to all Federal emergency economic assistance to private entities, to impose tough conditions for all recipients of such emergency economic assistance, to set up a Federal task force to investigate and prosecute criminal activities that contributed to our economic crisis, and to establish a bipartisan financial market investigation and reform commission, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. DODD (for himself, Mr. LIEBERMAN, Mr. KERRY, and Mr. KENNEDY):

S. 196. A bill to amend the Quinebaug and Shetucket Rivers Valley National Heritage Corridor Act of 1994 to increase the authorization of appropriations and modify the date on which the authority of the Secretary of the Interior terminates under the Act; to the Committee on Energy and Natural Resources.

By Mr. FEINGOLD (for himself, Mr. CRAPO, Mrs. BOXER, Mr. CARDIN, Mr. BROWNBACK, Mr. KERRY, Mr. KOHL, and Ms. LANDRIEU):

S. 197. A bill to assist in the conservation of cranes by supporting and providing, through projects of persons and organizations with expertise in crane conservation, financial resources for the conservation programs of countries the activities of which directly or indirectly affect cranes and the ecosystem of cranes; to the Committee on Environment and Public Works.

By Mr. SANDERS (for himself and Mr. LEAHY):

S. 198. A bill to direct the Secretary of Transportation to waive non-Federal share requirements for certain transportation programs and activities through September 30, 2009; to the Committee on Environment and Public Works.

By Mr. SPECTER (for himself and Mr. CASEY):

S. 199. A bill to establish the Steel Industry National Historic Site in the State of Pennsylvania; to the Committee on Energy and Natural Resources.

ADDITIONAL COSPONSORS

S. 42

At the request of Mr. ENSIGN, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 42, a bill to amend title II of the Social Security Act to preserve and protect Social Security benefits of American workers and to help ensure greater congressional oversight of the Social Security system by requiring that both Houses of Congress approve a totalization agreement before the agreement, giving foreign workers Social Security benefits, can go into effect.

S. 47

At the request of Mr. ENSIGN, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 47, a bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on telephone and other communication services.

S. 133

At the request of Mrs. FEINSTEIN, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of S. 133, a bill to prohibit any recipient of emergency Federal economic assistance from using such funds for lobbying expenditures or political contributions, to improve transparency, enhance accountability, encourage responsible corporate governance, and for other purposes.

S. 164

At the request of Mr. ENSIGN, the name of the Senator from Tennessee (Mr. CORKER) was added as a cosponsor of S. 164, a bill to improve consumer access to passenger vehicle loss data held by insurers.

S. 170

At the request of Mr. GREGG, the names of the Senator from California (Mrs. BOXER), the Senator from Massachusetts (Mr. KERRY), the Senator from Rhode Island (Mr. REED), and the Senator from Massachusetts (Mr. KENNEDY) were added as cosponsors of S. 170, a bill to authorize the acquisition of interests in undeveloped coastal areas in order better to ensure their protection from development and for other purposes.

S. 181

At the request of Ms. MIKULSKI, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 181, a bill to amend title VII of the Civil Rights Act of 1964 and the Age Discrimination in Employment Act of 1967, and to modify the operation of the Americans with Disabilities Act of 1990 and the Rehabilitation Act of 1973, to clarify that a discriminatory compensation decision or other practice that is unlawful under such Acts occurs each time compensation is paid pursuant to the discriminatory compensation decision or other practice, and for other purposes.

S. 182

At the request of Mrs. CLINTON, the names of the Senator from Vermont (Mr. SANDERS) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. 182, a bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes.

S. RES. 10

At the request of Mr. MCCONNELL, the name of the Senator from Tennessee (Mr. CORKER) was added as a cosponsor of S. Res. 10, a resolution recognizing the right of Israel to defend itself against attacks from Gaza and reaffirming the United States' strong support for Israel in its battle with Hamas, and supporting the Israeli-Palestinian peace process.

At the request of Mr. REID, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. Res. 10, supra.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FEINSTEIN (for herself, Mr. BROWNBACK, Mr. INOUYE,

Mr. ROBERTS, Mr. AKAKA, Mr. VOINOVICH, Mrs. BOXER, Mr. JOHANNS, Mr. NELSON of Nebraska, and Mr. BROWN):

S. 193. A bill to create and extend certain temporary district court judgeships; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, I rise today to introduce a bill to provide urgently needed relief to federal district courts in California, Hawaii, Kansas, Nebraska, and Ohio.

This bill is supported by both Senators from all five of the States affected Senators BOXER and myself, Senators BROWNBACK and ROBERTS, Senators AKAKA and INOUYE, Senators NELSON and JOHANNS, and Senators BROWN and VOINOVICH.

The bill is identical to a bill passed by the Senate by unanimous consent last year. I hope that my colleagues will move expeditiously to consent to this bill once again.

The bill creates one new temporary judgeship in the Eastern District of California and one in the District of Nebraska, and it extends temporary judgeships in the District of Hawaii, the District of Kansas, and the Northern District of Ohio.

The bill has broad, bipartisan support because the relief it provides is sorely needed. All of these courts face overwhelming caseloads that are leading to judicial burnout and long delays in the administration of justice. The bill, put simply, provides assistance to districts that do not have enough judges to handle the work assigned to them.

I have been concerned about this problem in the Eastern District of California for many years now.

According to statistics provided by the Administrative Office of the United States Courts, the Eastern District's caseload burden is higher, on a sustained basis, than any other district in the country.

In 2008, the judges in the Eastern District handled 968 cases each. That is twice the number of cases that the Judicial Conference recommends. In fact, the Judicial Conference has recommended that Congress create a new judgeship in a district whenever a threshold of 430 cases per judge is reached.

A caseload burden of this magnitude is not only a problem for judges. The people who live in the district and other litigants who appear before the court are also affected.

Victims of crime are forced to endure long waiting periods to see justice done. Citizens find that they are unable to resolve their civil disputes promptly. And plaintiffs face extensive delays in getting damages or restitution for harms that they have suffered.

Currently, people who have cases in the Eastern District court are facing delays of approximately 42 months from filing to verdict. That is three and a half years—twice the national average for federal court delays. This kind of delay is simply unacceptable.

The delays are by no means the fault of the district judges either. By every measure, the judges in the Eastern District are among the most productive in the nation.

In 2008, each of the district's active judges completed 903 cases. In addition to this extraordinary effort, two of the five senior judges carry a full load.

One senior judge has explained that he has not reduced his workload for two reasons: ''[F]irst the district is so short of needed judges that it appears to me unjust to leave those who require a court either to resolve criminal cases or resolve their civil cases; second, I have felt great compassion for my colleagues who would be left with a still more unmanageable case load if I left or even cut down on my load.''

In California, the overwhelming burden on the Eastern District court is no secret. This past summer, the Chief Judge of the Ninth Circuit called on all judges in the Circuit—district and circuit judges alike—to volunteer to hear 15 cases in the Eastern District each. Although 84 federal judges generously stepped forward to relieve the District of more than 1,000 cases, thousands of cases remain pending.

The Eastern District of California should not be forced to rely on temporary assistance from judges from other districts. Each court needs enough judges to handle its caseload in a reasonably timely manner.

Although not sufficient, one temporary district judgeship would provide much needed relief to the hardworking judges of the Eastern District and the litigants who come before them. Based on last year's filings, one new judgeship would reduce the filings per judge from 968 to 572.

Congress has not authorized a new permanent judgeship for the district since 1978. In 1992, a temporary judgeship was authorized, but that judgeship expired in 2004. Last year, a bill that I co-sponsored—the Federal Judgeship Act of 2008—would have provided four new permanent judgeships, but that bill stalled before the full Senate after being favorably reported out of the Judiciary Committee.

This bill was introduced by Senator LEAHY last year, and I want to thank him for all of his work on its behalf. The bill passed the Senate by unanimous consent. This year, the need is only greater, as caseloads have only increased.

I urge my colleagues to consent to this bill once again, and to do so in an expeditious manner.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 193

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

SECTION 1. TEMPORARY JUDGESHIPS FOR DISTRICT COURTS.

(a) ADDITIONAL TEMPORARY JUDGESHIPS.—

(1) IN GENERAL.—The President shall appoint, by and with the advice and consent of the Senate—

(A) 1 additional district judge for the eastern district of California; and

(B) 1 additional district judge for the district of Nebraska.

(2) VACANCIES NOT FILLED.—The first vacancy in the office of district judge in each of the offices of district judge authorized by this subsection, occurring 10 years or more after the confirmation date of the judge named to fill the temporary district judgeship created in the applicable district by this subsection, shall not be filled.

(b) EXTENSION OF CERTAIN TEMPORARY JUDGESHIPS.—Section 203(c) of the Judicial Improvements Act of 1990 (Public Law 101–650; 28 U.S.C. 133 note) is amended—

(1) in the second sentence, by inserting ''the district of Hawaii,'' after ''Pennsylvania,'';

(2) in the third sentence (relating to the district of Kansas), by striking ''17 years'' and inserting ''26 years'';

(3) in the fifth sentence (relating to the northern district of Ohio), by striking ''17 years'' and inserting ''25 years''; and

(4) by inserting ''The first vacancy in the office of district judge in the district of Hawaii occurring 20 years or more after the confirmation date of the judge named to fill the temporary judgeship created under this subsection shall not be filled.'' after the sixth sentence.

By Mr. CASEY (for himself, Ms. SNOWE,, and Mr. VOINOVICH):

S. 194. A bill to amend the Emergency Food Assistance Act of 1983 to require the Secretary of Agriculture to help offset the costs of intrastate transportation, storage, and distribution of bonus commodities provided to States and food assistance agencies under the emergency food assistance program; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. CASEY. Mr. President, I rise today to introduce the Bonus TEFAP Assistance Act of 2009 with my colleagues Senator SNOWE and Senator VOINOVICH. Our bill provides immediate and valuable assistance to our national food banks and the families who rely on food banks to put meals on the table by ensuring that food banks can accept and distribute food donations they might otherwise have had to decline. Our bill has the support of Feeding America, formerly known as America's Second Harvest, the national hunger relief charity that operates a network of over 200 food banks across America.

We are in the middle of a crisis. The on-going economic crisis is the worst in a generation, but this crisis is more than stock prices and market certainty. The economic crisis has a face. The faces of hardworking Pennsylvanians who suddenly find themselves unable to afford food for the family meals. The economic crisis is also a hunger crisis—a crisis that is pushing more people to apply for Federal nutrition programs and stand in line at the local food bank. It is a crisis that threatens to undo all of the progress we have made over the past few decades to end hunger in America.

The United States Department of Agriculture, USDA, reported that, for

2006, 35.5 million Americans did not have enough money or resources to get food for at least some period during the year. This figure was an increase of 400,000 over 2005 and an increase of 2.3 million since 2000. With the fragile State of our economy, it is extremely likely that these figures for 2007 and 2008 will be even more devastating. The only recourse for these millions of families is to turn to federal food assistance programs and emergency food banks for their basic food needs.

Unfortunately, as articles in national publications like the USA Today and the New York Times have highlighted, there is a critical lack of food inventories available in local food pantries across the country. Rising demand, sharp drops in federal supplies of excess commodities, and declining donations have forced food banks to cut back on rations, and in some cases, close their doors. In short, America's food banks are facing critical shortages now.

As a member of the Senate Committee on Agriculture, Nutrition, and Forestry, I was proud to help create last year's farm bill. The bill helps food banks by providing additional annual funding to shore up food bank supplies. But there are additional measures that we can take to help ensure that food banks can continue to fulfill their mission.

That's why today I'm pleased introduce the Bonus TEFAP Assistance Act of 2009. This legislation provides the critical support needed to ensure food assistance agencies, already in desperate need of supplies, can take full advantage of the distributions of bonus food commodities supplied by USDA through the Emergency Food Assistance Program, TEFAP. By helping to offset the intrastate storage, transportation, and distribution costs the food assistance agencies incur to distribute these bonus food surpluses, the bill ensures that commodities reach the greatest number of needy individuals.

The Emergency Food Assistance Program began in 1981 as a temporary program with dual purposes; it was intended to help reduce the Federal food inventories and storage costs while also assisting the needy. Because of the program's success in helping distribute food to those in need, in 1988, after much of the federal inventory was depleted, the Hunger Prevention Act authorized funds to be appropriated to purchase food for TEFAP.

Under current-day TEFAP, the USDA provides states and food assistance agencies with commodities bought specifically for the program and with funding to help cover distributing agencies' intrastate storage, handling, and distribution costs. In addition, when available, USDA provides any excess food not needed to fulfill other program requirements to States for allocation to local food assistance agencies. This excess food is known as ''bonus TEFAP.'' Unfortunately, while the USDA generously distributes these bonus TEFAP commodities to the States, many of the State and food assistance agencies are unable to accept the bonus TEFAP commodities because they do not have the resources to store, transport, or distribute them.

The Bonus TEFAP Assistance Act of 2009 that I am introducing today alleviates this problem by providing offsetting funds to recipient agencies to assist with the costs of storing, transporting, and distributing bonus TEFAP commodities. The funds provided through this legislation will help to provide more food to those in need through food banks, food pantries, emergency shelters, soup kitchens, and other organizations that directly provide these resources to the public.

To solve the problem the inadequacy of local resources causes, the bill authorizes the Secretary of Agriculture to use existing funds granted under Section 32 of the Agricultural Adjustment Act of 1935. Currently, Section 32 funds are used to fund child nutrition programs and other programs to support the farm sector at the discretion of the Secretary. Through this legislation, a small portion of Section 32 funds would be allocated to each eligible recipient agency in the lesser amount of $0.05 per pound or $0.05 per dollar value of bonus TEFAP commodities. With this modest increase in funding, the States and their food assistance agencies will be able to accept more food distributions from the USDA through TEFAP, benefitting the many low-income recipients who rely on the program for emergency food and nutrition assistance.

I urge all of my colleagues to join Senator SNOWE, Senator VOINOVICH and me in ensuring that the States and food assistance agencies can accept the available excess commodity foods the USDA provides under the Emergency Assistance Food Program. Food assistance agencies are in dire need of funds, food, and supplies and we owe it to them to ensure that they can take full advantage of every opportunity to serve those in our nation who are in desperate need.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 194

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 ''Bonus TEFAP Assistance Act of 2009''.

SEC. 2. ASSISTANCE FOR COSTS OF DISTRIBUTING BONUS COMMODITIES.

(a) PURPOSES.—The purposes of this section are—

(1) to encourage States and food assistance agencies to accept commodities acquired by the Secretary of Agriculture for farm support and surplus removal activities; and

(2) to offset the costs of the States and food assistance agencies for the intrastate transportation, storage, and distribution of the commodities.

(b) COSTS OF DISTRIBUTING BONUS COMMODITIES.—Section 202 of the Emergency Food Assistance Act of 1983 (7 U.S.C. 7502) is amended by inserting after subsection (a) the following:

''(b) COSTS OF DISTRIBUTING BONUS COMMODITIES.—

''(1) IN GENERAL.—The Secretary shall use funds made available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), to provide funding described in paragraph (2) to eligible recipient agencies to offset the costs of the agencies for intrastate transportation, storage, and distribution of commodities described in subsection (a).

''(2) FUNDING.—The Secretary shall provide funding described in paragraph (1) to an eligible recipient agency at a rate equal to the lower of $0.05 per pound or $0.05 per dollar value of commodities described in subsection (a) that are made available under this Act to, and accepted by, the eligible recipient agency.''.

By Mr. FEINGOLD (for himself, Mr. CRAPO, Mrs. BOXER, Mr. CARDIN, Mr. BROWNBACK, Mr. KERRY, Mr. KOHL, and Ms. LANDRIEU):

S. 197. A bill to assist in the conservation of cranes by supporting and providing, through projects of persons and organizations with expertise in crane conservation, financial resources for the conservation programs of countries the activities of which directly or indirectly affect cranes and the ecosystem of cranes; to the Committee on Environment and Public Works.

Mr. FEINGOLD. Mr. President, I am introducing the Crane Conservation Act of 2009. I am very pleased that Senator CRAPO has once again agreed to lead on this legislation with me. I am always glad to work with my colleagues from across the aisle. We are pleased to be joined by Senators BOXER, BROWNBACK, CARDIN, KERRY, KOHL, LANDRIEU, and MARTINEZ, who are cosponsors of this legislation.

The Crane Conservation Act will ensure we do our part to protect the existence of these birds, whose cultural significance and popular appeal can be seen worldwide. This legislation is particularly important to the people of Wisconsin, as our state provides habitat and refuge to several crane species. But this legislation, which authorizes the United States Fish and Wildlife Service to distribute funds and grants to crane conservation efforts both domestically and in developing countries, promises to have a larger environmental and cultural impact that will go far beyond the boundaries of my home State.

Congress' efforts to help protect and recover species throughout the world began in earnest in 1994 when Congress passed and the President signed the Rhinoceros and Tiger Conservation Act. The passage of this act provided support for multinational rhino and tiger conservation by authorizing the United States Fish and Wildlife Service to distribute up to $10 million in grants every year to support projects in developing countries. Since 1994, Congress has established the ''multinational species conservation fund'' to cover other

species, such as elephants and great apes.

Today, with the legislation I am introducing, I am asking Congress to add cranes to this list. Cranes are the most endangered family of birds in the world, with 11 of the world's 15 species at risk of extinction. Specifically, this legislation would authorize up to $5 million of funds per year for fiscal years 2008 through 2012 to be distributed as conservation project grants to protect cranes and their habitat in Asia, Africa, and North America. In keeping with my belief that we should balance the budget, this bill proposes that the $25 million in authorized spending over 5 years for the Crane Conservation Act should be offset through the Secretary of Interior's administrative budget. This bill is similar to legislation I have introduced since the 107th Congress and I was very pleased that last Congress the bill passed the House of Representatives and the Senate Environment and Public Works Committee and was positioned to pass the Senate before stalling late in the last Congress.

I am offering this legislation due to the serious and significant decline that can be expected in crane populations worldwide without further conservation efforts. Those efforts have achieved some success in the case of the North American whooping crane, the rarest crane on earth. By 1890, the whooping crane disappeared from its main migratory route from Idaho through Wyoming and Colorado to New Mexico. In 1944, only 21 birds remained along the migratory route between Montana and Texas' Aransas National Wildlife Refuge, via the Dakotas, Nebraska, Kansas, and Oklahoma. Unfortunately, the breeding grounds for this remaining flock were unknown, but since they were discovered in Canada in 1955, cooperative efforts between the United States and Canada have been under way to recover the species. Today, this flock remains the only wild flock of North American whooping cranes that breeds in northwest Canada, and spends its winters in coastal Texas.

In 1980, a new course was chartered for recovering the species, and captive breeding efforts began at Patuxent Wildlife Research Center in Maryland in hopes of rearing chicks for release in the wild—today, captive breeding centers are also located at New Orleans' Audubon Species Survival Center and Canada's Calgary Zoo.

These breeding efforts blossomed into efforts to reintroduce a migratory flock of whooping cranes into their historic range in the Eastern United States. In 2001 this became a reality when the first class of whooping cranes followed their ''mother'' (actually an ultra light aircraft) over 1,300 miles to their wintering grounds.

The movement of this flock of birds shows how any effort by Congress to regulate crane conservation needs to cross both national and international lines. As this flock of birds makes its journey from Wisconsin's Necedah National Wildlife Refuge to Florida's Chassahowitzka National Wildlife Refuge and back, the birds rely on the ecosystems of a multitude of states in this country. Along the journey which traverses through Illinois, Indiana, Kentucky, Tennessee, and Georgia the birds face threats from pollution of traditional watering grounds, collision with utility lines, human disturbance, disease, predation, loss of genetic diversity within the population, and vulnerability to catastrophes, both natural and man-made.

However, the birds can also rely on private landowners, the vast majority of whom have enthusiastically welcomed the birds to their rest on their land. Through its extensive outreach and education program, the Whooping Crane Eastern Partnership has obtained the consistent support of farmers and other private landowners to make this important recovery program a success. On every front, this partnership is unique. This ongoing recovery effort would not be possible without the cooperative efforts of federal and state governments, landowners, volunteers, and non-governmental organizations. Seven years later, these partnerships support an ever-growing eastern crane population, now numbering over sixty.

While over the course of the last half-century, North American whooping cranes have begun to make a slow recovery, many species of crane in Africa and Asia have declined, including the sarus crane of Asia and the wattled crane of Africa.

The sarus crane stands four feet tall and can be found in the wetlands of northern India and south Asia. These birds require large, open, well watered plains or marshes to breed and survive. Due to agricultural expansion, industrial development, river basin development, pollution, warfare, and heavy use of pesticides prevalent in India and southeast Asia, the sarus crane population has been in decline. Furthermore, in many areas, a high human population concentration compounds these factors. On the Mekong River, which runs through Cambodia, Vietnam, Laos, Thailand, and China, human population growth and planned development projects threaten the sarus crane. Reports from India, Cambodia, and Thailand have also cited incidences of the trading of adult birds and chicks, as well as hunting and egg stealing in the drop in population of the sarus crane.

Only three subspecies of the sarus crane exist today. One resides in northern India and Nepal, one resides in southeast Asia, and one resides in northern Australia. Their population is about 8,000 in the main Indian population, with recent numbers showing a rapid decline. In Southeast Asia, only 1,000 birds remain.

The situation of the sarus crane in Asia is mirrored by the situation of the wattled crane in Africa. In Africa, the wattled crane is found in the southern and eastern regions, with an isolated population in the mountains of Ethiopia. Current population estimates range between 6,000 to 8,000 and are declining rapidly, due to loss and degradation of wetland habitats, as well as intensified agriculture, dam construction, and industrialization. In other parts of the range, the creation of dams has changed the dynamics of the flood plains, thus further endangering these cranes and their habitats. Human disturbance at or near breeding sites also continues to be a major threat. Lack of oversight and education over the actions of people, industry, and agriculture is leading to reduced preservation for the lands on which cranes live, thereby threatening the ability of cranes to survive in these regions.

If we do not act now, not only will cranes face extinction, but the ecosystems that depend on their contributions will suffer. With the decline of the crane population, the wetlands and marshes they inhabit can potentially be thrown off balance. I urge my colleagues to join me in supporting legislation that can provide funding to the local farming, education, and enforcement projects that can have the greatest positive effect on the preservation of both cranes and fragile habitats. This modest investment can secure the future of these exemplary birds and the beautiful areas in which they live. Therefore, I ask my colleagues to support the Crane Conservation Act of 2009.

This legislation is endorsed by African Wildlife Foundation, American Bird Conservancy, American Veterinary Medical Association, Association of Zoos and Aquariums, Audubon Nature Institute, Born Free USA, Conservation International, Defenders of Wildlife, Dian Fossey Gorilla Fund International, Fauna & Flora International, Humane Society of the United States, Humane Society International, International Crane Foundation, International Fund for Animal Welfare, International Rhino Foundation, National Wildlife Federation, National Wildlife Refuge Association, The Nature Conservancy, Sierra Club, Wildlife Alliance, Wildlife Conservation Society, and the World Wildlife Fund.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 197

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 ''Crane Conservation Act of 2009''.

SEC. 2. PURPOSES.

The purposes of this Act are—

(1) to perpetuate healthy populations of cranes;

(2) to assist in the conservation and protection of cranes by supporting—

(A) conservation programs in countries in which endangered and threatened cranes occur; and

(B) the efforts of private organizations committed to helping cranes; and

(3) to provide financial resources for those programs and efforts.

SEC. 3. DEFINITIONS.

In this Act:

(1) CONSERVATION.—

(A) IN GENERAL.—The term ''conservation'' means the use of any method or procedure to improve the viability of crane populations and the quality of the ecosystems and habitats on which the crane populations depend to help the species achieve sufficient populations in the wild to ensure the long-term viability of the species.

(B) INCLUSIONS.—The term ''conservation'' includes the carrying out of any activity associated with scientific resource management, such as—

(i) protection, restoration, and management of habitat;

(ii) research and monitoring of known populations;

(iii) the provision of assistance in the development of management plans for managed crane ranges;

(iv) enforcement of the Convention;

(v) law enforcement and habitat protection through community participation;

(vi) reintroduction of cranes to the wild;

(vii) conflict resolution initiatives; and

(viii) community outreach and education.

(2) CONVENTION.—The term ''Convention'' has the meaning given the term in section 3 of the Endangered Species Act of 1973 (16 U.S.C. 1532).

(3) FUND.—The term ''Fund'' means the Crane Conservation Fund established by section 5(a).

(4) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

SEC. 4. CRANE CONSERVATION ASSISTANCE.

(a) IN GENERAL.—Subject to the availability of appropriations and in consultation with other appropriate Federal officials, the Secretary shall use amounts in the Fund to provide financial assistance for projects relating to the conservation of cranes for which project proposals are approved by the Secretary in accordance with this section.

(b) PROJECT PROPOSALS.—

(1) APPLICANTS.—

(A) IN GENERAL.—An applicant described in subparagraph (B) that seeks to receive assistance under this section to carry out a project relating to the conservation of cranes shall submit to the Secretary a project proposal that meets the requirements of this section.

(B) ELIGIBLE APPLICANTS.—An applicant described in this subparagraph is—

(i) any relevant wildlife management authority of a country that—

(I) is located within the African, Asian, European, or North American range of a species of crane; and

(II) carries out 1 or more activities that directly or indirectly affect crane populations;

(ii) the Secretariat of the Convention; and

(iii) any person or organization with demonstrated expertise in the conservation of cranes.

(2) REQUIRED ELEMENTS.—A project proposal submitted under paragraph (1)(A) shall include—

(A) a concise statement of the purpose of the project;

(B)(i) the name of each individual responsible for conducting the project; and

(ii) a description of the qualifications of each of those individuals;

(C) a concise description of—

(i) methods to be used to implement and assess the outcome of the project;

(ii) staff and community management for the project; and

(iii) the logistics of the project;

(D) an estimate of the funds and the period of time required to complete the project;

(E) evidence of support for the project by appropriate government entities of countries in which the project will be conducted, if the Secretary determines that such support is required to ensure the success of the project;

(F) information regarding the source and amount of matching funding available for the project; and

(G) any other information that the Secretary considers to be necessary for evaluating the eligibility of the project to receive assistance under this Act.

(c) PROJECT REVIEW AND APPROVAL.—

(1) IN GENERAL.—The Secretary shall—

(A) not later than 30 days after receiving a final project proposal, provide a copy of the proposal to other appropriate Federal officials; and

(B) review each project proposal in a timely manner to determine whether the proposal meets the criteria described in subsection (d).

(2) CONSULTATION; APPROVAL OR DISAPPROVAL.—Not later than 180 days after receiving a project proposal, and subject to the availability of appropriations, the Secretary, after consulting with other appropriate Federal officials, shall—

(A) consult on the proposal with the government of each country in which the project is to be carried out;

(B) after taking into consideration any comments resulting from the consultation, approve or disapprove the proposal; and

(C) provide written notification of the approval or disapproval to—

(i) the applicant that submitted the proposal;

(ii) other appropriate Federal officials; and

(iii) each country described in subparagraph (A).

(d) CRITERIA FOR APPROVAL.—The Secretary may approve a project proposal under this section if the Secretary determines that the proposed project will enhance programs for conservation of cranes by assisting efforts to—

(1) implement conservation programs;

(2) address the conflicts between humans and cranes that arise from competition for the same habitat or resources;

(3) enhance compliance with the Convention and other applicable laws that—

(A) prohibit or regulate the taking or trade of cranes; or

(B) regulate the use and management of crane habitat;

(4) develop sound scientific information on, or methods for monitoring—

(A) the condition of crane habitat;

(B) crane population numbers and trends; or

(C) the current and projected threats to crane habitat and population numbers and trends;

(5) promote cooperative projects on the issues described in paragraph (4) among—

(A) governmental entities;

(B) affected local communities;

(C) nongovernmental organizations; or

(D) other persons in the private sector;

(6) carry out necessary scientific research on cranes;

(7) provide relevant training to, or support technical exchanges involving, staff responsible for managing cranes or habitats of cranes, to enhance capacity for effective conservation; or

(8) reintroduce cranes successfully back into the wild, including propagation of a sufficient number of cranes required for this purpose.

(e) PROJECT SUSTAINABILITY; MATCHING FUNDS.—To the maximum extent practicable, in determining whether to approve a project proposal under this section, the Secretary shall give preference to a proposed project—

(1) that is designed to ensure effective, long-term conservation of cranes and habitats of cranes; or

(2) for which matching funds are available.

(f) PROJECT REPORTING.—

(1) IN GENERAL.—Each person that receives assistance under this section for a project shall submit to the Secretary, at such periodic intervals as are determined by the Secretary, reports that include all information that the Secretary, after consulting with other appropriate government officials, determines to be necessary to evaluate the progress and success of the project for the purposes of—

(A) ensuring positive results;

(B) assessing problems; and

(C) fostering improvements.

(2) AVAILABILITY TO THE PUBLIC.—Each report submitted under paragraph (1), and any other documents relating to a project for which financial assistance is provided under this Act, shall be made available to the public.

SEC. 5. CRANE CONSERVATION FUND.

(a) ESTABLISHMENT.—There is established in the Multinational Species Conservation Fund established by the matter under the heading ''MULTINATIONAL SPECIES CONSERVATION FUND'' in title I of the Department of the Interior and Related Agencies Appropriations Act, 1999 (112 Stat. 2681–237; 16 U.S.C. 4246) a separate account to be known as the ''Crane Conservation Fund'', consisting of—

(1) amounts transferred to the Secretary of the Treasury for deposit into the Fund under subsection (c); and

(2) amounts appropriated to the Fund under section 7.

(b) EXPENDITURES FROM FUND.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3), upon request by the Secretary, the Secretary of the Treasury shall transfer from the Fund to the Secretary, without further appropriation, such amounts as the Secretary determines are necessary to provide assistance under section 4.

(2) ADMINISTRATIVE EXPENSES.—Of the amounts in the Fund available for each fiscal year, the Secretary may expend not more than 3 percent, or $150,000, whichever is greater, to pay the administrative expenses necessary to carry out this Act.

(3) LIMITATION.—Not more than 20 percent of the amounts made available from the Fund for any fiscal year may be used for projects relating to the conservation of North American crane species.

(c) ACCEPTANCE AND USE OF DONATIONS.—

(1) IN GENERAL.—The Secretary may accept and use donations to provide assistance under section 4.

(2) TRANSFER OF DONATIONS.—Amounts received by the Secretary in the form of donations shall be transferred to the Secretary of the Treasury for deposit in the Fund.

SEC. 6. ADVISORY GROUP.

(a) IN GENERAL.—To assist in carrying out this Act, the Secretary may convene an advisory group consisting of individuals representing public and private organizations actively involved in the conservation of cranes.

(b) PUBLIC PARTICIPATION.—

(1) MEETINGS.—The advisory group shall—

(A) ensure that each meeting of the advisory group is open to the public; and

(B) provide, at each meeting, an opportunity for interested persons to present oral or written statements concerning items on the agenda.

(2) NOTICE.—The Secretary shall provide to the public timely notice of each meeting of the advisory group.

(3) MINUTES.—Minutes of each meeting of the advisory group shall be kept by the Secretary and shall be made available to the public.

(c) EXEMPTION FROM FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the advisory group.

SEC. 7. FUNDING.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Fund $5,000,000 for each of fiscal years 2009 through 2013, to remain available until expended.

(b) OFFSET.—Of amounts appropriated to, and available at the discretion of, the Secretary for programmatic and administrative expenditures, a total of $25,000,000 shall be used to establish the Fund.

By Mr. SANDERS (for himself and Mr. LEAHY):

S. 198. A bill to direct the Secretary of Transportation to waive non-Federal share requirements for certain transportation programs and activities through September 30, 2009; to the Committee on Environment and Public Works.

Mr. LEAHY. Mr. President, I rise today with my colleague from Vermont, Senator SANDERS, to introduce a bill that will help states struggling with meeting non-federal match requirements for federal transportation funding under the Safe, Accountable, Flexible and Efficient Transportation Equity Act, SAFETEA. Representative PETER WELCH from Vermont introduced identical legislation in the House today as well.

Our States are struggling with enormous budget deficits due to the current economic crisis. As a result, nearly every one of our states has been forced to make drastic cuts to their transportation budgets. On top of that, state and local governments around the country report they do not have the necessary funding in their budgets to match any new Federal transportation money possibly forthcoming in an economic stimulus package. The inability of our states to improve roads and bridges, support public transit agencies facing record demand, and upgrade rail lines puts a strain on our already sagging economy.

Waiving the non-federal match requirements for all highway, transit, and rail projects contained in SAFETEA would allow cash-strapped states to implement high priority transportation projects immediately—at no additional cost to the Federal Government. Since State and local transportation officials have ready-to-go projects that simply cannot move forward without untying the strings of the required match, our legislation would waive the non-federal matching requirements of SAFETEA through September 30, 2009.

I hope my colleagues will take a good look at our bill and support this important legislation that will stimulate needed transportation infrastructure investments all across the country.

By Mr. SPECTER (for himself and Mr. CASEY):

S. 199. A -bill to establish the Steel Industry National Historic Site in the State of Pennsylvania; to the Committee on Energy and Natural Resources.

Mr. SPECTER. Mr President, I have sought recognition to introduce legislation that will honor the importance of the steel industry in the Commonwealth of Pennsylvania and the Nation by creating the ''Steel Industry National Historic Site'' in southwestern Pennsylvania.

The importance of the steel industry to the development of the United States cannot be overstated. A national historic site devoted to the history of the steel industry will afford all Americans the opportunity to celebrate this rich heritage, which is symbolic of the work ethic endemic to this great Nation. The legislation offered today would create a national historic site that would be affiliated with the National Park Service. There is no better place to honor our Nation's steel industry heritage than in southwestern Pennsylvania, which played a significant role in early industrial America and continues today.

I have long supported efforts to preserve and enhance the historical steel-related heritage through the Rivers of Steel National Heritage Area, which includes the city of Pittsburgh, and seven southwestern Pennsylvania counties: Allegheny, Armstrong, Fayette, Greene, Washington, and Westmoreland. I have sought and been very pleased with congressional support for the important work within the Rivers of Steel Heritage Area. I have consistently advocated for increased funding to support our National Heritage Areas and I am hopeful that this support will continue. However, more than just resources are necessary to ensure the historical recognition of this site and our steel heritage. That is why I am introducing this legislation today.

It is important to note why Pennsylvania should be the home of the national site that my legislation authorizes. The combination of a strong workforce, valuable natural resources, and Pennsylvania's strategic location in the heavily populated northeastern United States allowed the steel industry to thrive in the 19th and 20th centuries. Today, the remaining buildings and sites that were devoted to steel production are threatened with deterioration. Many of these sites are nationally significant and perfectly suited for the study and interpretation of this crucial period in our Nation's development. Some of these sites include the Carrie Furnace Complex, the Hot Metal Bridge, and the United States Steel Homestead Works, which would all become a part of the Steel Industry National Historic Site under my legislation. As testimony of the area's historic significance, on September 20, 2006, the Carrie Furnaces were designated as a National Historic Landmark by the Secretary of the Interior.

Highlights of this proposed national historic site would commemorate a wide range of accomplishments and topics for historical preservation and interpretation, including industrial technology advancements and milestones in labor-management relations. One of the sites that would be included in the historic site would be the location of the Battle of the Homestead, waged in 1892 between steelworkers and Pinkerton guards. The Battle of the Homestead marked a pivotal moment in our Nation's workers' rights movement. The Commonwealth of Pennsylvania, individuals, and public and private entities have attempted to protect and preserve resources such as the Homestead battleground and the Hot Metal Bridge. For the benefit and inspiration of present and future generations, it is time for the Federal Government to join this effort to recognize their importance with the additional protection I provide in this bill.

I commend my colleague, Representative DOYLE, who has been a longstanding leader in this preservation effort and who has sponsored this legislation in the U.S. House of Representatives. I look forward to working with officials in southwestern Pennsylvania and Mr. August Carlino, president and chief executive officer of the Steel Industry Heritage Corporation, to bring this national historic site designation to fruition. I urge my colleagues to support this legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 199

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 ''Steel Industry National Historic Site Act''.

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—The Congress finds the following:

(1) Certain sites and structures in the Commonwealth of Pennsylvania symbolize in physical form the heritage of the steel industry of the United States.

(2) Certain buildings and other structures in the Commonwealth of Pennsylvania are nationally significant historical resources, including the United States Steel Homestead Works, the Carrie Furnace complex, and the Hot Metal Bridge.

(3) Despite substantial efforts for cultural preservation and historical interpretation by the Commonwealth of Pennsylvania and by individuals and public and private entities in the Commonwealth, these buildings and other structures may be lost without the assistance of the Federal Government.

(b) PURPOSES.—The purposes of this Act are to ensure the preservation, interpretation, visitor enjoyment, and maintenance of the nationally significant historical and cultural sites and structures described in subsection (a) for the benefit and inspiration of present and future generations.

SEC. 3. STEEL INDUSTRY NATIONAL HISTORIC SITE, PENNSYLVANIA.

(a) ESTABLISHMENT.—The Steel Industry National Historic Site is hereby established

as a unit of the National Park System in the Commonwealth of Pennsylvania.

(b) DESCRIPTION.—

(1) INCLUSION OF CERTAIN PROPERTY.—Subject to paragraph (2), the historic site shall consist of the following properties, each of which relate to the former United States Steel Homestead Works, as depicted on the map entitled ''Steel Industry National Historic Site'', dated November 2003, and numbered 80,000:

(A) The historic location of the Battle of Homestead site in the borough of Munhall, Pennsylvania, consisting of approximately 3 acres of land, including the pumphouse and water tower and related structures, within the property bounded by the Monongahela River, the CSX railroad, Waterfront Drive, and the Damascus-Marcegaglia Steel Mill.

(B) The historic location of the Carrie Furnace complex in the boroughs of Swissvale and Rankin, Pennsylvania, consisting of approximately 35 acres of land, including blast furnaces 6 and 7, the ore yard, the cast house, the blowing engine house, the AC power house, and related structures, within the property bounded by the proposed southwesterly right-of-way line needed to accommodate the Mon/Fayette Expressway and the relocated CSX railroad right-of-way, the Monongahela River, and a property line drawn northeast to southwest approximately 100 yards east of the AC power house.

(C) The historic location of the Hot Metal Bridge, consisting of the Union railroad bridge and its approaches, spanning the Monongahela River and connecting the mill sites in the boroughs of Rankin and Munhall, Pennsylvania.

(2) AVAILABILITY OF MAP.—The map referred to in paragraph (1) shall be available for public inspection in an appropriate office of the National Park Service.

(c) ACQUISITION OF PROPERTY.—To further the purposes of this section, the Secretary of the Interior may acquire, only by donation, property for inclusion in the historic site as follows:

(1) Any land or interest in land with respect to the property identified in subsection (b)(1).

(2) Up to 10 acres of land adjacent to or in the general proximity of the property identified in such subsection, for the development of visitor, administrative, museum, curatorial, and maintenance facilities.

(3) Personal property associated with, and appropriate for, the interpretation of the historic site.

(d) PRIVATE PROPERTY PROTECTIONS.—Nothing in this Act shall be construed—

(1) to require any private property owner to permit public access (including Federal, State, or local government access) to the private property; or

(2) to modify any provision of Federal, State, or local law with regard to public access to or use of private property.

(e) ADMINISTRATION.—The Secretary of the Interior shall administer the historic site in accordance with this Act and the provisions of law generally applicable to units of the National Park System, including the Act of August 25, 1916 (16 U.S.C. 1 et seq.), and the Act of August 21, 1935 (16 U.S.C. 461 et seq.).

(f) COOPERATIVE AGREEMENTS.—

(1) IN GENERAL.—Until such time as the Secretary of the Interior has acquired the property identified in subsection (b)(1), as depicted on the map referred to in such subsection, the Secretary may enter into a cooperative agreement with any interested individual, public or private agency, organization, or institution to further the purposes of the historic site.

(2) CONTRARY PURPOSES.—Any payment made by the Secretary pursuant to a cooperative agreement under this subsection shall be subject to an agreement that conversion, use, or disposal of the project so assisted for purposes contrary to the purpose of the historic site, as determined by the Secretary, shall result in a right of the United States to reimbursement of all funds made available to such a project or the proportion of the increased value of the project attributable to such funds as determined at the time of such conversion, use, or disposal, whichever is greater.

(g) TECHNICAL ASSISTANCE.—The Secretary of the Interior may provide technical assistance to any person for—

(1) the preservation of historic structures within the historic site; and

(2) the maintenance of the natural and cultural landscape of the historic site.

(h) GENERAL MANAGEMENT PLAN.—

(1) PREPARATION.—Not later than three years after the date on which funds are first made available to carry out this Act, the Secretary of the Interior shall prepare a general management plan for the historic site that will incorporate or otherwise address substantive comments made during the consultation required by paragraph (2).

(2) CONSULTATION.—The Secretary shall prepare the general management plan in consultation with—

(A) an appropriate official of each appropriate political subdivision of the Commonwealth of Pennsylvania that has jurisdiction over all or a portion of the lands included in the historic site;

(B) an appropriate official of the Steel Industry Heritage Corporation; and

(C) private property owners in the vicinity of the historic site.

(3) SUBMISSION OF PLAN TO CONGRESS.—Upon the completion of the general management plan, the Secretary shall submit a copy of the plan to the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives.

ORDERS FOR SUNDAY, JANUARY 11, 2009

Mr. REID. I ask unanimous consent that when the Senate completes its business today, it stand in recess until 1 p.m. Sunday, January 11; that following the prayer and pledge, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and the Senate resume consideration of the motion to proceed to S. 22, the lands bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. Under the previous order, at 2 p.m. Sunday, the Senate will proceed to a rollcall vote on the motion to invoke cloture on the motion to proceed to S. 22, the lands bill.

RECESS UNTIL SUNDAY, JANUARY 11, 2009, AT 1 P.M.

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand in recess under the previous order.

There being no objection, the Senate, at 2:43 p.m., recessed until Sunday, January 11, 2009, at 1 p.m.

EXTENSIONS OF REMARKS

IT'S A SOUTHERN THING

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, January 9, 2009

Mr. POE of Texas. Madam Speaker, as we kick off 2009, people across the country are making their new year's resolutions and families are carrying on with their special traditions to start the year out on a good note. Of course by mid February you should be able to get a close parking spot at the gym since that's about the time motivation for the fitness resolution begins to wane. However, there are some traditions that endure year after year, particularly in the South where we seem to value our heritage and culture a little more than our friends to the north.

Since I grew up in Texas, black eyed peas and football were the norm for my family, and everyone I knew, on New Year's Day. Everyone had to have at least one bite for good luck, like it or not, it was the rule. It wasn't until I met my first northerner that I realized this was a southern thing unique only unto us.

There are stories that date the ''good luck'' tradition all the way back the pharaohs of Egypt, but for us it goes back to the War Between the States. During General Sherman's March to the Sea in late December 1864, he ordered the Union troops to ''burn and destroy'' everything they saw, and ''leave a trail that will be recognized fifty years hence.''

In the aftermath of the devastation of the South, the only fields that were spared were the crops of black eyed peas and corn. The Northern soldiers considered them food for the livestock and didn't waste time burning them, thereby leaving them as the only real source of food left for the starving southerners. As a result, black eyed peas were seen as the saving grace of the South and became a sentimental symbol of better days that lie ahead.

Now there are a lot of theories on why we must eat them on New Year's Day, but they all revolve around the principle that they bring good luck and prosperity in the coming year. Every family has a different way of cooking them, if you're from the South you can bet your family has a recipe.

In Texas, some just like to serve plain ole' ''East Texas Caviar'' (as black eyed peas are referred to in Texas). My friends over in Louisiana like to ''kick it up a notch'' and add tomatoes and Cajun spices, some folks make Hoppin' John with rice and hammocks, and most everyone serves them with cornbread and some type of greens such as collards, mustard or turnip greens, or just cabbage or cole slaw to symbolize money. But you can't just eat the greens and expect a prosperous year, you have to have the peas too. Just one bite, it's the rule. (Although some say you have to eat 365 peas, one for each day or eat ''every bean and pea on your plate''—I leave that one up to you!)

I have even heard of people putting a penny in the pot and whoever gets the penny in their bowl gets the ''best'' luck of the year. Maybe this is like the baby in the King Cake? Whatever the case, it is a tradition that runs deep in the South and I am glad to see that it is still alive and well. Both my grandmothers had their special recipes, and every New Year's Day I still hound my kids and grandkids to make sure they eat their peas. So, I hope you all had your black eyed peas and for all you transplants living in the great State of Texas, I hope you get with the program and try some East Texas Caviar to start your year off right. It's a Southern thing.

And that's just the way it is.

CELEBRATING SAN YSIDRO'S CENTENNIAL YEAR!

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 9, 2009

Mr. FILNER. Madam Speaker and colleagues, I rise today to commemorate the Centennial of the great community of San Ysidro—the gateway to America. San Ysidro is not only home to the world's busiest land border crossing, but is also a multicultural tight-knit community with a rich history and culture like no other. As California's Border Congressman, I am very proud to represent San Ysidro and will continue to be a vocal advocate for our border community. Please join me in this year-long celebration. ''¡Adelante San Ysidro!''

HONORING SPECIAL KIDS DAY

HON. PETER J. ROSKAM

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, January 9, 2009

Mr. ROSKAM. Madam Speaker, I rise today to recognize an important community service organization located in Elmhurst, Illinois in my congressional district called Special Kids Day.

Special Kids Day was created in 1990 as a holiday event for children with special needs and their families to visit Santa Claus without obstacles. This venture has evolved into a not-for-profit organization dedicated to providing celebratory events for children with disabilities and their families in an environment designed to accommodate their special needs.

On the first Wednesday each December, Special Kids Day holds their flagship event. Volunteers help children get their picture taken with Santa and distribute goodie bags with toys and candy. Other surprises from face painters to balloon animals help make these events a memorable time for special needs children. All of this allows these children and their families to enjoy the magic of the Christmas season without some of the challenges of making a trip to the mall at the holidays.

Today, the Special Kids Day organization has grown to include dozens of volunteers who serve hundreds of families in the Chicagoland area. For the first time, Special Kids Day also began holding a Carnival Day at the Annual Elmfest in Elmhurst this year.

Madam Speaker and distinguished colleagues, please join me in honoring the time and effort of Special Kids Day volunteers. This organization's selfless, charitable spirit is what makes Illinois' Sixth District such a pleasure to represent.

THE TERMINATION OF RFE/RL AND VOA RADIO BROADCASTS IN AZERBAIJAN

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 9, 2009

Mr. HASTINGS of Florida. Madam Speaker, I rise to express deep concern about Azerbaijan's cessation of local broadcasts of Radio Free Europe and Voice of America. After threatening for months to remove RFE/RL and VOA from the FM airwaves, Baku did precisely that on January 1.

The official justification for this unfortunate decision is that a 2002 Azerbaijani law restricts such frequencies to local broadcasters. The Helsinki Commission, which I chair, sent a letter on November 24, co-signed by Co-Chairman Senator BENJAMIN CARDIN and Ranking Minority Member CHRISTOPHER SMITH, to President Ilham Aliev in which we urged him to reconsider. We pointed out that keeping Congressionally funded RFE/RL and VOA off the FM airwaves was an unwise and unfriendly move and that ending these programs was a poor way to start a relationship with incoming President Barack Obama. But Baku did not budge. Nor, might I add, have we even received the courtesy of a reply since November.

In fact, there are grounds for even graver concerns. Baku had pledged that only FM broadcasts would be ended. On January 6, however, Azerbaijani authorities tried to close down RFE/RL's Internet operation—which they had said would not be touched.

It is difficult to see these actions in any light other than a desire to restrict information available to the public. As the State Department said on December 30, ''These media organizations play a crucial role in supporting democratic debate and the free exchange of ideas and information. This decision, if carried out, will represent a serious setback to freedom of speech, and retard democratic reform in Azerbaijan.''

I concur completely. Azerbaijan's record on media freedom was poor before this, with heavy state influence on the airwaves, three journalists in jail and frequent criticism by the OSCE, Council of Europe and freedom of speech advocates. Now, Azerbaijanis without access to cable or the Internet—which means most of the listening audience—are cut off from objective, impartial sources of information.

Azerbaijani relations with the United States will surely be negatively affected by this decision. I regret that when President Ilham Aliev eventually meets President Barack Obama, they will have to spend time discussing why Baku has shut down U.S.-funded radio stations, instead of exploring ways to deepen the relationship between our countries.

The Helsinki Commission intends to examine U.S. international broadcasting in a future hearing and discuss ways of ensuring the continuance of this vital service. Meanwhile, it is my hope that President Aliev will find a way to keep RFE/RL and VOA on the air.

BCS/UNIVERSITY OF UTAH

HON. JASON CHAFFETZ

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Friday, January 9, 2009

Mr. CHAFFETZ. Madam Speaker, the University of Utah Football Team deserves to be National Champions. The Running Utes of Utah had a remarkably perfect 13–0 season, the only undefeated team out of the 119 in the NCAA's Football Bowl Subdivision. They started the season by defeating the perennial powerhouse Michigan Wolverines. They beat the Oregon State Beavers, who one week earlier had beaten the #1-ranked USC Trojans. They went on to beat the TCU Horned Frogs and the BYU Cougars, who were both ranked in the top 15 of the BCS at the time. Finally, in the Sugar Bowl, the University of Utah crushed the University of Alabama, who was ranked #1 in the BCS for much of the season. The Utes were able to turn back the Crimson Tide, but were still wiped out of consideration for the BCS National Championship.

Perhaps the Bowl Championship Series, the so-called BCS, would best be referred to as the Good 'Ol Boys Championship Series. The University of Utah bowled over 13 opponents this year without a single loss. It would be seemingly inappropriate for the Utes to be bowled over by the good 'ol boys off the field. The University of Utah Football Team deserves to be National Champions.

HONORING THE SERVICE OF ROBERT H. CHRISTY, JR., CLERK OF SUPERIOR COURT FOR BUNCOMBE COUNTY, NORTH CAROLINA

HON. HEATH SHULER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 9, 2009

Mr. SHULER. Madam Speaker, I rise today to honor Mr. Robert H. Christy, Jr., on his impending retirement. He has faithfully and effectively served as the Buncombe County Clerk of Superior Court for the past 18 years and will retire on December 31, 2008.

Since his initial swearing in on September 1, 1990, Bob Christy has overseen the court system during a time of tremendous growth. During that time, his office has grown from 47 employees to 65. Criminal and civil court filings have more than doubled during his tenure. Previously practicing law in the community, Christy's experience as an assistant clerk of court to J. Ray Ellingburg for 7 years prepared him well for the clerkship.

As Clerk of Court, Christy managed Buncombe County's District Court and Superior Court, an operation that entails approximately $25 million in annual revenue. Beyond monetary responsibilities, Christy supervised recordkeeping in the local courts for all civil actions, special proceedings, court minutes, liens and other actions.

Mr. Christy found opportunity in the clerkship to express his great compassion for the elderly, the bereaved, and the struggling of Buncombe County. Over the past 18 years, the Clerk of Court has handled such delicate matters as juvenile crime, adoption, domestic violence, and issues of wills and estates. Christy operated the clerk's office with an open door policy in which he counseled on legal matters but also strove to alleviate the emotional concerns of those in need.

As a public servant, Christy had a great passion and respect for the office that he held. During his tenure, he served as president of the North Carolina Clerks Association, overseeing the executive committee in decision-making that in turn affected 10,000 clerks in the 100 counties across the state. He served on the Governor's Crime Commission and the boards of the North Carolina Courts Commission and the North Carolina Credit Union. He worked closely with the bar association in the county and is known for having strong relationships with area attorneys.

In his private life as well, he is known for activism and involvement. The Democratic Party in Buncombe County has honored Christy with several awards. He is an active member of Central United Methodist Church. In retirement, Christy will be returning to private legal practice with his long-time friend, Asheville attorney Jack Stewart.

Madam Speaker, I am proud to honor Mr. Robert Christy today, to thank him for his tremendous service to the community, and to wish him well in his retirement.

ON THE OCCASION OF THE 50TH ANNIVERSARY OF SENATOR ROBERT C. BYRD'S SERVICE IN THE U.S. SENATE

HON. NICK J. RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 9, 2009

Mr. RAHALL. Madam Speaker, this week, in this Capitol, we are witnessing a convergence of a number of events that will long stand out in our Nation's collective memories. We are on the front edge of a new session of Congress, preparing for a landmark moment in the history of America's presidency. And, at the same time, we are celebrating a major milestone for one of this Nation's most devoted and accomplished public servants—U.S. Senator ROBERT C. BYRD.

It was 50 years ago, that Senator BYRD, for the first time, took the oath of office to serve in the United States Senate—an oath he has now taken a record-setting nine times.

Yesterday, as numerous Members of the House and Senate raised their own hands and took their own very first oaths, I could not help but think about what it must have been like for our Senior Senator from West Virginia to watch these new ranks at the start of their own Congressional careers.

I was reminded of my first day of service in this body. I recall being humbled by the responsibility that had been placed in my hands and awed by the auspicious ceremony and the grandeur of this ornate Chamber.

On that first day, I was relieved at the knowledge that I was blessed with the wisdom, the support, and the mentorship of ROBERT C. BYRD. Throughout my career here, he has been a constant source of encouragement and sage advice.

Today, as we embark upon this new session cognizant of the tremendous challenges before us—a struggling economy, two wars, a strapped Federal budget, and growing public need—we can breathe easier knowing that we are all blessed to have the continuing service of ROBERT C. BYRD to steer us through the rocky shoals.

Congratulations to Senator BYRD—our trailblazer, our Leader, our Big Daddy. May he continue to serve the people of West Virginia and the entire Nation for many years to come.

ST. PETERSBURG MAYOR RICK BAKER NAMED ONE OF NATION'S OUTSTANDING PUBLIC OFFICIALS

HON. C.W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 9, 2009

Mr. YOUNG of Florida. Madam Speaker, I rise to pay tribute to St. Petersburg Mayor Rick Baker who last November was named one of Governing magazine's eight public officials of the year.

Now beginning his 8th year as mayor, Rick has brought insurmountable energy and passion to serving the people of St. Petersburg and revitalizing the entire community. His catch phrase is, "Another great day in St. Petersburg," and under his leadership, every day has become another great day for our community.

As the only mayor honored this year, the magazine dubbed Mayor Baker as "Mr. Inclusive" for his work to revitalize the city's economy, improve its parks system, and improve the city's schools.

This is one of many honors Rick's hard work and commitment to public service have earned him and the city. Just last September, General Colin Powell's America's Promise Alliance named St. Petersburg one of our Nation's 100 Best Communities for Young People.

During ceremonies September 22 at Union Station, the organization cited St. Petersburg for its effort to improve its schools by forming corporate sponsorships. In particular, it said, "St. Petersburg has a strong backbone—the mayor—who, since 2003, has increased corporate partners for its schools from nine to nearly 80."

It was Rick Baker whose vision led to the establishment of the Mayor's Mentors & More program 6 years ago. With the support of the Pinellas Education Foundation, which funded a city staff position to lead mentor training, the city has trained more than 500 mentors over the past 2 years.

Madam Speaker, as Rick Baker embarks upon his final year as mayor, it is good that he

receives recognition for a job well done for the people of St. Petersburg, Florida. He and his work stand as a symbol for all that is good about public service and those who choose to serve.

IN RECOGNITION OF JACK AND DOLLIE HARVEY

HON. JOHN BOOZMAN

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Friday, January 9, 2009

Mr. BOOZMAN. Madam Speaker, I rise in recognition of the devotion and commitment Jack and Dollie Harvey have shown their community.

In their 40 years of marriage, they have worked together to help others. Their romance was born out of tragedy with each of them being widowed at a young age. Instead of dwelling on the hardships they faced in losing a loved one and, eventually, the challenges of merging their two families, they became more mindful of the needs of those around them. They helped rebuild after the 1976 Teton Dam collapse; ''adopted'' the homeless; taught at a juvenile detention center; ministered in migrant camps throughout the Southwest; volunteered at a community recreation center; counseled the terminally ill and their families; organized and managed summer camps for children from low-income families; entertained at nursing homes, state hospitals and city missions; and gave their time, money and energy to every opportunity for service that came their way.

Like many other Americans their age, the Harveys have to stretch their Social Security check to cover their monthly expenses. But they don't worry so much about paying the bills. Quite often, their biggest concern is just finding the energy to breathe. Jack, 78, who suffers from a chronic respiratory disease, and Dollie, 71, a cancer survivor tethered to oxygen, squeeze their numerous doctor's appointments and her frequent transfusions and injections into a hectic schedule devoted to ministering to others.

Sundays are busy days for the couple: teaching Sunday school, practicing for Christmas programs and guest preaching, their efforts continue to make a difference and inspire all of those who meet them. Their lessons have not been lost on their 8 children, 16 grandchildren and 3 great grandchildren, who include ministers, educators, law enforcement personnel, healthcare professionals, a social worker, military members and Arkansas and U.S. Government officials.

Jack and Rollie long ago adopted the motto not to pass on peacefully but to charge ahead helping others until they drop—exhausted and totally spent—into the grave. Truly, it is this kind of commitment, this type of dedication, that makes America grew.

HONORING SAM AND DORIS SHORTER

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 9, 2009

Mr. BISHOP of Georgia. Madam Speaker, I rise today to offer my congratulations to Sam and Doris Shorter of Cataula, Georgia, upon the occasion of their golden wedding anniversary on January 17, 2009. In this day and age where family values are often discussed, I can think of no greater testament to life, love, honor, and family values than the commitment of a 50 year marriage.

Samuel Shorter and Doris Lawson, both native Georgians, were born, reared and educated in Terrell County. They met while attending Terrell County high school. Sam was the starting guard on the basketball team and Doris was a pretty girl who caught his eye and snared his heart. After courting for just a few months, they both realized they had found true love and were destined to be partners in life. Shortly thereafter, Sam and Doris were joined in holy matrimony on January 17, 1959.

Along the way, during these last 50 years, they built a loving home, had successful careers, created a business and raised a family. Although they settled in New Jersey in the early 1960s, they never forgot their Georgia roots, and retired to Georgia in 2003.

Their marriage has been blessed with three children—Malcom, Tonya and Courtney; a loving daughter-in-law Joan; and six granddaughters—Natalya, Olivia, Alazandra, Victoria, Ciara and Daijohna.

Madam Speaker, I ask you and my colleagues to join me in congratulating the Shorters as they celebrate 50 years of marriage. It is refreshing to see two people who have devoted their lives to creating a successful marriage and happy family. They are an example of what a little dedication, a lot of love, and a belief in God can create.

DULLES CORRIDOR METRORAIL PROJECT

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 9, 2009

Mr. WOLF. Madam Speaker, on behalf of the entire Virginia Congressional delegation, the people of the 10th District of Virginia, and everyone who uses Washington Dulles International Airport, I want to thank Secretary of Transportation Mary Peters for her efforts in giving final Federal approval to the Dulles Corridor Metrorail Project.

The Department of Transportation signed off on the project committing some $900 million in Federal funds to this project, which has been discussed and in the planning stages for decades. It is gratifying to see this project become a reality and it would not have been possible without Secretary Peters's bold leadership, personal attention, and ability to recognize the critical need for congestion relief in the Dulles corridor.

TRIBUTE TO THE 150TH ANNIVERSARY CELEBRATION OF WATERLOO UNITED METHODIST CHURCH

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, January 9, 2009

Mr. FRELINGHUYSEN. Madam Speaker, I rise today to commemorate the 150th Anniversary Celebration marking the building of the Waterloo United Methodist Church in the Borough of Stanhope, County of Sussex, New Jersey, a vibrant community I am proud to represent.

Waterloo United Methodist Church was started in 1855 by a few families crowded into a general store. Devoted congregants constructed a church in 1859. The congregation continued to thrive until the Great Depression when church membership was reduced to all but five congregants. Through the dedication of Mrs. Melissa Dolan, an organist and Sunday school teacher for the church for 50 years, the church was saved from abandonment. Not until 1971 was the church's survival once again threatened, this time by the construction of a dam. Through the help of New Jersey State Senator Wayne Dumont the church was allowed to remain in use and the congregants unanimously voted to not sell the property to the State. In 1980, when membership dwindled to eight families, a conscious effort was made by the congregation to keep their beloved church alive and to this day the church continues to be successful.

The United Methodist Church remains the only operating building in the restored 19th century canal town of Waterloo Village. Today's inter-generational congregation is lead by three pastors, the only congregation in the State of New Jersey to be led by a pastoral team, and welcomes parishioners from all walks of life. Although few in numbers this progressive church takes great pride in accepting people from diverse backgrounds, following in the footsteps of Jesus Christ whom embraced those that society did not.

Madam Speaker, I urge you and my colleagues to join me in congratulating Waterloo United Methodist Church on the celebration of 150 years of serving its parishioners and all of Sussex County.

RECOGNIZING THE DEATH OF CLAIBORNE PELL

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, January 9, 2009

Mr. RANGEL. Madam Speaker, I rise today to pay tribute to Claiborne Pell, Princeton Graduate, former senator from Rhode Island, creator of Pell Grants, and writer of legislation that created the National Endowment for the Arts and the National Endowment for the Humanities. He served six terms in the office, until 1997.

Words alone can not express my sincere admiration for Claiborne Pell and the legacy he has left behind: a program that has given grants to tens of millions of college students and will continue to give grants to generations of college students to come.

I truly admire Claiborne Pell for his commitment to aiding students in paying for college education. The Pell Grants began with the creation of a bill that created the Basic Education Opportunity Grant (BEOG) which provided financial aid to the needy to attend college. The Basic Education Opportunity Grant (BEOG) was renamed in honor of Pell and his work for these grants in 1980 as Pell Grants: Pell had sponsored the research of a two-volume report that had been the basis of the bill that

created the BEOG. Pell's dedication to providing assistance to college students in meeting the high costs of a college education will be remembered for years to come.

Claiborne Pell was also very dedicated to the Arts and Humanities. He was the author of the National Foundation of the Arts and the Humanities Act of 1965. Both of these led to the creation of the National Endowment for the Arts and the National Endowment for the Humanities. The National Endowment for the Arts fostered many techniques and styles that are credited with making American artists distinguished worldwide.

Mr. Pell's outstanding leadership, patriotism and accomplishments will surely serve as an inspiration for many Americans.

CONGRATULATING THE SAINT FRANCIS SPARTAN FOOTBALL TEAM

HON. PETER J. ROSKAM

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, January 9, 2009

Mr. ROSKAM. Madam Speaker, I rise today to congratulate the Saint Francis Spartans football team for their remarkable victory in the Class 5A Illinois State championship on November 29, 2008.

Saint Francis' road to the State championship is a great story of success through hard work and determination. In the previous two seasons, the Spartans struggled vigorously to overcome many obstacles. This year, all their hard work paid off. The steadfast Spartans pulled off a tremendous turnaround, ending the regular season with a record of 9–1.

In Saturday's championship game, the Spartans faced off against the top-ranked, 9-0 Metamora Redbirds. The Redbirds entered the game with a 27-game winning streak. Despite the steep challenge ahead, the Spartans stayed focused on the game. They tenaciously persevered, beating the Redbirds 49–35 and breaking the record for the most points scored in the 5A title game.

Madam Speaker and distinguished colleagues, please join me in commending the Saint Francis players and coaches for their intensity and dedication throughout the season. Their incredible performance in the State championship is a tribute to long hours of hard work, both on and off the field.

Spartans, your families, your school, and your community are extremely proud of what you've accomplished. I wish you all the best in the future. Go Spartans!

TRIBUTE ON THE DEPARTURE OF CHIEF OF STAFF DAVID GOLDENBERG

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 9, 2009

Mr. HASTINGS of Florida. Madam Speaker, I rise today to honor my departing Chief of Staff, David Goldenberg. With great reluctance but immense gratitude, I bid farewell to David after almost 9 years in my office, nearly 2 as my Chief of Staff.

Madam Speaker, David will be sorely missed. His policy knowledge, political acumen, generosity of heart, and dedication to his work leaves an indelible impression, not only on myself but on all those members of my staff who work closely with him. David has served as a colleague, leader, mentor and, friend to much of my staff over the years, and it is on their behalf, as well as mine, that I honor him today.

David is reliable and good-natured, hard-working and humorous. His leadership in my office has been marked by charity and devotion, acceptance and affection. David has been an asset not only to Florida's 23rd District, and not only to the State of Florida, but also to the entire country, as an advocate of those policies that seek to uplift people and better their lives.

Madam Speaker, as David and his wife, Nami, move from Washington, D.C. to Chicago, I wish them much happiness and the best of luck in this new chapter in their lives. I only insist that they both return to Washington to visit me as soon as possible.

David, I thank you.

GAZA

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, January 9, 2009

Mr. PASCRELL. Madam Speaker, nearly 9,000 rockets, missiles, and mortars have been fired into Israel since 2001, terrorizing the Israeli people. More than 6,000 of them have fallen since Israel withdrew entirely from the Gaza Strip and Hamas took over its leadership in 2005. The range of these rockets continues to grow, putting more of Israel's population in danger.

The humanitarian situation in Gaza also worsens by the day, and scores of civilians have been hurt or killed in the fighting. Hamas terrorists embed themselves in private homes, schools, mosques, hospitals, and use innocent Palestinians as human shields.

I fully support Israel's right to defend itself against the constant barrage of attacks from Hamas. However, it is imperative that both the Hamas government in Gaza and the State of Israel stop this cycle of violence that has caused hundreds of casualties, before it gets worse. Israelis in Southern Israel and Palestinians in Gaza live in constant fear for their lives, and this is unacceptable.

The Bush Administration must immediately take all necessary measures, in conjunction with the world community, to broker a peaceful and sustainable resolution to this volatile situation. Should the President heed this call, it will bolster the incoming Obama Administration's efforts as it advocates for a lasting peace.

Military action will not result in an enduring resolution of these long simmering tensions. It is only through diplomacy and a strengthening of the Israeli Palestinian reconciliation process that a sustainable two state solution will be achieved. The violence must stop and the healing process begin, before more civilians are hurt and more lives are destroyed.

SECOND ANNUAL NATIONAL HUMAN TRAFFICKING AWARENESS DAY

HON. LORETTA SANCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 9, 2009

Ms. LORETTA SANCHEZ of California. Madam Speaker, I rise today to recognize the second annual National Human Trafficking Awareness Day on January 11, 2009. Human trafficking is a modern form of slavery, and the largest manifestation of slavery today. It continues to be a multi-dimensional threat that deprives people of their human rights and dignity.

According to the U.S. Department of Health and Human Services, human trafficking is now the fastest-growing criminal industry in the world. About 80 percent of transnational victims are women, girls and up to 50 percent are minors. It is vital that the United States continue to expand our efforts to combat trafficking both within and beyond our own borders.

I am very proud that in my district, a number of agencies, including law enforcement, victims service providers, and community organizations have joined together to form the Orange County Human Trafficking Task Force. I hope that more local communities will stand together to protect every person's right to be free from forced marriage, prostitution, and labor.

Each of us has a responsibility to fight human trafficking and slavery. I urge my colleagues and all Americans to join me in recognizing National Human Trafficking Awareness Day, and working to stop human trafficking around the world.

TRIBUTE TO RUTH COLE-CHU

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Friday, January 9, 2009

Mr. COURTNEY. Madam Speaker, I rise today to honor the life of one of eastern Connecticut's most dynamic leaders, Ruth Cole-Chu of Salem, who passed away on Wednesday, January 7, 2009.

Ruth was born in Hweli, China where her parents were serving as Baptist Missionaries. After returning to the United States, Ruth attended Wheaton College in Illinois where she received her bachelor of arts in speech communications. She later attended Golden Gate University School of Law in San Francisco where she received her law degree.

Ruth was a devoted wife, mother, and public servant. She was also an attorney and an education consultant. As an active member of her community, she participated in various local boards and commissions. She served 6 years as a member of the Board of Education, including a term as chairwoman, where she fought tirelessly to expand opportunities for the students of Salem. While she began her career as an attorney, it was as an advocate for children that Ruth truly made her mark.

Ruth believed that school communities should be a place where children from all walks of life could grow and learn. She was an

unwavering advocate for multiculturalism and diversity, and it was with that in mind that she founded the Inter-district School for Arts and Communications, the ISAAC Charter School. Since 1997, the ISAAC school has offered a unique educational experience for students in southeastern Connecticut where they can learn about the importance of diversity and the value of community service.

Ruth's belief in compassion and open-mindedness is a message that she carried to all she met. It is a spirit that lives on in her own children, Emily, Hannah and Lily. While her compassion for all children marked her legacy, it was the love that she had for her own children that defined her life.

We in eastern Connecticut are blessed to have had such a dedicated public servant and those of us who knew her are blessed to have had such a friend. We will take solace in her memory and the example that she set for thousands of young people across our State. To Lee, her beloved husband, and the entire Cole-Chu family, please know that our thoughts and prayers are with you.

CITY OF BELLAIRE'S 100TH ANNIVERSARY

HON. JOHN ABNEY CULBERSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, January 9, 2009

Mr. CULBERSON. Madam Speaker, I rise today to celebrate the City of Bellaire's 100th Anniversary. The prosperous and tranquil neighborhoods of Bellaire, Texas exemplify why so many new people and businesses move to Texas every day. The people of Bellaire take pride in their thriving city, which was founded in 1908 alongside the City of Houston. I grew up in West University Place, right next door, and I experienced what every young person in Bellaire enjoys today—the comfort and joy of growing up in a small town, even though we were in the middle of one of the biggest cities in America.

One of Houston's greatest strengths is the small town feel of neighborhoods all over Harris County, and nowhere is that small town safety, security, and prosperity stronger than Bellaire. The people of Bellaire look after one another, and take pride in their city and their neighborhoods and fill up every parking spot for blocks around whenever there is a parent meeting at a local school.

When Hurricane Ike knocked down trees and damaged property and knocked out the power, the people of Bellaire showed once again why their beautiful city is so successful. They did not sit around and wait for the federal government to help them. Neighbors simply pulled out their chain saws, and their hammers and tools and walked door to door on their street to see who needed help. Elderly or infirm residents were helped by their next door neighbors in the very best spirit of America.

Bellaire's small town roots go back to its founding six miles outside of Houston in 1908 by William Wright Baldwin. In 1918, when Bellaire was incorporated as an independent city, its population was 200, and during World War II the city grew rapidly. By 1948, the City of Houston had completely surrounded Bellaire, yet Bellaire has always maintained its independence as a home rule city.

Bellaire's fire and police departments are among the best in Texas. Building on a strong foundation of neighbors helping neighbors, Bellaire's firemen and policemen have helped make Bellaire one of the safest cities in America. People from all over Texas and America continue to vote with their feet and their dollars by moving their homes and businesses to Bellaire at a time when other communities across the nation are shrinking.

Bellaire was a part of the Seventh Congressional District in 1966 when the District's first Congressman was future President George H. W. Bush, who was followed by the Chairman of the House Ways and Means Committee Bill Archer. Population growth in the greater Houston area caused District 7 to be drawn farther west until 2006, when Bellaire once again became part of this historic congressional district.

As someone who grew up next door in West University, with many fond memories of Bellaire, I am especially proud to represent the people of this great city as their Congressman in Washington, D.C. It gives me great pleasure to congratulate the people of Bellaire on building one of the safest, most prosperous, and most pleasant cities in America over the last 100 years, and I will always do everything I can to preserve, protect, and defend Bellaire's wonderful quality of life for the generations that will follow us in the next 100 years.

Congratulations Bellaire.

HONORING BERNIECE HUGHES

HON. KEVIN BRADY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, January 9, 2009

Mr. BRADY of Texas. Madam Speaker, I stand up today before my esteemed colleagues to honor a lifelong resident of my district who just flat-out loved politics. Nothing—short of time with her three children, five grandchildren, nine great-grandchildren and nine great-great-grandchildren—made Berniece Hughes of Conroe, Texas, happier than getting mad at what we all had to say on her favorite all-news channels. The daughter of the late W.V. and Lennie Galloway Holliday of Polk County, Berniece Hughes did her growing up during the Great Depression. She was a girls' basketball and track team member at Goodrich High in Polk County where she was in the 1934 graduating class. The oldest of six, Berniece is now reunited in heaven with her brothers and sisters and her sweetheart, B.F. "Bert" Hughes.

A master of the one-liners, Berniece, even at 92, was—as her daughter puts it—a "doodle mama just like Driving Miss Daisy." Likening her mother and father to screen giants Tracy and Hepburn, Lana says quick quips and laughter were just part of growing up a Hughes. Berniece thoroughly enjoyed being home with her children—B.F. "Mike" Hughes, Jr. of Livingston, and Wayne Hughes and Lana Hughes of Houston—as they were growing up. She was even more delighted to spend the second half of her days in Conroe enjoying watching her children bring her grandchildren and her grandchildren bring her great-grandchildren and so on. Everyone who met her described Berniece as "a pistol."

Once again, Madam Speaker, I thank my colleagues for allowing me to share the story of a life well lived and ask for their thoughts and prayers as Berniece's large, loving family will gather together at the Forest Park Lawndale Cemetery and Funeral Home to say their final goodbyes to their "doodle mama," this Saturday morning.

IN RECOGNITION OF MARSHALL BILLINGSLEA, DEPUTY UNDER SECRETARY OF THE NAVY

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 9, 2009

Mr. MILLER of Florida. Madam Speaker, I rise today to recognize Marshall Billingslea, the outgoing Deputy Under Secretary of the U.S. Navy. I am proud to recognize his service to the Nation and thank him for his contributions to our national defense.

Marshall entered public service after receiving his master of arts in law and diplomacy from the Fletcher School of Law and Diplomacy in 1995. He served for over 6 years as the Senior Professional Staff Member for National Security Affairs on the Senate Foreign Relations Committee. During this period, he was the senior advisor to the chairman and members of the committee on all proliferation, arms control, defense, intelligence, and counter-terrorism issues. These experiences provided an enormous breadth of knowledge and laid the foundation for a career of outstanding public service.

Mr. Billingslea later joined the Bush administration as the Deputy Assistant Secretary of Defense for Negotiations Policy and served as the chief negotiator for all major international agreements. In this capacity, he was the principal Department of Defense representative on numerous U.S. arms control delegations, and the U.S. Head of Delegation for Transparency and Verification negotiations with the Russian Federation in connection with the Moscow Treaty on Strategic Nuclear Reductions.

In recognition of his outstanding accomplishments, he was appointed the Acting Assistant Secretary of Defense for Special Operations/Low-Intensity Conflict. As the principal civilian advisor to the U.S. Secretary of Defense on Special Operations Forces and counter-terrorism efforts against al Qaeda and other terrorist groups, he had enormous responsibility to safeguard the American people in supervising all special operations activities in the Department of Defense.

Prior to his current position, he served as NATO's assistant Secretary General for Defence Investment. He bolstered the national security of the United States by promoting NATO armaments cooperation policies and programs, and for military common funding. Additionally, he served as Chairman of NATO's Conference of National Armaments Directors (CNAD) and Chairman of the Board of Directors for NATO's Consultation, Command, and Control Organization.

As the first Deputy Under Secretary of the Navy in over 7 years, Marshall has been the senior advisor to the Secretary of the Navy on a wide range of policy and intelligence matters. His advice and counsel to the Secretary during a time of war, as well as his leadership in standing up the DUSN organization, has been invaluable to the Secretary and the Department of the Navy as a whole.

I am proud to recognize Marshall's achievements and wish him and his wife, Karen, along with their daughters, Morgan Alyssa and Elsa Breanne, well as they pursue new endeavors.

IRAQ'S STRUGGLING CHRISTIAN COMMUNITY

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 9, 2009

Mr. WOLF. Madam Speaker, I would like to share with our colleagues a letter I sent yesterday to Secretary Rice regarding the plight of Iraq's struggling Christian community.

It is my hope that people of faith throughout the country contact both the incoming and outgoing administrations and urge immediate action to protect this ancient community, some of whom still speak Aramaic, the language of Jesus.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 8, 2009.

Hon. CONDOLEEZZA RICE,
Secretary of State,
Washington, DC.

DEAR SECRETARY RICE: Millions around the world just celebrated Christmas. In churches and homes throughout our own country children learned of Mary, Joseph, a census, a stable—of Nazareth and Bethlehem and other far away places. These lands of old that are found throughout the Bible are still home to ancient Christian communities with deep spiritual and cultural roots. In fact, with the exception of Israel, the Bible contains more references to the cities, regions and nations of ancient Iraq than any other country.

The patriarch Abraham came from a city in Iraq called Ur. Isaac's bride, came from northwest Iraq. Jacob spent 20 years in Iraq and his sons (the 12 tribes of Israel) were born in northwest Iraq. A remarkable spiritual revival as told in the book of Jonah occurred in Nineveh. The events of the book of Esther took place in Iraq as did the account of Daniel in the Lion's Den.

Tragically Iraq's ancient Christian community is facing extinction on this administration's watch. According to the U.S. Commission on International Religious Freedom (USCIRF), Iraq's Christian population has fallen from as many as 1.4 million in 2003 to between 500,000 and 700,000 at present. USCIRF also reports that ''while Christians and other religious minorities represented only approximately 3 percent of the pre-2003 Iraqi population, they constitute approximately 15 and 20 percent of registered Iraqi refugees in Jordan and Syria, respectively, and Christians account for 35 and 64 percent, respectively, of all registered Iraqi refugees in Lebanon and Turkey.''

It is critical to note, as the figures above indicate, that the violence and intimidation that Iraq's Christians and other ethno-religious communities have faced is targeted. In July 2008, the U.S. Conference of Catholic Bishops Migration & Refugee Services said this about the minority religious communities: ''These groups, whose home has been what is now Iraq for many centuries, are literally being obliterated—not because they are fleeing generalized violence but because they are being specifically and viciously victimized by Islamic extremists and, in some cases, common criminals.''

We need a comprehensive policy or even a point person at the embassy in Baghdad to address the unique situation of these defenseless minorities. An article in Christianity Today by Philip Jenkins described what was happening this way: ''What we are seeing then is the death of one of the world's greatest Christian enterprises.''

I urge you, in your final days as Secretary of State, to take dramatic action on behalf of this hurting population and a good starting point is the recent recommendations put forward by USCIRF. I respectfully request a response from you, rather than the assistant secretary for Legislative Affairs.

Best wishes.

Sincerely,

FRANK R. WOLF,
Member of Congress.

IN MEMORY OF MARY JAMES

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, January 9, 2009

Mr. SKELTON. Madam Speaker, it is with deep sorrow that I inform the House of the death of Mrs. Mary L. James.

Mary, who was born in West Plains, MO, was a graduate of Harrisonville, MO, High School and the University of Missouri, where she received a bachelor of science degree in education. Mary also earned a master's of public administration degree from the University of Kansas.

Through the years, Mary dedicated her life to education, health care, and to the betterment of her community and her state. She was a teacher, a volunteer, and lived her whole life surrounded by or working in the news business. In 1999, Missouri Governor Mel Carnahan appointed Mary as a member of the University of Missouri Board of Curators, and she became the board's president in 2005.

Mary also served organizations affiliated with the University of Missouri, which she so dearly loved, including the Chancellor's Fund for Excellence, the Advisory and Development Committee within the College of Education, and the Griffith's Leadership Society for Women. Mary was also a member of the Jefferson Club. In 2005, the Alumni Alliance recognized Mary for Outstanding Alumni Service to the University of Missouri System.

Mary also worked as the executive director of the Cass Medical Center Foundation, on the board of the Healthcare Foundation of Greater Kansas City, and on the board of the Cass Medical Foundation. In 2006, she was recognized by the University of Missouri as a Distinguished Friend to the School of Nursing because of her commitment to health care and to the University.

Mary also served as a member of the Harrisonville Park Board, including time as chairman. During her tenure on the park board, she advocated for a community sales tax that led to building a pool and maintenance facility for the city of Harrisonville, she wrote a grant and raised funds to build an outdoor theater, and she helped plan for a community center. Mary was a member of the Harrisonville Chamber of Commerce, the Harrisonville United Methodist Church, Chapter G.R. PEO, Delta Gamma, and the University of Missouri Alumni Association.

Mary's family had been prominent in the Missouri newspaper business. Her parents, the late J.W. Brown, Jr., and Wanda A. Brown, were publishers of the Cass County Democrat-Missourian in Harrisonville. Her father served as Missouri Press Association President. She worked for 26 years as the human resources manager for Cass County Publishing, volunteering extensively in her spare time.

In 1971, Mary married Bill James, who himself has been a prominent figure in the Missouri newspaper business and is a former president of the Missouri Press Association. Bill is now the publisher of the Daily Star-Journal in Warrensburg, Missouri.

Mary, who is survived by Bill, by her two sons and their wives, by one granddaughter, by her mother, and by her sister, will be remembered fondly by all who had the privilege of knowing her, including me. She has led an exemplary life, which ought to serve as a model for young people in Missouri and throughout our nation. I know members of the Congress will join me in paying tribute the life of Mary James and in extending condolences to her family and friends.

INTRODUCTION OF THE KALAUPAPA MEMORIAL ACT OF 2009

HON. MAZIE K. HIRONO

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Friday, January 9, 2009

Ms. HIRONO. Madam Speaker, I rise today to introduce a bill to authorize establishment of a memorial at Kalaupapa National Historical Park on the island of Molokai, Hawaii, to honor the memory and sacrifices of the some 8,000 Hansen's disease patients who were forcibly relocated to the Kalaupapa peninsula between 1866 and 1969. I want to thank my friend and colleague Congressman NEIL ABERCROMBIE for cosponsoring this legislation.

I had hoped to see this bill become law last year. The 110th Congress version of the bill (H.R. 3332) passed the House in February 2008. It was approved by the Senate Energy and Natural Resources Committee in June 2008. Unfortunately, despite heroic efforts by Senators AKAKA, INOUYE, and BINGAMAN, the bill did not come before the full Senate for a vote.

The policy of exiling persons with the disease that was then known as leprosy began under the Kingdom of Hawaii and continued under the governments of the Republic of Hawaii, the Territory of Hawaii, and the State of Hawaii. Children, mothers, and fathers were forcibly separated and sent to the isolated peninsula of Kalaupapa, which for most of its history could only be accessed by water or via a steep mule trail. Children born to parents at Kalaupapa were taken away from their mothers and sent to orphanages or to other family members outside of Kalaupapa. Hawaii's isolation laws for people with Hansen's disease were not repealed until 1969, even though medications to control the disease had been available since the late 1940s.

While most of us know about the sacrifices of Father Damien, who dedicated his life to care for those exiled to Kalaupapa, fewer know of the courage and sacrifices of the patients who were torn from their families and left to make a life in this isolated area. It is important that their lives be remembered.

Of the some 8,000 former patients buried in Kalaupapa, only some 1,300 have marked graves. A memorial listing the names of those who were exiled to Kalaupapa and died there is a fitting tribute and is consistent with the primary purpose of the park, which is ''to preserve and interpret the Kalaupapa settlement for the education and inspiration of present and future generations.''

Ka 'Ohana O Kalaupapa, a non-profit organization consisting of patient residents at Kalaupapa National Historical Park and their family members and friends, was established in August 2003 to promote the value and dignity of the more than 8,000 persons—some 90 percent of whom were native Hawaiian—who were forcibly relocated to the Kalaupapa peninsula. A central goal of Ka 'Ohana O Kalaupapa is to make certain that the lives of these individuals are honored and remembered through the establishment of a memorial or memorials within the boundaries of the park at Kalawao or Kalaupapa.

Ka 'Ohana O Kalaupapa has made a commitment to raise the funds needed to design and build the memorial and will work with the National Park Service on design and location of the memorial.

I have met with the elderly residents of Kalaupapa; many have expressed a strong desire to know that the memorial will be built before they die. I also read the heartfelt and compelling testimony submitted by current patients and family members of former patients who want to make sure not only that the story of Kalaupapa is told but that the patients are recognized as individuals by having the names of each of those exiled to Kalaupapa and buried there recorded for posterity. Families that have visited Kalaupapa and Kalawao searching in vain for the graves of their family members will find comfort in seeing those names recorded on a memorial.

The National Park Service is supportive of this legislation. I am hopeful that the Senate will soon pass an omnibus bill including the text of this legislation and other public lands bills.

I urge my colleagues to join me in supporting this important legislation.

INTRODUCTION OF H.R. 374

HON. JANE HARMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 9, 2009

Ms. HARMAN. Madam Speaker, today we are introducing legislation that will begin a long-needed course correction in U.S. interrogation policies.

In the months and years after the September 11 terrorist attacks, I repeatedly urged the Bush administration to establish a legal framework that allowed the United States to identify, detain, and interrogate those who would harm us while protecting our fundamental values. Instead, the administration claimed for itself the right to ignore core provisions of U.S. law regarding the treatment of detainees. It brushed aside international agreements like the Geneva Convention, which have both protected our troops and set the bar for human rights.

The result is that United States has paid a steep price in eroded moral authority. We've flouted the very legal protections that we've tried to export to the rest of the world. We've undermined the international human rights standards that we helped create. And we've provided a huge recruiting tool to al Qaeda.

For many years, the sponsors of this legislation have fought to restore respect for the law and human rights to our detention and interrogation policies.

Now, with the election of a new President, we believe that goal is within reach. This legislation is an essential first step.

First, the bill requires the closure of the prison facility at Guantanamo Bay. The prison is so widely viewed as illegitimate, so plainly inconsistent with America's proud legal traditions, that it has become a stinging symbol of our tarnished standing abroad.

The Supreme Court has brought the curtain down on the legal fiction on which the prison was premised. It's time for Congress to take the next step and close it permanently.

Our bill would require the President to close the facility within 1 year of enactment and give him a range of choices for dealing with the detainees. These options include transfer to a detainee's country of origin, so long as that country provides certain assurances regarding treatment of the detainee; transfer to a facility in the United States to be tried before military or civilian authorities, like the first 1993 World Trade Center bombers, who are currently being held in Supermax prisons in the United States; transfer to a qualified international tribunal; or, if appropriate, outright release.

Second, the bill prohibits the interrogation of any individual held by a U.S. intelligence agency or its contractors using any technique or treatment not authorized by the United States Army Field Manual on Human Intelligence Collector Operations. Torture and abusive treatment is not only contrary to American values, the law, and international human rights agreements, there is no evidence that it yields reliable intelligence. This legislation will require that our intelligence agencies do not engage in such practices.

Third, the bill forbids the Central Intelligence Agency from using a contractor or subcontractor to carry out an interrogation, ending a practice that has been fraught with abuse.

Finally, the bill requires that the intelligence community provide the International Committee of the Red Cross with access to any individual in its custody, providing transparency and accountability that will restore the world's confidence in our detention and interrogation practices. The notion that our country essentially ''disappeared'' some detainees is abhorrent—we are not the Soviet Gulag or the Chilean military.

The portions of the legislation relating to the prison facility at Guantanamo Bay are identical to H.R. 2212, which I introduced in the 110th Congress, and the remaining provisions are identical to legislation introduced earlier this week by Senator DIANNE FEINSTEIN.

We urge swift passage in both Chambers.

HONORING THOMAS MAYFIELD

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 9, 2009

Mr. RADANOVICH. Madam Speaker, I rise today to honor the life of Thomas Mayfield for his dedication to his family, business and community. Mr. Mayfield lost his fight against lymphoma on December 9, 2008; three days shy of his seventy-eighth birthday.

Thomas Mayfield was born on December 12, 1930 in Holtville, California and was raised in Imperial County, California. As an adolescent his family moved to Hughson, California where he attended and graduated from Hughson High School in 1948. As a young man, Mr. Mayfield worked in construction in Alaska for 1 year before joining the Air Force. He served in the Air Force from 1950 to 1951, and returned to work in Alaska until 1953. In 1954 he married his wife, Anita, and moved back to Hughson. They began a small farm growing walnuts, almonds and grapes. The business eventually grew to include a hulling division. Up until a few months ago Mr. Mayfield was still working out in the fields on the family farm.

Mr. Mayfield has a long history of involvement in the Hughson community. He was a member of the Stanislaus County Farm Bureau, the Hughson Chamber of Commerce and heavily involved with Saint Anthony's Church. He also served 10 years on the Hughson Elementary School Board. In 1992, he decided to run for an open seat on the Stanislaus County Board of Supervisors District 2, he was elected and began his 16-year run on the Board in 1993. Supervisor Mayfield was a strong voice for agriculture on the board and a proponent of family issues. He served on numerous committees and commissions; including serving as Vice President in 1996 and as the chairman of the board in 1997. He was the Board's representative to the Commission on Aging, Fish and Wildlife Committee, General Plan Update Committee, Joint Powers Authority Committee and member of the LAFCO Commission. He served as an alternate to the San Joaquin Valley Unified Air Pollution Control District Board of Directors, Safety Committee, Stanislaus Area Association of Governments Executive Committee and an alternate to the Emergency Medical Services Board of Directors and the Stanislaus-Ceres Redevelopment Committee. He was serving as chairman this year until he became too ill to attend meetings. Supervisor Mayfield was completing his fourth term on the board and did not run for re-election this year. He was an advocate, a dedicated public servant, a leader and a great friend to all that knew him.

Supervisor Mayfield is survived by his wife of over 50 years, Anita; a daughter, Lisa Mayfield-Rigg; a son, Tom Mayfield; and three grandsons. He was preceded in death by a daughter, Laurie Woodward.

Madam Speaker, I rise today to posthumously honor Supervisor Thomas Mayfield for his dedicated services to his family, his business and his community. I invite my colleagues to join me in honoring his life and wishing the best for his family.

OPENING OF NEW LEED GOLD CERTIFIED CUB FOODS STORE IN ST. PAUL, MN

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 9, 2009

Ms. McCOLLUM. Madam Speaker, I rise today to congratulate Minnesota-based grocery retail company Cub Foods for its planned opening of one of the nation's first LEED (Leadership in Energy and Environmental Design) Gold Certified grocery stores in St. Paul, Minnesota.

The new store, located in the heart of St. Paul's Phalen neighborhood, will be the first LEED Gold Certified grocery store in Minnesota and the second in the United States. It received an award from the Environmental Protection Agency's GreenChill Partnership at Gold-Level Certification for outstanding use of environmentally friendly refrigeration technology. I want to congratulate Brian Huff, President of Cub Foods; Mark Halvorson, Phalen Cub Foods Store Manager; and Jeff Noddle, Chairman and CEO of Cub Food's parent company SUPERVALU for their outstanding environmental leadership in setting a new standard in the grocery retail industry.

As a member of the Congressional Green Buildings Caucus I firmly believe that energy efficiency in our nation's buildings must play an important part in a 21st century energy strategy for the United States. The innovations Cub Foods brings to the St. Paul Phalen community with its new LEED store are exceptional and should be replicated nationwide. The new 62,900 square-foot store has skylights to illuminate 75 percent of occupied spaces and has the first commercial parking lot in Minnesota illuminated using only LED lights. It incorporates a landscape irrigation system that uses 50 percent less water than typical systems. In addition, 75 percent of the building construction waste will be recycled. Such innovations must become the standard for America's buildings as we tackle the challenges of climate change and energy security.

In addition, the Phalen Cub Foods store was an integral part of St. Paul's East Side redevelopment project and has created approximately 135 new part-time and full-time jobs for the neighborhood. As we face a global recession, such green projects are a win-win for the environment and our economy.

As Cub Foods commemorated their 40th Anniversary in 2008, the commitment Cub is making to the long-term well-being of the environment, their customers and employees truly exemplifies Minnesota's strong tradition of community and responsible stewardship of our community and our planet. I congratulate Cub Foods on its efforts and look forward to continuing our shared fight for a greener building sector and stronger economy.

RECOGNIZING THE 50TH WEDDING ANNIVERSARY OF MR. AND MRS. ENCARNACION AREVALO GUERRA

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, January 9, 2009

Mr. CUELLAR. Madam Speaker, I proudly rise today in recognition of the 50th Wedding Anniversary for Encarnacion 'Carny' Arevalo Guerra and Emma Flores Guerra. The lives of these individuals have been uniquely American, and this Golden Anniversary of theirs is a special moment for not only them, but for their family and friends.

Encarnacion Arevalo Arevalo was born May 15th, 1940 in McGregor, Michigan to Sacarias Bonilla Guerra and Ines Arevalo. Emma Flores Guerra was born December 13th, 1940 in San Antonio, TX to Alfredo Saucedo Flores and Ofelia Cavazos Flores. From San Antonio, Emma's family moved to Saginaw, Michigan that she met Encarnacion. Both fathers of the honored couple worked at General Motors during the 1940's, a crucial period when manufactures were devoting all effort to preparing the military with proper equipment.

Music played an important role in both of their lives. As children they loved music and would attend weekly dances in Saginaw, Michigan as young adults. This later would inspire them to start a business. When both were in junior high, attending Central Junior High in Saginaw, Encarnacion played the saxophone, and Emma the French horn. This is where they met and began their relationship. Not all went as planned however as Emma's family was forced to move back to San Antonio. This would not stop their relationship however. The young couple stayed in touch by writing letters to each other at every chance they had.

It was January 10, 1959 that the two married in a large ceremony at St. Joseph's Catholic Church. After marriage, Encarnacion supported his growing family with his continued employment at General Motors in Saginaw for 10 years. It was during this time that the two welcomed 5 daughters into their family: Cynthia, Sylvia, Judith Ines, Belinda, and Elaine.

After leaving GM, the family moved to Laredo, Texas. It was here the couple purchased and converted the Bowl-A-Rama into what we now know as the "Casa Blanca Ballroom". The Ballroom has become a landmark and has held a prominent place in the lives for Laredoans for almost 40 years now.

From here the couple went on to purchase their first radio station in Nuevo Laredo and name it "Radio Canon". This proved to a wise investment, and the Guerra's later purchased share holdings in seven more radio stations. After a short try at retirement, the two returned to the business and acquired three new radio stations: Z–93, Energy 98, and K-Onda. In 1995, the couple moved to San Antonio, but remain active in the communities. Today, when Encarnacion is not tinkering in his garden, the two are fulfilling their dream of traveling the world. The Guerras are a vibrant example of living the American dream.

Madam Speaker, please join me in celebrating them on the 50th Wedding Anniversary not just as local icons in Texas, but model citizens of the United States of America. They are true stewards of the American dream, and I celebrate them and thank them for their contributions to the Great State of Texas.

TRIBUTE TO MRS. JOSEPHINE ARNOLD

HON. FRED UPTON

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, January 9, 2009

Mr. UPTON. Madam Speaker, I rise today in recognition of Mrs. Josephine Arnold of Portage, Michigan, for her nearly 30 years of distinguished service to the Portage Senior Center and the greater Kalamazoo area.

Jo began working with the Portage Senior Center in 1979 and was named its charter director in 1992 when the Portage City Council created the Department of Senior Services to give the senior center a direct link to the council. Since its inception 30 years ago, the Portage Senior Center has gained 2,000 members and currently has a regular daily attendance of 200 senior citizens. Under Jo's leadership in 2000, the Portage Senior Center became Michigan's first nationally accredited senior center and one of an elite group of 127 centers that have been nationally accredited. Throughout the years, Jo's overriding goal at the center has been to promote personal growth, health, friendship, and independence for area seniors and all generation participants. In addition to her career with the city of Portage, Jo has been an active community member as an instructor at Kalamazoo Valley Community College and as the activities director of Friendship Village.

Jo has been an inspirational figure, exuding friendship, generosity, and leadership in her commitment to a population often neglected by society. Her dedication to community development will be remembered for years to come and her example followed to continue to aid senior citizens in Kalamazoo.

Once again, I would like to personally congratulate and thank Jo Arnold for her many years of public service to the citizens of this great country. Southwest Michigan is truly a better place because of her contributions.

125TH ANNIVERSARY OF MOUNT FERN UMC

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, January 9, 2009

Mr. FRELINGHUYSEN. Madam Speaker, I rise to recognize the one hundred twenty-fifth anniversary of the Mount Fern United Methodist Church, in Randolph, New Jersey.

The first service at Mount Fern Church was held on November 11, 1883. Mount Fern Church was an offshoot of the Millbrook Methodist Church established 50 years earlier in 1833. Mount Fern was built to serve the growing surrounding community and the workers at Mine Hill who did not have transportation to Millbrook.

John R. Spargo is the person most responsible for the church at Mount Fern. He donated the land, provided the financing, helped

build the church, and he gave the church a new name, Mount Fern Church.

By 1880 Mount Fern was a hilltop community of about 25 homes, a dozen or so farms, and the mining families. The successes of the local mines attracted still more miners to Randolph. After moving to an old stone farmhouse, John Spargo held Methodist class meetings in his home. The old stone house served as both an early church and Sunday school. Its two small rooms were soon filled to capacity. Eventually the community decided it was time to build a new church.

The Rev. Robert Jenkins served as the first pastor of Mount Fern Church from 1883–1884 and returned for a second year in 1894. Many of the Mount Fern early pastors were laymen, people who lived in the community, often with a farm of their own, and volunteered to lead the church for a year or two.

Mount Fern was well attended in its earliest years. However, membership declined when the local mines closed. By 1914 the church listed only 30 members.

The first Mount Fern Church Fair was held on July 4, 1914. Booths surrounding the church sold food, gifts, and souvenirs. A baked goods booth featured fresh-baked cookies and Anne Spargo's apple pies. Chicken suppers were served from a tent erected on the grounds. Fireworks at the first fair, by accident or mischievous design, ignited prematurely. Mount Fern never attempted fireworks again, but the church fair became a popular annual event for over 50 years.

By 1948 there were about 100 houses in the community. New families moved into the area and the church began to grow. In 1952 construction of a new fellowship hall began.

Growth continued and membership swelled to 350 after the arrival of Rev. Diane Gilbert in 1996.

Although over the years the building has changed, the church has not. Mount Fern Church remains a congregation of people united in their faith.

Madam Speaker, I ask that the House recognize this remarkable church and parishioners who have contributed so much toward the preservation and appreciation of American history through their place of worship at Mount Fern United Methodist Church in Randolph, New Jersey.

NATIONAL MENTORING MONTH

HON. SUSAN A. DAVIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 9, 2009

Mrs. DAVIS of California. Madam Speaker, I rise today to introduce a resolution recognizing and honoring those who make a difference in the lives of our young people across the United States.

I am honored to be joined by Congressman MIKE ROGERS of Michigan and Congresswoman BETTY MCCOLLUM of Minnesota in introducing a resolution marking January of 2009 as National Mentoring Month as proclaimed by the President of the United States. National Mentoring Month celebrates and honors those who are mentors and draws attention to the great need for more mentors.

Mentors make a tremendous difference in the lives of our children. When a responsible and reliable adult becomes a mentor, the benefits to the mentee can last a lifetime. Countless stories show the positive outcomes of a good role model.

Quality mentoring relationships between reliable adults and our young people are invaluable. Millions of adults nationwide are acting as excellent role models while providing guidance and advice to our young people—many of whom face problems at home or difficulties at school. Without a good, solid role model, our kids are more likely to drop out of high school or to become involved with drugs or alcohol.

Unfortunately, research shows that about 15 million children across the United States are in need of a mentor and a good role model. It is crucial that we begin to reach these children to give them a better future and hope. We are calling on more adults to rise to the occasion and to act as a role model to our children.

Madam Speaker, thank you very much for the opportunity to offer a resolution honoring America's mentors on the occasion of National Mentoring Month, 2009. I urge its quick passage.

IN HONOR OF DANIEL M. ORTEGA

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 9, 2009

Mr. FARR. Madam Speaker, I rise today to honor the career of a great public servant on the occasion of his retirement. Daniel M. Ortega has served the City of Salinas as Chief of Police for nearly a decade, working hard to provide its citizens with a sense of peace, safety, and security. He retired this week after an exemplary 42-year public safety career.

Chief Ortega began his career in his hometown of Stockton, California, as a patrol officer. He then moved to San Jose, where he spent 28 years ascending the ranks of the San Jose Police Department. His assignments included 12 years as a hostage negotiator, 3 years as the Executive Director of the Police Activities League, and as the Captain of the Special Operations Division. In June 1999, Chief Ortega left the San Jose Police Department as a Deputy Chief of Police and Chief of Detectives.

In Salinas, Chief Ortega championed community-oriented policing. He created a police substation on Salinas' east side to ensure increased community access to the police. Moreover, he coordinated with business leaders to develop strategies to increase the safety of local businesses. Chief Ortega was also instrumental in creating a Community Services Coordinator position within City Hall. Additionally, he revitalized the School Resource Officer program to polish the image of police amongst the city's youth. Seeking to staff the department with ''homegrown'' police officers, Chief Ortega established a cadet program, which mentored youth from ages 16 to 21. Furthermore, in conjunction with the County of Monterey, he was integral in developing the highly successful Joint Gang Task Force.

In addition to his community-oriented approach, Chief Ortega improved the Salinas Police Department in other ways. He increased the force from a strength of 150 to 187 and expanded the Hostage Negotiation Team. He also established a horse-mounted unit, added a ballistic identification system, and acquired command and crime scene investigation vehicles.

Chief Ortega has served on the Board of Directors of various organizations, including the California Police Chiefs Association and the United Way of Monterey County. He is also a past president of the Monterey County Chief Law Enforcement Officers Association. His memberships include the International Association of Chiefs of Police and the National Latino Police Officers Association.

Madam Speaker, Chief Daniel M. Ortega leaves an indelible legacy and a shining example to his officers, peers, and successors. On behalf of the House, I wish Chief Ortega, his wife Donna, and their family continual happiness and prosperity as he progresses on to well-deserved retirement.

HONORING BOB PICKARD

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 9, 2009

Mr. RADANOVICH. Madam Speaker, I rise today to congratulate Bob Pickard upon his retirement as Mariposa County Supervisor, District V. Supervisor Pickard was honored by the Mariposa County Board of Supervisors on Tuesday, December 16, 2008.

Bob Pickard was originally appointed on September 4, 1996, by Governor Wilson to fill an unexpired term on the Mariposa County Board of Supervisors, District V. He was elected in 1996 and re-elected in 2000 and 2004. Over the past decade, Supervisor Pickard has been involved in numerous projects, committees, and organizations. He served as chair in 1999, 2003, and 2005. Under his role of supervisor he served on the Disaster Advisory Council, Fish Camp Community Planning Advisory Council, Wawona Appeals Board, Wawona Town Planning Advisory Committee, and Mariposa Solid Waste AB939 Local Task Force. Over the years, he also served on the board of directors for over 10 different agencies including: Area 12 Agency of Aging Joint Powers Authority Governing Board, California State Association of Counties Government Finance and Operations Committee, and California State Association of Resource Conservation and Development Council. Supervisor Pickard worked tirelessly on dozens of projects to revamp the county, community planning and development, recreation facilities, landfill, wastewater treatment facilities, airport improvement, road and fire station improvements. During his tenure, he was regularly involved in the resolving of natural disasters including the floods of 2005, the Ferguson rock slide disaster of 2006 and the recent wildfires of 2008.

Supervisor Pickard has worked with the State government for assistance in resolving issues that affect small rural counties. He was successful with legislation to bring $400,000 to Mariposa County, $80,000 per year for counties with no incorporated cities, for their fair share of the gasoline tax and vehicle license fees; $900,000 for local road rehabilitations; $240,000 to provide equity funding for rural counties and their hazardous waste inspections on local businesses; $120,000 and an

additional $64,000 for 1 year and ongoing funding for continuing noxious and invasive week eradication; and $180,000 were secured for the Mariposa Creek Parkway and other improvements. Supervisor Pickard has been an integral member of the Mariposa County Board of Supervisors, his impact on the county will be displayed for years to come.

Madam Speaker, I rise today to commend and congratulate Supervisor Bob Pickard upon his retirement from the Mariposa County Board of Supervisors. I invite my colleagues to join me in wishing Supervisor Pickard many years of continued success.

INTRODUCTION OF THE OCEAN AND COASTAL MAPPING INTEGRATION ACT

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Friday, January 9, 2009

Ms. BORDALLO. Madam Speaker, today I have reintroduced legislation to provide a framework for an integrated ocean and coastal mapping program within the Federal government. The bill, entitled the "Ocean and Coastal Mapping Integration Act," specifically requires the President to establish a program for the development of a coordinated and comprehensive federal ocean and coastal mapping plan for the Great Lakes and coastal state waters, the territorial sea, the exclusive economic zone, and the continental shelf of the United States.

The program is meant to enhance ecosystem-based approaches in decision-making for conservation and management of marine resources and habitats, establish research and mapping priorities for federal-state-local government partnership, support the sound siting of research and other platforms off our coastlines, and advance ocean and coastal science. The President shall coordinate with affected coastal states and territories and an Interagency Committee on Ocean and Coastal Mapping to be convened by the Administrator of the National Oceanic and Atmospheric Administration, NOAA, in establishing this program. The program is also meant to facilitate the adoption of uniform mapping standards and the utilization of the latest technology for mapping activities. Such an approach will allow for the sharing of maps among stakeholders.

Today, at least 15 Federal agencies, most coastal states and territories, and numerous local agencies, academic institutions, and private companies conduct mapping and charting activities for U.S. waters. No central repository or coordinating authority, however, exists under U.S. law to oversee and track these various mapping efforts. The absence of coordination in mapping has resulted in redundancy of efforts in certain areas. While some areas are "over mapped," there is a lack of data for other regions. The program authorized by this bill is meant to reduce such redundancy, and expand the availability of quality, up-to-date, accurate and comprehensive maps and charts for all U.S. waters.

I introduced this bill in the 110th Congress as H.R. 2400. The bill passed the House of Representatives on July 23, 2007, but did not receive the approval of the Senate despite it having been considered in the other body as part of omnibus legislation. I have, therefore, reintroduced this bill today given the ongoing necessity and importance of improving and streamlining our ocean and coastal mapping capabilities. Ultimately, this bill, if enacted, will improve the conservation and management of marine resources and marine transportation safety.

LETTER TO SPEAKER PELOSI

HON. JAMES R. LANGEVIN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, January 9, 2009

Mr. LANGEVIN. Madam Speaker, I submit the following:

HOUSE OF REPRESENTATVES,
Washington, DC, January 6, 2009.

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

DEAR MADAM SPEAKER: This letter is to advise you that, effective today, I am taking a leave of absence from the Homeland Security Committee until my tenure on the House Permanent Select Committee on Intelligence is completed. I understand that I will retain my seniority on the Homeland Security Committee for the duration of my leave.

Thank you for your assistance with this matter.

Sincerely,

JAMES R. LANGEVIN,
Member of Congress.

CENTER FOR THE STUDY OF WOMEN AND WORKPLACE POLICY

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, January 9, 2009

Mr. DINGELL. Madam Speaker, today, Representative CAROLYN MALONEY and I are reintroducing our bill to establish a Center for the Study of Women and Workplace Policy. The Center would compile and analyze data on the differences between the earning of men and women and to identify factors which affect those differences. The Center would also publish their results in the form of a "Best Practices Guide" for businesses containing guidelines to promote workplace equity, retaining women in the workplace and promoting a family friendly workplace.

I'm sorry to say that my home state of Michigan has one of the largest earning gaps between college educated men and college educated women. College-educated women in Michigan earn just 70 percent of what college-educated men earn, making the state 47th in the Nation in terms of pay equity—that according to the American Association of University Women. I know that Michigan is home to some of the most talented, skilled women on that planet. It is time that they get paid in a way that reflects those abilities. The establishment of such a center and the publication of its research findings will go a long way toward closing the pay gap in Michigan and throughout our Nation.

RECOGNIZING ISRAEL'S RIGHT TO SELF DEFENSE

HON. BEN CHANDLER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Friday, January 9, 2009

Mr. CHANDLER. Madam Speaker, I rise today to recognize Israel's enduring friendship with the United States of America, as well as its right to self-defense in an appropriate and proportional manner from the threats posed to it by its neighbors who seek its demise.

As most Palestinians hunger for peace, the actions of Hamas, sponsored by Iran and often attempting to maximize Palestinian civilian casualties, make this road to peace much more difficult. Israel withdrew from Gaza in 2005, hoping that this withdrawal would usher in peace between the two rivals. However, since 2005 Hamas has fired thousands of rockets into Israel. Over the past 6 weeks alone, Hamas, outside the confines of the ceasefire agreement, fired hundreds of rockets and mortars into Israel without warning, killing men, women and children. These continuous acts of terror have left Israel with no other choice but to defend its citizens.

An important and reliable ally in an unstable region, Israel is fundamental to our foreign policy in the Middle East. I am disappointed to see an end to the 6-month ceasefire between Israel and Hamas, as this ultimately leads to more civilian casualties on both sides. However, I think it is important to recognize that Israel faces great threats along its border from which it has every right to defend itself.

During the 6-month ceasefire, Israel's support of the people of Gaza—such as supplying food, medical and other supplies—was commendable. This assistance highlights the potential for a peaceful resolution to this enduring conflict, which I hope to see in my lifetime.

IN HONOR OF LIEUTENANT COLONEL RICHARD W. SKOW

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 9, 2009

Mr. FARR. Madam Speaker, I rise today to recognize the distinguished military career of United States Army LTC Richard W. Skow. On behalf of the whole House, I am honored to extend to Lieutenant Colonel Skow and his family the gratitude of the Congress and the American people for his service on the occasion of his retirement after 24 years in uniform.

During his long and decorated career Lieutenant Colonel Skow made enormous contributions to the success of the U.S. Army's worldwide mission. Most recently, he served for the last year and a half as the Defense Language Institute's, DLI's, Chief of Staff where he had previously studied Portuguese. He built a reputation for an outstanding work ethic, sound judgment, and proactive leadership—a true example for the junior officers under his command. As chief of staff, he played an instrumental role in helping his commander fulfill the DLI's complex mission. His duties included, but were not limited to, personnel and budget management, special

projects, congressional inquiry review and response, and primary command briefing responsibilities.

Highlights of his service prior to DLI include:

Defense and Army Attaché, Uganda, July 2005–July 2007. In this role, Lieutenant Colonel Skow advised the ambassador on Uganda's continually shifting security situation. He coordinated with the Ugandan Army in dealing with the Lord's Resistance Army and reported on the activities of this group in neighboring countries. Notably, he was instrumental in the recovery of five citizens from the UK, Australia and New Zealand after an attack by LRA insurgents.

Army Attaché, South Africa, January 2003–July 2005. Lieutenant Colonel Skow regularly reported on military issues in South Africa where he coordinated a joint training exercise between a U.S. Ranger company and the South African airborne regiment. Additionally he coordinated the procurement and transportation of South African mine resistant armored personnel vehicles, NYALA, and mine detection and IED detection vehicles, HUSKY, for deployment to Afghanistan and Iraq.

Defense and Army Attaché, Rwanda, October 1998–December 2001. Lieutenant Colonel Skow served as the primary military/political advisor to the ambassador during a violent insurgency in northwest Rwanda. He monitored the security situation in northwest Rwanda and advised the ambassador regarding travel restrictions for U.S. citizens. He was responsible for routine interface with Rwandan military personnel and interviewed insurgent prisoners of all ranks. In addition to providing current combat intelligence and information from the POWs, Lieutenant Colonel Skow also created a list of insurgents that were responsible for the murder of U.S. and UK tourists in Bwindi National Forest, Uganda. He then coordinated closely with the FBI to ensure they received all necessary support.

In closing, Madam Speaker, I want to extend the gratitude of the House to Lieutenant Colonel Skow and his wife, Janice, for their service to the Nation and to wish them the very best in the future.

HONORING DIANNE FRITZ

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 9, 2009

Mr. RADANOVICH. Madam Speaker, I rise today to congratulate Dianne Fritz upon her retirement as Mariposa County Supervisor, District IV. Supervisor Fritz will be honored by the Mariposa County Board of Supervisors on Tuesday, December 16, 2008.

Dianne Fritz was elected to the Mariposa County Board of Supervisors, District IV in 2004 and officially took office in January 2005. In 2008 she served as Vice-Chair of the Board of Supervisors and also the Vice-Chair for the Mariposa County Local Transportation Commission. For the past four years, Supervisor Fritz has been involved in numerous projects, committees, and organizations. As supervisor she has served on the board of directors for numerous agencies and organizations including: Mountain Valley Emergency Medical Services Agency; National Association of Counties; San Joaquin Valley Regional Association of California Counties; Yosemite Area Regional Transportation System, YARTS, Joint Powers Authority; High Speed Rail Authority; San Joaquin Valley Rail Committee; and California State Association of Counties. She also served as board liaison member to the Fiscal and Educational Services and Justice System Services area, the Yosemite Gateway Socioeconomics Workshops, and for the California State Mining and Mineral Exhibit issues. Supervisor Fritz worked tirelessly on many projects benefiting the county that ranged from community planning and development, wastewater treatment facilities, recreation facilities, road and fire station maintenance, airport improvements, and restoration of the Mariposa Courthouse. During her tenure there were natural disasters that she worked diligently on, for example the floods of 2005, the Ferguson Rock Slide Disaster of 2006, and the recent wild fires of 2008.

Supervisor Fritz has worked on many issues pertaining to economic development. She was instrumental in the privatization of the Visitors' Bureau, with the formation of the Yosemite/Mariposa County Tourism Bureau and fought the closure of Mount Bullion Youth Conservation Camp. She also worked on the General Plan update for Mariposa County, improvements to community parks, health care, public safety and agri-nature tourism. Supervisor Fritz has always been active in the community; she performed with the Vagina Monologs and other fundraising activities in support of the Mountain Crisis Services programs for victims. She also coordinates the ''Las Mariposas Civil War Days Re-enactment''. She is an active member of Soroptimist International, Mariposa County Chamber of Commerce, the Order of the Eastern Star and the Republican Central Committee. Supervisor Fritz has been an integral member of the Mariposa County Board of Supervisors, and her impact on the county will be displayed for years to come.

Madam Speaker, Speaker, I rise today to commend and congratulate Supervisor Dianne Fritz upon her retirement from the Mariposa County Board of Supervisors. I invite my colleagues to join me in wishing Supervisor Fritz many years of continued success.

Daily Digest

HIGHLIGHTS

Senator Joseph R. Biden, Jr., of Delaware, submitted a letter of resignation from the United States Senate.

Senate

Chamber Action

Routine Proceedings, pages S239–S262

Measures Introduced: Eight bills were introduced, as follows: S. 192–199. **Page S256**

Measures Reported:

Special Report entitled "2008 Joint Economic Report." (S. Rept. No. 111–1)

Special Report entitled "Summary of Legislative and Oversight Activities During the 110th Congress." (S. Rept. No. 111–2) **Pages S256**

Measures Considered:

Lands Bill—Cloture: Senate began consideration of the motion to proceed to consideration of S. 22, to designate certain land components of the National Wilderness Preservation System, to authorize certain programs and activities in the Department of the Interior and the Department of Agriculture. **Pages S239–55**

A motion was entered to close further debate on the motion to proceed to consideration of the bill, and, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, and pursuant to the unanimous-consent agreement of Friday, January 9, 2009, a vote on cloture will occur at 2 p.m. on Sunday, January 11, 2009. **Page S255**

A unanimous-consent agreement was reached providing that Senate resume consideration of the motion to proceed to consideration of the bill at approximately 1 p.m., on Sunday, January 11, 2009, the time until 2 p.m. be equally divided and controlled between the two Leaders, or their designees, and Senate vote on the motion to invoke cloture on the motion to proceed to consideration of the bill. **Page S262**

Resignation of Senator Joseph R. Biden, Jr.: Senator Joseph R. Biden, Jr., of Delaware, submitted a letter of resignation from the United States Senate, effective January 15, 2009, at 5 p.m., in order to prepare for duties as Vice President of the United States. **Page S255**

Measures Placed on the Calendar: **Pages S239, S256**

Additional Cosponsors: **Page S256**

Statements on Introduced Bills/Resolutions: **Pages S256–62**

Additional Statements: **Pages S255–56**

Recess: Senate convened at 10 a.m. and recessed at 2:43 p.m., until 1 p.m. on Sunday, January 11, 2009. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S262.)

Committee Meetings

(Committees not listed did not meet)

NOMINATION

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine the nomination of Hilda L. Solis, to be Secretary of Labor, after the nominee, who was introduced by Senators Feinstein and Boxer, testified and answered questions in her own behalf.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 97 public bills, H.R. 361–457; 2 private bills, H.R. 458–459; and 18 resolutions, H.J. Res. 17; H. Con. Res. 16–19; and H. Res. 37–49, were introduced. **Pages H158–63**

Additional Cosponsors: **Page H163**

Reports Filed: There were no reports filed today.

Speaker: Read a letter from the Speaker wherein she appointed Representative Tsongas to act as Speaker pro tempore for today. **Page H93**

Suspensions: The House agreed to suspend the rules and pass the following measure:

Recognizing Israel's right to defend itself against attacks from Gaza, reaffirming the United States' strong support for Israel, and supporting the Israeli-Palestinian peace process: H. Res. 34, to recognize Israel's right to defend itself against attacks from Gaza, to reaffirm the United States' strong support for Israel, and to support the Israeli-Palestinian peace process, by a ⅔ yea-and-nay vote of 390 yeas to 5 nays with 22 voting "present," Roll No. 10. **Pages H95–113, H138–39**

Lilly Ledbetter Fair Pay Act of 2009: The House passed H.R. 11, to amend title VII of the Civil Rights Act of 1964 and the Age Discrimination in Employment Act of 1967, and to modify the operation of the Americans with Disabilities Act of 1990 and the Rehabilitation Act of 1973, to clarify that a discriminatory compensation decision or other practice that is unlawful under such Acts occurs each time compensation is paid pursuant to the discriminatory compensation decision or other practice, by a yea-and-nay vote of 247 yeas to 171 nays, Roll No. 9. **Pages H113–24, H138–39**

The bill was considered pursuant to section 5 of H. Res. 5, which was agreed to on January 6.

Paycheck Fairness Act: The House passed H.R. 12, to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, by a recorded vote of 256 ayes to 163 noes, Roll No. 8. Subsequently, pursuant to the rule, the text of H.R. 12 was added as new matter at the end of H.R. 11, Lilly Ledbetter Fair Pay Act of 2009. H.R. 12 was then laid on the table. **Pages H124–38**

Rejected the Price (GA) motion to recommit the bill to the Committee on Education and Labor with instructions to report the bill back to the House forthwith with amendments, by a yea-and-nay vote of 178 yeas to 240 nays, Roll No. 7. **Pages H135–37**

The bill was considered pursuant to section 5 of H. Res. 5, which was agreed to on January 6.

Committee Elections: The House agreed to H. Res. 38, electing certain minority members to the following committees: Committee on Agriculture: Representatives Goodlatte, Moran (KS), Johnson (IL), Graves, Rogers (AL), King (IA), Neugebauer, Foxx, Conaway, Fortenberry, Schmidt, Smith (NE), Latta, Roe (TN), Luetkemeyer, and Thompson (PA). Committee on Appropriations: Representatives Young (FL), Rogers (KY), Wolf, Kingston, Frelinghuysen, Tiahrt, Wamp, Latham, Aderholt, Emerson, Granger, Simpson, Culberson, Kirk, Crenshaw, Rehberg, Carter, Alexander, Calvert, Bonner, LaTourette, and Cole. Committee on Armed Services: Representatives Bartlett, McKeon, Thornberry, Jones, Akin, Forbes, Miller (FL), Wilson (SC), LoBiondo, Bishop (UT), Turner, Kline (MN), Rogers (AL), Franks (AZ), Shuster, McMorris Rodgers, Conaway, Lamborn, Wittman, Fallin, Hunter, Fleming, Coffman (CO), and Rooney. Committee on the Budget: Representatives Garrett (NJ), Mario Diaz-Balart (FL), Hensarling, Daniel E. Lungren (CA), Simpson, McHenry, Mack, Conaway, Campbell, Alexander, Jordan (OH), Nunes, Lummis, and Austria. Committee on Education and Labor: Representatives Petri, Hoekstra, Castle, Souder, Ehlers, Biggert, Platts, Wilson (SC), Kline (MN), McMorris Rodgers, Price (GA), Foxx, Bishop (UT), Guthrie, Cassidy, McClintock, Hunter, and Roe (TN). Committee on Energy and Commerce: Representatives Hall (TX), Upton, Stearns, Deal (GA), Whitfield, Shimkus, Shadegg, Blunt, Buyer, Radanovich, Pitts, Bono Mack, Walden, Terry, Rogers (MI), Myrick, Sullivan, Tim Murphy (PA), Burgess, Blackburn, and Gingrey (GA). Committee on Financial Services: Representatives Castle, King (NY), Royce, Lucas, Paul, Manzullo, Jones, Biggert, Gary G. Miller (CA) (when sworn), Capito, Hensarling, Garrett (NJ), Barrett (SC), Gerlach, Neugebauer, Price (GA), McHenry, Campbell, Putnam, Bachmann, Marchant, McCotter, McCarthy (CA), Posey, Jenkins, Lee (NY), Paulsen, and Lance. Committee on Foreign Affairs: Representatives Smith (NJ), Burton (IN), Gallegly, Rohrabacher, Manzullo, Royce, Paul, Flake, Pence, Wilson (SC), Boozman, Barrett (SC), Mack, Fortenberry, McCaul, Poe (TX), Inglis, and Bilirakis. Committee on Homeland Security: Representatives Smith (TX), Souder, Daniel E. Lungren (CA), Rogers (AL), McCaul, Dent, Bilirakis, Broun (GA), Miller (MI), Olson, Cao, and Austria. Committee on House

Administration: Representatives Daniel E. Lungren (CA), McCarthy (CA), and Harper. Committee on the Judiciary: Representatives Sensenbrenner, Coble, Gallegly, Goodlatte, Daniel E. Lungren (CA), Issa, Forbes, King (IA), Franks (AZ), Gohmert, Jordan (OH), Poe (TX), Chaffetz, Rooney, and Harper. Committee on Natural Resources: Young (AK), Gallegly, Duncan, Flake, Brown (SC), McMorris Rodgers, Gohmert, Bishop (UT), Shuster, Lamborn, Smith (NE), Wittman, Broun (GA), Fleming, Coffman (CO), Chaffetz, Lummis, McClintock, and Cassidy. Committee on Oversight and Government Reform: Representatives Burton (IN), McHugh, Mica, Souder, Platts, Duncan, Turner, Westmoreland, McHenry, Foxx, Bilbray, Jordan (OH), Flake, Fortenberry, and Chaffetz. Committee on Rules: Representatives Lincoln Diaz-Balart (FL) and Sessions. Committee on Science and Technology: Representatives Sensenbrenner, Smith (TX), Rohrabacher, Bartlett, Ehlers, Lucas, Biggert, Akin, Neugebauer, Inglis, McCaul, Mario Diaz-Balart (FL), Bilbray, Broun (GA), and Olson. Committee on Small Business: Representatives Bartlett, Akin, King (IA), Westmoreland, Gohmert, Fallin, Buchanan, Luetkemeyer, Schock, and Thompson (PA). Committee on Standards of Official Conduct: Representatives Bonner, Barrett (SC), Kline (MN), Conaway, and Dent. Committee on Transportation and Infrastructure: Representatives Young (AK), Petri, Coble, Duncan, Ehlers, LoBiondo, Moran (KS), Gary G. Miller (CA) (when sworn), Brown (SC), Johnson (IL), Platts, Graves, Shuster, Boozman, Capito, Gerlach, Mario Diaz-Balart (FL), Dent, Mack, Westmoreland, Schmidt, Miller (MI), Fallin, Buchanan, Latta, Scalise, Cao, Guthrie, and Schock. Committee on Veterans' Affairs: Representatives Stearns, Moran (KS), Brown (SC), Miller (FL), Boozman, Turner, Bilbray, Bilirakis, Buchanan, and Scalise. Committee on Ways and Means: Representatives Herger, Sam Johnson (TX), Brady (TX), Ryan (WI), Cantor, Linder, Nunes, Tiberi, Ginny Brown-Waite (FL), Davis (KY), Reichert, Boustany, Heller, and Roskam.

Pages H139–40

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Tuesday, January 13 for morning hour debate.

Page H141

Quorum Calls—Votes: Three yea-and-nay votes and one recorded vote developed during the proceedings of today and appear on pages H136–37, H137, H138 and H138–39. There were no quorum calls.

Adjournment: The House met at 9 a.m. and adjourned at 4:40 p.m.

Committee Meetings

FHA OVERSIGHT OF LOAN ORIGINATORS

Committee on Financial Services: Met to discuss "FHA Oversight of Loan Originators." The following officials of the Department of Housing and Urban Development participated in the discussion: Phillip Murray, Deputy Assistant Secretary, Single Family Housing; and James A. Heist, Assistant Inspector General, Audit, Office of Inspector General; and non-governmental persons.

Joint Meetings

No joint committee meetings were held.

CONGRESSIONAL PROGRAM AHEAD

Week of January 11 through January 17, 2009

Senate Chamber

On *Sunday*, at approximately 2 p.m., Senate will vote on the motion to invoke cloture on the motion to proceed to consideration of S. 22, Lands Bill.

During the balance of the week, Senate may consider any cleared legislative and executive business.

Senate Committees

(Committee meetings are open unless otherwise indicated)

Committee on Agriculture, Nutrition, and Forestry: January 14, to hold hearings to examine the nomination of Thomas J. Vilsack, to be Secretary of Agriculture, 10 a.m., SD–G50.

Committee on Armed Services: January 15, to hold hearings to examine the nominations of William J. Lynn III, to be Deputy Secretary, Robert F. Hale, to be Under Secretary (Comptroller) and Chief Financial Officer, Michele Flournoy, to be Under Secretary for Policy, and Jeh Charles Johnson, to be General Counsel, all of the Department of Defense, 9:30 a.m., SD–106.

Committee on Banking, Housing, and Urban Affairs: January 13, to hold hearings to examine the nomination of Shaun Donovan, of New York, to be Secretary of Housing and Urban Development, 10 a.m., SD–538.

January 15, Full Committee, to hold hearings to examine the nominations of Mary Schapiro, of New York, to be Chairman of the Securities and Exchange Commission, Christina Romer, of California, to be Chair of the Council of Economic Advisors, Austan Goolsbee, of Illinois, and Cecilia Rouse, of New Jersey, each to be a Member of the Council of Economic Advisors, and Daniel Tarullo, of Maryland, to be a Member of the Board of Governors of the Federal Reserve System, 10 a.m., SD–538.

Committee on the Budget: January 13, to hold hearings to examine the nominations of Peter R. Orszag, of Massachusetts, to be Director, and Robert L. Nabors II, of New Jersey, to be Deputy Director, both of the Office of Management and Budget, 9 a.m., SD–608.

January 15, Full Committee, to hold hearings to examine the debt outlook and its implications for policy, 10 a.m., SD–608.

Committee on Energy and Natural Resources: January 13, to hold hearings to examine the nomination of Steven Chu, to be Secretary of Energy, 10 a.m., SD–366.

January 15, Full Committee, to hold hearings to examine the nomination of Ken Salazar to be Secretary of the Interior, 9:30 a.m., SD–366.

Committee on Environment and Public Works: January 14, to hold hearings to examine the nominations of Lisa P. Jackson, to be Administrator of the Environmental Protection Agency, and Nancy Helen Sutley, to be Chairman of the Council on Environmental Quality, 10 a.m., SD–406.

Committee on Foreign Relations: January 13, to hold hearings to examine the nomination of Hillary R. Clinton, to be Secretary of State, 9:30 a.m., SH–216.

January 15, Full Committee, business meeting to consider the nomination of Hillary R. Clinton, to be Secretary of State; to be followed by a hearing to examine the nomination of Susan E. Rice, to be Representative to the United Nations, with the rank and status of Ambassador, and the Representative in the Security Council of the United Nations, and to be Representative to the Sessions of the General Assembly of the United Nations during her tenure of service as Representative to the United Nations, 9:30 a.m., SH–216.

Committee on Health, Education, Labor, and Pensions: January 13, to hold hearings to examine the nomination of Arne Duncan to be Secretary of Education, 10 a.m., SD–430.

January 14, Full Committee, business meeting to consider pending calendar business, 10 a.m., SD–430.

January 15, Full Committee, to hold hearings to examine investing in health information technology (IT), focusing on stimulus for a healthier America, 10 a.m., SD–430.

Committee on Homeland Security and Governmental Affairs: January 14, to hold hearings to examine the nominations of Peter R. Orszag, of Massachusetts, to be Director, and Robert L. Nabors II, of New Jersey, to be Deputy Director, both of the Office of Management and Budget, 2 p.m., SD–342.

January 15, Full Committee, to hold hearings to examine the nomination of Janet A. Napolitano, to be Secretary of Homeland Security, 10 a.m., SD–342.

Committee on Indian Affairs: January 15, to hold hearings to examine job creation and economic stimulus in Indian country, 2:30 p.m., SD–628.

Committee on the Judiciary: January 15, to hold hearings to examine the nomination of Eric H. Holder, to be Attorney General of the United States, 9:30 a.m., SR–325.

Committee on Veterans' Affairs: January 14, to hold hearings to examine the nomination of Eric Shinseki, to be Secretary of Veterans Affairs, 10 a.m., SD–106.

House Committees

Committee on Armed Services, January 14, to meet for organizational purposes, 10 a.m., 2118 Rayburn.

Committee on Energy and Commerce, January 15, hearing entitled ''The U.S. Climate Action Partnership,'' 10:30 a.m., 2123 Rayburn.

Committee on Financial Services, January 13, to meet to discuss ''Priorities for the Next Administration: Use of TARP Funds under EESA,'' 2 p.m., 2128 Rayburn.

Committee on Rules, January 13, to consider the following: H.R. 384, TARP Reform and Accountability Act of 2009; and the Children's Health Insurance Program Reauthorization Act of 2009, 5 p.m., H–313 Capitol.

Select Committee on Energy Independence and Global Warming, January 15, to meet for organizational purposes; followed by a hearing on ''Reinvigorating the Economy through Stimulus Legislation: Opportunities for All,'' 1:45 p.m., room to be announced.

Next Meeting of the SENATE

1 p.m., Sunday, January 11

Senate Chamber

Program for Sunday: Senate will vote on the motion to invoke cloture on the motion to proceed to consideration of S. 22, Lands bill.

Next Meeting of the HOUSE OF REPRESENTATIVES

12:30 p.m., Tuesday, January 13

House Chamber

Program for Tuesday: To be announced.

Extensions of Remarks, as inserted in this issue

HOUSE

Bishop, Sanford D., Jr., Ga., E55
Boozman, John, Ark., E55
Bordallo, Madeleine Z., Guam, E62
Brady, Kevin, Tex., E57
Chaffetz, Jason, Utah, E54
Chandler, Ben, Ky., E62
Courtney, Joe, Conn., E56
Cuellar, Henry, Tex., E60
Culberson, John Abney, Tex., E57
Davis, Susan A., Calif., E61
Dingell, John D., Mich., E62
Farr, Sam, Calif., E61, E62
Filner, Bob, Calif., E53
Frelinghuysen, Rodney P., N.J., E55, E60
Harman, Jane, Calif., E59
Hastings, Alcee L., Fla., E53, E56
Hirono, Mazie K., Hawaii, E58
Langevin, James R., R.I., E62
McCollum, Betty, Minn., E60
Miller, Jeff, Fla., E57
Pascrell, Bill, Jr., N.J., E56
Poe, Ted, Tex., E53
Radanovich, George, Calif., E59, E61, E63
Rahall, Nick J., II, W.Va., E54
Rangel, Charles B., N.Y., E55
Roskam, Peter J., Ill., E53, E56
Sanchez, Loretta, Calif., E56
Shuler, Heath, N.C., E54
Skelton, Ike, Mo., E58
Upton, Fred, Mich., E60
Wolf, Frank R., Va., E55, E58
Young, C.W. Bill, Fla., E54

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