

States, including the State of Texas. So my question is, why do we go to Europe to make our decisions about our Constitution? After all, didn't we leave Europe and England because we didn't like the way they were doing things?

Some say that the death penalty doesn't deter, and we've heard all those arguments. Of course, it does deter one person from ever committing those crimes again. But my own concern is that justice demands that in some cases, like Elroy Chester, that the ultimate price for the crimes that they have committed should be given, and that is a person's forfeiture of their right to live.

Some people actually earn the death penalty on their own by their conduct, and I am one of those that believes that that is just in appropriate cases. An injustice would occur if he were allowed to have some other sentence other than what the jury verdict so imposed in his particular case.

So, Mr. Speaker, this whole issue of cruel and unusual punishment, the eighth amendment, the history of the eighth amendment, what the Supreme Court now interprets that to mean, the method of execution, execution in any form, all of those issues now once again will be before the nine black-robed Justices down the street, and it would seem to me that they should follow the Constitution to the letter, the historical content of the eighth amendment and where it came from and the history of it and uphold the right of States and, in some cases, appropriate cases, to let juries make a determination that a person should pay the ultimate price for the crimes they have committed against society.

They should make it very clear what method should be used in all cases for the execution of those like Elroy Chester who have earned the right to be executed for the crimes that they have committed, because you see, Mr. Speaker, justice is the one thing that we should always find in every case. Although the death penalty is a very serious punishment for crime, in cases of overwhelming guilt and overwhelming evidence and overwhelming cruelty and criminal conduct and a slew of murders, a person has earned the punishment that juries impose.

And that's just the way it is.

#### RECESS

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

Accordingly (at 6 o'clock and 58 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 2352

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HASTINGS of Florida) at 11 o'clock and 52 minutes p.m.

#### REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3963, CHILDREN'S HEALTH INSURANCE PROGRAM REAUTHORIZATION ACT OF 2007

Mr. CARDOZA, from the Committee on Rules, submitted a privileged report (Rept. No. 110-408) on the resolution (H. Res. 774) providing for consideration of the bill (H.R. 3963) to amend title XXI of the Social Security Act to extend and improve the Children's Health Insurance Program, and for other purposes, which was referred to the House Calendar and ordered to be printed.

#### COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, October 24, 2007.

Hon. NANCY PELOSI,  
Speaker, House of Representatives,  
Washington, DC.

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on October 24, 2007, at 7:49 p.m.:

That the Senate passed without amendment H.R. 995.

That the Senate passed with an amendment and requests a conference with the House, appoints conferees H.R. 3043.

With best wishes, I am,  
Sincerely,

LORRAINE C. MILLER,  
Clerk of the House.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. DAVIS of California (at the request of Mr. HOYER) for today on account of the San Diego wild fires.

Mr. REYES (at the request of Mr. HOYER) for today on account of a death in the family.

Ms. SHEA-PORTER (at the request of Mr. HOYER) for today and October 25 on account of family medical reasons.

Mr. BUYER (at the request of Mr. BOEHNER) for today from noon and for the balance of the week on account of family illness.

Mr. LEWIS of California (at the request of Mr. BOEHNER) for today and the balance of the week on account of the ongoing fire disaster in his district.

#### 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:)

Mr. DAVIS of Illinois, for 5 minutes, today.

Mr. HINCHEY, for 5 minutes, today.  
Mr. EDWARDS, for 5 minutes, today.  
Mr. LAMPSON, for 5 minutes, today.  
Ms. WATERS, for 5 minutes, today.  
Mr. SNYDER, for 5 minutes, today.  
Mr. ELLISON, for 5 minutes, today.  
Ms. WOOLSEY, for 5 minutes, today.  
Mr. CUMMINGS, for 5 minutes, today.  
Mr. DEFAZIO, for 5 minutes, today.  
Mr. SPRATT, for 5 minutes, today.  
Ms. WATSON, for 5 minutes, today.

(The following Members (at the request of Mr. DENT) to revise and extend their remarks and include extraneous material:)

Mr. POE, for 5 minutes, October 31.

Mr. JONES of North Carolina, for 5 minutes, October 31.

Mr. WOLF, for 5 minutes, today.

Mr. DENT, for 5 minutes, today.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. HASTINGS of Florida, for 5 minutes, today.

#### ENROLLED BILLS SIGNED

Ms. Lorraine C. Miller, Clerk of the House, reported and found truly enrolled bills of the House of the followings titles, which were thereupon signed by the Speaker:

H.R. 327. An act to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to develop and implement a comprehensive program designed to reduce the incidence of suicide among veterans.

H.R. 1284. An act to increase, effective as of December 1, 2007, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans.

H.R. 3233. An act to designate the facility of the United States Postal Service located at Highway 49 South in Piney Woods, Mississippi, as the "Laurence C. and Grace M. Jones Post Office Building."

#### ADJOURNMENT

Mr. CARDOZA. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 54 minutes p.m.), the House adjourned until tomorrow, Thursday, October 25, 2007, at 10 a.m.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

3861. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Bifenthrin; Pesticide Tolerance [EPA-HQ-OPP-2007-0471; FRL-8151-5] received October 18, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3862. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Fenamidone; Pesticide Tolerance [EPA-HQ-OPP-2006-0848; FRL-8152-9]

received October 18, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3863. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Pesticide Data Requirements; Technical Amendments [EPA-HQ-OPP-2004-0387; FRL-8114-1] received October 18, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3864. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Pesticides: Redesignation of part 158; Technical Amendments [EPA-HQ-OPP-2004-0387; FRL-8116-2] received October 18, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3865. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Pesticides: Data Requirements for Biochemical and Microbial Pesticides [EPA-HQ-OPP-2004-0415; FRL-8109-8] (RIN: 2070-AD51) received October 18, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3866. A letter from the Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule—Revisions to the Single Family Mortgage Insurance Program [Docket No. FR-4831-F-02] (RIN: 2502-AI03) received October 17, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

3867. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's report entitled, "Program Evaluation Activities of the Department of Health and Human Services—Performance Improvement 2007," pursuant to Section 241(b) of the Public Health Service (PHS) Act, as amended by the Preventive Health Amendments of 1993, summarizing the findings of the evaluations of PHS programs authorized under Section 241(a); to the Committee on Energy and Commerce.

3868. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Federal Implementation Plans for the Clean Air Interstate Rule: Automatic Withdrawal provisions [EPA-HQ-OAR-2007-0510; FRL-8485-7] received October 18, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3869. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—Exemptions from Licensing, General Licenses, and Distribution of Byproduct Material: Licensing and Reporting Requirements (RIN: 3150-AH41) received October 17, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3870. A letter from the Acting Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; Biennial Specifications and Management Measures; Inseason Adjustments [Docket No. 060824226-6322-02] (RIN: 0648-AW07) received October 17, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3871. A letter from the Deputy Assistant Administrator for Operations, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Summer Flounder, Scup, and Black Sea Bass Fisheries; Framework Adjustment 7 [Docket No. 070706268-7513-02] (RIN: 0648-AV21) received October 17, 2007, pursuant to

5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3872. A letter from the Deputy Assistant Administrator for Operations, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Atlantic Coastal Fisheries Cooperative Management Act Provisions; American Lobster Fishery [Docket No. 0612243160-7448-02; I.D. 112505A] (RIN: 0648-AU07) received October 17, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3873. A letter from the Director, National Oceanic and Atmospheric Administration, transmitting a report entitled, "Federal Assistance for Interjurisdictional and Anadromous Fisheries, Program Report 2005–2006"; to the Committee on Natural Resources.

3874. A letter from the Director, National Oceanic and Atmospheric Administration, transmitting the National Marine Fisheries Service Strategic Plan for Fisheries Research, as required by Section 404 (a) of the Magnuson-Stevens Fishery Conservation and Management Act; to the Committee on Natural Resources.

3875. A letter from the Assistant Administrator, Environmental Protection Agency, transmitting the Agency's report entitled, "National Water Quality Inventory: 2002 Report to Congress," pursuant to 33 U.S.C. 1315(b)(2); to the Committee on Transportation and Infrastructure.

3876. A letter from the Assistant Secretary for Reserve Affairs, Department of Defense, transmitting the biennial report entitled, "Report on the Montgomery G.I. Bill for Members of the Selected Reserve" for Fiscal Year 2006, pursuant to 10 U.S.C. 16137 Public Law 106-65, section 546; jointly to the Committees on Armed Services and Veterans' Affairs.

3877. A letter from the General Counsel, Office of Compliance, transmitting a Report on Inspections for Compliance with the Public Access Provisions of the Americans with Disabilities Act Under Section 210 of the Congressional Accountability Act, pursuant to Public Law 104-1, section 210(f) (109 Stat. 15); jointly to the Committees on House Administration and Oversight and Government Reform.

3878. A letter from the Associate Deputy Secretary, Department of the Interior, transmitting the Department's report on the impacts of the Compacts of Free Association with the Federated States of Micronesia and the Republic of the Marshall Islands for Fiscal Year 2006, pursuant to Public Law 108-188, section 104(h); jointly to the Committees on Natural Resources and Foreign Affairs.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CARDOZA: Committee on Rules. House Resolution 773. Resolution providing for consideration of the bill (H.R. 3867) to update and expand the procurement programs of the Small Business Administration, and for other purposes (Rept. 110-407). Referred to the House Calendar.

Ms. SLAUGHTER: Committee on Rules. House Resolution 774. Resolution providing for consideration of the bill (H.R. 3963) to amend title XXI of the Social Security Act to extend and improve the Children's Health Insurance Program, and for other purposes (Rept. 110-408). Referred to the House Calendar.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. BECERRA (for himself and Mr. NUNES):

H.R. 3951. A bill to amend the Internal Revenue Code of 1986 to modify and make permanent the election to treat certain costs of qualified film and television productions as expenses; to the Committee on Ways and Means.

By Mr. MCGOVERN (for himself, Mr. FRANK of Massachusetts, Mr. NEAL of Massachusetts, Ms. TSONGAS, Mr. CAPUANO, Mr. LYNCH, Mr. MARKEY, Mr. OLVER, Mr. DELAHUNT, and Mr. TIERNY):

H.R. 3952. A bill to designate the facility of the United States Postal Service located at 901 Pleasant Street in Attleboro, Massachusetts, as the "Max Volterra Post Office Building"; to the Committee on Oversight and Government Reform.

By Mr. MAHONEY of Florida (for himself, Ms. GIFFORDS, Mr. HIGGINS, Mrs. BOYDA of Kansas, Mr. KAGEN, Mr. BISHOP of New York, Mr. ISRAEL, Mr. GORDON, Mr. PATRICK MURPHY of Pennsylvania, Ms. CASTOR, Mr. BOYD of Florida, Mr. HILL, Mr. WALZ of Minnesota, Mr. COSTA, Mr. CARDOZA, Mr. WEXLER, Ms. HIRONO, Mr. PETERSON of Minnesota, Mr. ROSKAM, and Mr. WALBERG):

H.R. 3953. 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. FILNER:

H.R. 3954. A bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to reimburse certain volunteers who provide funeral honors details at the funerals of veterans; to the Committee on Veterans' Affairs.

By Mr. LIPINSKI (for himself, Mrs. BIGGERT, Mr. JACKSON of Illinois, Mr. KIRK, Mr. COSTELLO, and Mr. HASTERT):

H.R. 3955. A bill to provide for educational partnerships between science museums and National Laboratories; to the Committee on Science and Technology.

By Mr. SPACE (for himself, Mr. GUTIERREZ, and Mr. FRANK of Massachusetts):

H.R. 3956. A bill to authorize the Secretary of the Treasury to prescribe the weights and the compositions of circulating coins, and for other purposes; to the Committee on Financial Services.

By Mr. MATHESON:

H.R. 3957. A bill to increase research, development, education, and technology transfer activities related to water use efficiency and conservation technologies and practices at the Environmental Protection Agency; to the Committee on Science and Technology.

By Mrs. BACHMANN (for herself, Mr. RYAN of Wisconsin, Mr. KIRK, Mr. FEENEY, Mr. HERGER, Mrs. BLACKBURN, Mrs. BONO, Mr. ROHRBACHER, Mr. MILLER of Florida, Mr. SOUDER, Mr. FLAKE, Mr. HOEKSTRA, Mr. SHADEGG, Mr. GOODE, Mr. DOOLITTLE, Mr. FORTUÑO, Mrs. MYRICK, Mr. WELDON of Florida, Ms. FOXX, Mr. CARTER, Mr. DANIEL E. LUNGREN of California, Mr. COOPER, Mr. HENSARLING, Mr. GARRETT of New Jersey, Mr. CAMPBELL of California, Mr. CULBERSON, Mr. SENSENBRENNER, Mr. BURTON of Indiana, Mr. DAVIS of Kentucky, Mr. BARTLETT of Maryland, Mr. CONAWAY, Mr. PITTS, Mr.