

will address one aspect of the problem—spyware.

Spyware programs sneak into your computer, and allow a third party to harvest your personal information. It is the equivalent of putting a wiretap on your phone and listening to your conversations. Adware tracks your Web surfing or online shopping so that marketers can send you unwanted ads. Spyware can hijack your computer to pornographic or gambling sites, or steal your passwords and credit card information.

The rapid proliferation of spyware and adware threatens legitimate Internet commerce. The most common consumer complaints are: hijacked home pages, redirected Web searches, a flood of pop-up ads, and sluggish and crashed computers.

This bill is carefully balanced. It prohibits a number of unfair and deceptive acts or practices related to spyware, and provides for strong Federal Trade Commission (FTC) enforcement and enhanced civil fines. It also recognizes that there are legitimate, applications of spyware and, thus, exempts law enforcement, national security, network security and maintenance, and fraud detection from the SPY Act. It contains narrowly prescribed exceptions for benign internal navigation tracking on Web sites, and the ordinary construction of Web pages that do not collect personal information. It preserves legitimate online commerce.

Most importantly, this legislation requires companies that distribute spyware and adware to obtain permission from consumers through an easily understood licensing agreement before installing spyware or adware on their computers. The programs, once downloaded, would have to provide a means to identify the spyware or adware and easily uninstall or disable it.

Without aggressive enforcement, the goals of this bill will not be met. We are asking the FTC to do a great deal in a very complex area and I trust that the appropriators will provide them with sufficient resources to fulfill these tasks. If not, this bill will be an empty promise, unless the state attorneys general step in forcefully.

This legislation is supported by a coalition that includes: the Business Software Alliance, the Center for Democracy and Technology, the Council for Marketing and Opinion Research, Dell, eBay Inc., Fidelity, Humana, Inc., Microsoft, 180 Solutions, Recording Industry Association of America, Time Warner/AOL, United States Telecom Association, Webroot Software, Inc., WhenU, and Yahoo!—all of whom have submitted letters of support. The coalition also includes DoubleClick, Inc., and ValueClick, Inc.—two of the leading companies in the rapidly growing online advertising industry.

The bill has improved at every stage of its consideration, and I want to commend the leadership and hard work of Chairman BARTON, Representatives STEARNS and SCHAKOWSKY, the Chairman and Ranking Member, respectively of the Subcommittee on Commerce, Trade, and Consumer Protection, and Representatives BONO and TOWNS, the lead Republican and Democratic sponsors of the bill. I also commend the bipartisan staff team who worked very hard to get this bill to the House floor.

I am proud to cosponsor this bill. I urge my colleagues to vote "yes" on passage of H.R.

29. It is a good bill. It is good for consumers. And it is good for honest commerce on the Internet.

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

The SPEAKER pro tempore (Mr. RADANOVICH). The question is on the motion offered by the gentleman from Texas (Mr. BARTON) that the House suspend the rules and pass the bill, H.R. 29, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. BARTON of Texas. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

HEROES EARNED RETIREMENT OPPORTUNITIES ACT

Mr. SAM JOHNSON of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1499) to amend the Internal Revenue Code of 1986 to allow a deduction to members of the Armed Forces serving in a combat zone for contributions to their individual retirement plans even if the compensation on which such contribution is based is excluded from gross income, and for other purposes, as amended.

The Clerk read as follows:

H.R. 1499

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 "Heroes Earned Retirement Opportunities Act".

SEC. 2. COMBAT ZONE COMPENSATION TAKEN INTO ACCOUNT FOR PURPOSES OF DETERMINING LIMITATION AND DEDUCTIBILITY OF CONTRIBUTIONS TO INDIVIDUAL RETIREMENT PLANS.

(a) IN GENERAL.—Subsection (f) of section 219 of the Internal Revenue Code of 1986 is amended by redesignating paragraph (7) as paragraph (8) and by inserting after paragraph (6) the following new paragraph:

"(7) SPECIAL RULE FOR COMPENSATION EARNED BY MEMBERS OF THE ARMED FORCES FOR SERVICE IN A COMBAT ZONE.—For purposes of subsections (b)(1)(B) and (c), the amount of compensation includible in an individual's gross income shall be determined without regard to section 112."

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2004.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. SAM JOHNSON) and the gentleman from Michigan (Mr. LEVIN) each will control 20 minutes.

The Chair recognizes the gentleman from Texas (Mr. SAM JOHNSON).

GENERAL LEAVE

Mr. SAM JOHNSON of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend

their remarks and include extraneous material on H.R. 1499.

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

There was no objection.

Mr. SAM JOHNSON of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of backing our troops, of backing them to the hilt, with the Heroes Earned Retirement Opportunities Act, or the HERO Act, H.R. 1499, introduced by the gentlewoman from North Carolina (Ms. FOX).

As you know, people may contribute to \$4,000 a year to the popular individual retirement account, IRA. However, the funds that go into an IRA are supposed to be post-tax money. Well, when you are serving your country in Camp Victory in Iraq or working in Afghanistan, your combat pay is tax-free. That is right, it is tax-free; and it ought to be. The theory behind that is if you are going to volunteer to risk your life, serve your country and protect our great freedom, you should not be taxed.

As a result, some military men and women come home serving in harm's way with money that they would like to put into an individual retirement account, but they cannot. It is against the law. That is wrong. The HERO Act changes that outdated and unintended tax law so that our soldiers, sailors, Marines and airmen can save some of that money for their retirement for their families' golden years.

Crazy as it may seem, right now these men and women come home with much more disposable income, yet they are not allowed to save some of it in an IRA; but they can spend it on cars, new clothes, family vacations. Yes, all of those things are nice, especially when you have been in the desert for 9 months and you just want the creature comforts and luxuries of home for you and your family. But those things are temporary. Retirement savings is about making a better future for yourself and your loved ones, and our troops should have the option of saving for retirement if they want to.

I say it is high time we change that, and that is what the HERO Act is all about. It is about tax simplification, it is about retirement savings, it is about helping our military who are out there fighting for us.

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

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

Mr. Speaker, I stand today in support of H.R. 1499. This bill is supported by my Democratic colleagues. We acknowledge fully the work of our military personnel who continue to perform for our Nation. We honor their bravery and their sacrifice. Therefore, it goes without saying that we endorse this effort by this Congress to make it possible for these men and women to take advantage of every tax benefit

that is available to them, including saving for their retirement.

H.R. 1499, as my colleague and friend, the gentleman from Texas (Mr. SAM JOHNSON), has said, would allow our servicemen and -women to treat their compensation, received while serving in combat, as taxable income in order to help them meet the income eligibility retirement for making contributions to an individual retirement account.

At a recent hearing of our committee, two of our five witnesses highlighted the large shortfall in retirement savings many of our workers in this country face. I am sure that many members of the military fall within this group. This bill is a small step in the right direction of closing that gap.

Other larger steps need to be taken. For example, Democratic Members of this Congress are hopeful that we can work with our Republican colleagues to preserve another tax benefit that may be of even greater help to many military families. A provision in current law would permit military families to treat combat pay as taxable compensation for purposes of claiming the Earned Income Tax Credit. This provision is set to expire at the end of this year.

The EITC is a refundable credit many low- and middle-income taxpayers can claim when they file their Federal tax returns. Eligible families may claim a portion of their credit ratably during the year. The EITC helps to relieve the Federal tax burden on many families who are working full-time yet find themselves at or below the poverty level.

We had hoped that this provision could be included as part of the bill before us today to further help military families. However, we were assured that this provision will be taken up later in the year, and we will continue to press for the extension of this provision before it expires.

Also let me finish by expressing my hope and the hope of so many on my side of the aisle that this Congress and the administration will meet their responsibilities to our veterans on health, on re-employment, and so many other major needs of those in the military and the veterans of the United States of America.

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

Mr. SAM JOHNSON of Texas. Mr. Speaker, I yield such time as she may consume to the gentlewoman from North Carolina (Ms. FOXX), the author of the bill.

Ms. FOXX. Mr. Speaker, I want to thank the gentlemen from Texas and Michigan for their eloquent words on behalf of this bill. I am truly honored to be here today, Mr. Speaker. I am honored because the mere consideration of this bill represents the greatness of our republican democracy.

At this time a year ago, I only dreamed of coming to the floor of this House and working for the people of

the Fifth Congressional District in North Carolina. Here I am today promoting a bill I wrote to help those very constituents who deserve it most.

Just a few months ago, the father of Army Specialist Michael Hensley from my district in Clemmons, North Carolina, contacted me with a problem that his son and many of our other brave soldiers are facing. My constituent, Specialist Hensley, wanted to do the responsible thing by making the maximum allowable contribution to his individual retirement account, but found out that because of the nature of his wages, he would not be able to contribute to his nest egg this year. Thanks to the Republican leadership of this House and the bipartisan support from the minority, we stand here this afternoon to solve this problem.

Mr. Speaker, our current Tax Code wrongfully prohibits many of our brave men and women serving in combat zones from taking advantage of individual retirement accounts, or IRAs.

Most soldiers serving in these combat zones are paid in wages designated as military hazard pay. As deployment times have grown longer and longer, many soldiers now serve entire calendar years overseas, making their yearly compensation consist of hazard pay exclusively. These wages are not taxed; nor should they be. However, since this compensation is nontaxable, the wages are not eligible for IRA contributions. This is entirely unfair.

As we all know, IRAs are an excellent tool for responsible retirement savings, and responsible retirement savings should be encouraged for everyone, but especially for those who take up arms in war zones and fight for our freedom. The men and women defending America in harm's way overseas should not be excluded from fully participating in the important retirement investment opportunity that IRAs provide because of a glitch in our Tax Code. H.R. 1499, the Heroes Earned Retirement Opportunities, or HERO Act, will correct this serious injustice. The HERO Act simply designates combat hazard pay earned by a member of the Armed Forces as eligible for contribution to retirement accounts.

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The legislation, which is endorsed by the Reserve Officers Association and the Military Officers Association of America, would not actually tax these wages, it would merely allow them to be invested in the same retirement accounts available to all Americans.

To quote the Military Officers Association of America in their letter of support for the bill, "This change makes perfect sense in view of all we are asking our service members to do in the War on Terror in Iraq, Afghanistan, and elsewhere."

I could not have said it better myself. Mr. Speaker, our heroes defending America overseas certainly deserve the same access to retirement savings that we receive. In fact, we should be en-

couraging and even facilitating retirement savings whenever possible. Americans need to take responsibility for and control of their retirement. Those responsible enough to save their hard-earned wages should be rewarded, not burdened with taxes and regulations.

I would like to thank our Republican Majority Leader, the gentleman from Texas (Mr. DELAY), as well as the gentleman from California (Chairman THOMAS) for recognizing the importance of this bill and for expeditiously bringing it to the floor of this House.

I would also like to thank the gentleman from California (Chairman HUNTER) for his service to our Nation in Vietnam, for his excellent leadership of the House Committee on Armed Services, and for cosponsoring and supporting this great bill. His commitment to our troops is to be applauded.

A special thanks to the gentleman from Texas (Mr. JOHNSON) for his 29 years of service to our Nation, and for his cosponsorship of this bill and his assistance in the Committee on Ways and Means to bring the bill to the floor. He recognized immediately that this is a common-sense solution.

Lastly, I would like to thank my staff members, especially Bob Honald and Deana Funderburk for their support and effort to get a good idea transformed to good legislation. I urge all of my colleagues to help right this fundamental wrong by voting for this straightforward, common-sense legislation.

Mr. LEVIN. Mr. Speaker, I thank the gentleman from Texas (Mr. SAM JOHNSON) for his leadership on this bill.

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

Mr. SAM JOHNSON of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the Hero Act is going to help our combat troops by modifying a tax law that has unintended consequences, given their situation. Most of us know that IRA contributions are limited to \$4,000 this year, and the cap on annual contributions will increase to \$5,000 in 2008.

All of this is temporary legislation, but we would like to have it permanent, as well, I say to the gentleman from Michigan (Mr. LEVIN).

According to the Joint Committee on Taxation, this bill would provide \$31 million of tax benefits to military families over the next decade. H.R. 1499 provides meaningful assistance to our troops that we can all support as the House considers ways to improve the retirement security for Americans.

I work on retirement legislation in my membership on both the House Committee on Ways and Means and the House Committee on Education and the Workforce, and I look forward to meaningful legislation moving forward from both committees in the near future.

However, this legislation needs to move on its own as soon as possible. Our troops are earning combat pay in

dangerous situations, and to the extent that they can save some of it for their long-term needs, I think we ought to encourage them to do so.

We will pass this bill with no controversy, and I hope our colleagues in the other body follow suit in the near future. It is the right thing to do.

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

The SPEAKER pro tempore (Mr. GINGREY). The question is on the motion offered by the gentleman from Texas (Mr. SAM JOHNSON) that the House suspend the rules and pass the bill, H.R. 1499, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: "A bill to amend the Internal Revenue Code of 1986 to allow members of the Armed Forces serving in a combat zone to make contributions to their individual retirement plans even if the compensation on which such contribution is based is excluded from gross income, and for other purposes."

A motion to reconsider was laid on the table.

ANGEL ISLAND IMMIGRATION STATION RESTORATION AND PRESERVATION ACT

Mr. RADANOVICH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 606) to authorize appropriations to the Secretary of the Interior for the restoration of the Angel Island Immigration Station in the State of California.

The Clerk read as follows:

H.R. 606

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 "Angel Island Immigration Station Restoration and Preservation Act".

SEC. 2. FINDINGS.

The Congress makes the following findings:

- (1) The Angel Island Immigration Station, also known as the Ellis Island of the West, is a National Historic Landmark.
- (2) Between 1910 and 1940, the Angel Island Immigration Station processed more than 1,000,000 immigrants and emigrants from around the world.
- (3) The Angel Island Immigration Station contributes greatly to our understanding of our Nation's rich and complex immigration history.
- (4) The Angel Island Immigration Station was built to enforce the Chinese Exclusion Act of 1882 and subsequent immigration laws, which unfairly and severely restricted Asian immigration.
- (5) During their detention at the Angel Island Immigration Station, Chinese detainees carved poems into the walls of the detention barracks. More than 140 poems remain today, representing the unique voices of immigrants awaiting entry to this country.
- (6) More than 50,000 people, including 30,000 schoolchildren, visit the Angel Island Immigration Station annually to learn more about the experience of immigrants who have traveled to our shores.

(7) The restoration of the Angel Island Immigration Station and the preservation of the writings and drawings at the Angel Island Immigration Station will ensure that future generations also have the benefit of experiencing and appreciating this great symbol of the perseverance of the immigrant spirit, and of the diversity of this great Nation.

SEC. 3. RESTORATION.

(a) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of the Interior \$15,000,000 for restoring the Angel Island Immigration Station in the San Francisco Bay, in coordination with the Angel Island Immigration Station Foundation and the California Department of Parks and Recreation.

(b) FEDERAL FUNDING.—Federal funding under this Act shall not exceed 50 percent of the total funds from all sources spent to restore the Angel Island Immigration Station.

(c) PRIORITY.—(1) Except as provided in paragraph (2), the funds appropriated pursuant to this Act shall be used for the restoration of the Immigration Station Hospital on Angel Island.

(2) Any remaining funds in excess of the amount required to carry out paragraph (1) shall be used solely for the restoration of the Angel Island Immigration Station.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. RADANOVICH) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. RADANOVICH).

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

Mr. Speaker, H.R. 606, introduced by the gentlewoman from California (Ms. WOOLSEY), would authorize an appropriation up to \$15 million to the Secretary of the Interior for the restoration of the Angel Island Immigration Station in San Francisco Bay.

The funds would be used in coordination with the Angel Island Immigration Station Foundation and the California Department of Parks and Recreation. The bill would also require funds appropriated by the Act to be used first for restoration of the Immigration Station Hospital on the island. Finally, the bill limits the Federal funding to 50 percent of the total funds from all the sources spent to restore the immigration station.

I urge adoption of the bill.

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

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

(Mrs. CHRISTENSEN asked and was given permission to revise and extend her remarks.)

Mrs. CHRISTENSEN. Mr. Speaker, the majority has already explained the purpose of H.R. 606, which was introduced by my colleague, the gentlewoman from California (Ms. WOOLSEY).

Angel Island is a nationally significant resource, as evidenced by its previous designation as a national historic landmark. Angel Island tells an important historical story about immigration into the western United States;

how entry was offered to some, but denied to others under the discriminatory practices of that day.

The gentlewoman from California (Ms. WOOLSEY) is to be commended for her leadership on H.R. 606. She has a bipartisan coalition of support for her initiative, including California Governor Arnold Schwarzenegger. Many individuals and organizations have come to recognize the importance of a Federal-State-private partnership in the preservation and interpretation of this important aspect of our Nation's history.

Mr. Speaker, we support H.R. 606 as a means to help preserve the rich history of the Angel Island Immigration Station and urge its adoption by the House today.

Mr. Speaker, I yield such time as she might consume to the gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Mr. Speaker, I rise to speak on H.R. 606, out of order. I was working patiently at my desk. I flew in on the red eye so that I could talk about Angel Island and how wonderful it is. And I want to thank the ranking members of this committee for making this possible for me, and allowing the consideration of a piece of legislation that is very important to my district, the San Francisco Bay area, and to Asian Americans throughout the United States.

As you know, I have worked for the past 3 years with the Angel Island Immigration Station Foundation and the gentlewoman from California (Leader PELOSI) and the gentleman from Indiana (Mr. SOUDER) in an effort to preserve the historic Angel Island Immigration Station. It is located just east of Sausalito in the San Francisco Bay. Sausalito is in my district, California's 6th Congressional District.

This landmark is a particular high priority because of what it means to Asian Americans nationwide. Many of you are familiar, all of us are familiar with the symbolism of Ellis Island to European Americans. The same feelings of legacy and pride can be equated to the Americans of Asian heritage on the west coast. In fact, Angel Island was the first American soil most Asian immigrants stepped on.

With over one million people having been processed through the sites, millions of Asians and Asian descendants nationwide are eager to see their roots in this country honored in the same way that we honor Ellis Island.

In addition, Angel Island Immigration Station also houses a unique literary display of Asian American culture. The walls of the main building hold layers of poetry reflecting the record of hardship endured and the indignity suffered by the early Chinese as they were being processed into America. If these walls crumble, we will lose this one-of-a-kind documentation forever. And thank you for voting not to let that happen.

Because of its rich history, the site is currently used as a teaching tool for