

Mr. SMITH of Texas. Mr. Speaker, the deplorable crime of human trafficking exploits the innocent while it promotes illegal immigration.

The legislation we are considering today builds upon the Trafficking Victims Protection Act of 2000. That historic legislation combated the trafficking of persons into the sex trade and slavery in the United States and countries around the world through the prosecution of traffickers and through protection and assistance to victims of trafficking.

As Chairman of the Judiciary Committee's Immigration and Claims Subcommittee in 2000, I worked closely with the sponsors of the Trafficking Victims Protection Act to ensure that it protected victims of trafficking without encouraging the smuggling of illegal immigrants.

The legislation created a new nonimmigrant T visa for victims of severe forms of trafficking who have cooperated with U.S. law enforcement in the investigation and prosecution of traffickers.

The William Wilberforce Trafficking Victims Protection Reauthorization Act judiciously expands on the immigration provisions of the 2000 Act and also adds reasonable protections for unaccompanied alien minors apprehended by our immigration officers.

When I reviewed the original bill, my goal was to modify certain provisions that I was concerned would encourage illegal immigration and immigration fraud and leave us vulnerable to dangerous juveniles.

I want to thank Chairman CONYERS and Chairwoman LOFGREN for addressing those concerns.

I also want to thank Chairman CONYERS for addressing my concerns with the criminal provisions of the original bill.

The bill now lessens the burden on prosecutors to prove that criminals forced victims to work in sweatshops or as prostitutes.

I do remain concerned about increasing the Federal role in prosecuting cases involving pimping and pandering. These crimes are traditionally prosecuted at the State and local level and I believe that Federal jurisdiction is unnecessary. However, I will not oppose this bill on that basis.

Mr. Speaker, I urge my colleagues to support this bill.

Mr. JACKSON-LEE of Texas. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Texas (Ms. JACKSON-LEE) that the House suspend the rules and pass the bill, H.R. 3887, as amended.

The question was taken.

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

Mr. SMITH of New Jersey. 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.

that the Senate had passed without amendment a bill of the House of the following title:

H.R. 3688. An act to implement the United States-Peru Trade Promotion Agreement.

□ 1545

HOKIE SPIRIT MEMORIAL FUND TAX EXEMPTION

Mr. McDERMOTT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4118) to exclude from gross income payments from the Hokie Spirit Memorial Fund to the victims of the tragic event, loss of life and limb, at Virginia Polytechnic Institute & State University, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4118

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

SECTION 1. EXCLUSION FROM INCOME FOR PAYMENTS FROM THE HOKIE SPIRIT MEMORIAL FUND.

For purposes of the Internal Revenue Code of 1986, gross income shall not include any amount received from the Virginia Polytechnic Institute & State University, out of amounts transferred from the Hokie Spirit Memorial Fund established by the Virginia Tech Foundation, an organization organized and operated as described in section 501(c)(3) of the Internal Revenue Code of 1986, if such amount is paid on account of the tragic event on April 16, 2007, at such university.

SEC. 2. MODIFICATION OF PENALTY FOR FAILURE TO FILE PARTNERSHIP RETURNS.

For any return of a partnership required to be filed under section 6031 of the Internal Revenue Code of 1986 for a taxable year beginning in 2008, the dollar amount in effect under section 6698(b)(1) of such Code shall be increased by \$1.

The SPEAKER pro tempore (Mr. HOLDEN). Pursuant to the rule, the gentleman from Washington (Mr. McDERMOTT) and the gentleman from Virginia (Mr. GOODLATTE) each will control 20 minutes.

The Chair recognizes the gentleman from Washington.

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

Today, we stand united in this House as Americans without regard to political party so that we may honor the memory of the 32 people who lost their lives last year in the tragedy at Virginia Tech. The Nation mourned the loss of these innocent young people, and people across America responded generously in every way they could, including sending financial donations.

In a time of need, you can always count on the American people to open their hearts and their wallets and to show the world what it means to practice the common good. The Hokie Spirit Memorial Fund was established, and the American people collected and sent over \$7 million to aid the families, establish scholarships, and help the Virginia Tech community through this tragedy.

Today, our role in the people's House is a legislative one. We can make a dif-

ference by passing H.R. 4118, which will ensure that all the money received from the Hokie Spirit Memorial Fund is not subjected to Federal income taxes. I urge my colleagues to join me in voting for this bill and, in so doing, rededicate themselves to strengthening our collective will to create a more just and civil Nation.

I reserve the balance of my time.

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

Earlier this year, the tranquil campus of Virginia Tech and the town of Blacksburg was shattered by the actions of a lone gunman. The horror that the Virginia Tech community has experienced is something that every parent, every American, hopes never to learn has affected their families and friends.

Although this horrendous and unspeakable violence showed the worst of mankind, it also showed what those of us who have been a part of Virginia Tech community for years have always known; the students, the instructors, the administrators, and the citizens of Blacksburg care deeply for one another and take great pride in their community.

Even in the worst circumstances, the Virginia Tech community showed great compassion for their fellow man and did what they could to help each other. Liviu Librescu, a survivor of the Holocaust, blocked the doorway of his classroom so that his students could climb out of the windows to safety. Ryan Clark, a resident advisor in the West Ambler Johnston Hall, rushed into the hallway to help his fellow students when the first attack came, and became the second victim. And I was deeply saddened to learn that one of my constituents, Henry Lee, a graduate of William Fleming High School in Roanoke, was one of those who died in the attack on Norris Hall.

In the days and months following this tragedy, the Virginia Tech community and Hokie Nation saw an outpouring of love and support from people around the country. The university saw donations come in excess of \$7 million, as people sought to give aid to those affected. As time went on, the university had to decide how to use the money donated as a result of this horrific act, and the university made a wise and selfless choice. They decided that the best way to disburse this money was to put it in the hands of those who experienced and lost the most as a result of this unspeakable violence. So, recently Virginia Tech distributed the money to 79 families or individuals. These are the families that have lost the most and have experienced emotional trauma that no one should ever have to experience. This money, given by the people across our Nation, is a small way to help those directly affected by this horrendous act. These families can determine the best uses for these contributions. Some already have decided to endow memorial

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced

scholarships at Virginia Tech or elsewhere. Some simply have bills to pay.

While the university has acted graciously to help the families, we have discovered that there is a new problem the families are facing, this time by the Federal Government. It has become apparent that the funds these families received will become significantly reduced because of taxes. These are funds some families desperately need to pay medical bills, funeral costs, and to simply rebuild their lives. The last thing these families need to worry about is an additional tax burden. And I guarantee that those who gave so generously want their money going to help those directly affected, not paying taxes. I do not believe that these funds should be taxed or that it is Congress' intent that they should be taxed.

In 2001, Congress passed Public Law 107-143. In this law, there is a provision that makes qualified disaster payments exempt from taxes. There is no doubt that the Virginia Tech tragedy was, in fact, a disaster. Ask any member of the Virginia Tech community, Hokie Nation, or citizen of the Commonwealth of Virginia, and to them it unequivocally was. In fact, the Governor of Virginia declared so that day.

Despite this well-intentioned law that Congress passed to make tax-exempt payments from qualified disasters, the families and the university have all been told it is likely these funds will be taxed. It was not the intention of the Congress that disaster payments should be taxed; and so, I am proud to join with my neighbor from the Ninth Congressional District, Congressman RICK BOUCHER, who actually represents Blacksburg and Virginia Tech, in introducing this legislation that seeks to have these funds, like those resulting from any other disaster, made tax exempt. I ask Members of this House to join us in passing this bill and help the Virginia Tech families rebuild their lives.

The tragedy at Virginia Tech will never leave our minds, but we in Congress have an opportunity to help rebuild this community. I ask all Members of Congress to join us in supporting this legislation. Let us help the families and those so personally affected as they seek to rebuild their lives.

I reserve the balance of my time.

GENERAL LEAVE

Mr. McDERMOTT. Mr. Speaker, I ask unanimous consent that Members may have 5 legislative days to revise and extend their remarks on the bill, H.R. 4118.

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

There was no objection.

Mr. McDERMOTT. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia, Congressman BOUCHER.

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

Mr. BOUCHER. I thank the gentleman from Washington for yielding.

Before speaking on this measure, I wish to engage the gentleman from Washington State in colloquy.

The bill provides that certain payments transferred from the Hokie Spirit Memorial Fund be excluded from the gross income of the recipients of those payments. It is my understanding that, in providing for the exclusion, it is intended that both the transfer of the amounts by the Hokie Spirit Memorial Fund and the making of the payments by Virginia Polytechnic Institute and State University are considered to be consistent with the exempt purpose of these respective entities, and that donors who made contributions to the fund are, in principle, allowed a charitable contribution deduction.

I would ask the gentleman if this is also his understanding of the intent of the bill.

Mr. McDERMOTT. Yes, it is.

Mr. Speaker, I yield the balance of my time to the gentleman from Virginia (Mr. BOUCHER) to hold and manage the bill.

The SPEAKER pro tempore. Without objection, the gentleman from Virginia will control the balance of the time.

There was no objection.

Mr. BOUCHER. I thank the gentleman from Washington for yielding, and I yield myself such time as I may consume.

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

Mr. BOUCHER. As my friend and colleague and neighbor from Virginia, Congressman GOODLATTE, mentioned in his remarks, I have the privilege of representing Virginia's Ninth Congressional District in which Virginia Tech is situated.

On April 16 of this year, a tragedy of a scale and senselessness that defies explanation befell that university, and it came to a campus that is known across our Nation for its friendliness, peacefulness, and for the normally close association that is found there among faculty and students.

In the wake of the tragedy, Virginia Tech President Charles Steger and the professional staff of the university reacted with poise, with dignity, and with strength under the most difficult and challenging circumstances imaginable.

The skilled first responders of the town of Blacksburg, of the university's own security staff, and of Montgomery County, Virginia provided an outstanding service that saved lives and that prevented the loss from being even greater.

In the intervening time, much healing has occurred. Virginia Tech has a proud tradition of teaching, learning, and research. That tradition endures. Following the violent and senseless act, campuswide and communitywide determination and cohesion emerged. The resilience of southwest Virginians and the spirit of the region in which we live that has helped to make Virginia Tech a great institution is assuring for

the university a strong recovery and an even stronger future.

In the days following the tragedy, the university established a fund for the benefit of the tragedy's victims. It is called the Hokie Spirit Memorial Fund. In an outpouring of sympathy and generous support from Virginia Tech alumni and friends across our Nation, more than 21,000 financial contributions totaling \$8.5 million were made to the fund. Last month, Virginia Tech distributed these funds to the victims of the shooting in varying amounts based on the severity of the injuries that were sustained. Approximately \$7 million in direct cash payments were made. An additional \$1.5 million in the form of scholarships and tuition assistance were disbursed.

Just as Congress acted in the wake of the Oklahoma and 9/11 tragedies to declare donations to the victims of those tragedies to be tax exempt to the recipients, the bill before the House this afternoon would declare that payments from the Hokie Spirit Memorial Fund not be taxable income to the victims and their families who received these payments. The colloquy in which I previously engaged with Mr. McDERMOTT clarifies that it is our intent both that, in principle, contributions to the fund be eligible for a charitable deduction, and that payments from the fund not be taxed to the payments' recipients.

I want to thank the gentleman from New York (Mr. RANGEL), the chairman of the House Ways and Means Committee, and his able and very helpful staff, for the outstanding assistance they have provided to me and to my partner Mr. GOODLATTE in the process of bringing this measure to the House floor today. I want to thank Subcommittee Chairman McDERMOTT for his assistance and for his gracious allotment of time to me this afternoon. And, I thank my friend and colleague and neighbor in southwest Virginia BOB GOODLATTE, the principle coauthor of this bipartisan measure. Mr. GOODLATTE and I have consulted over the past several months in the shaping of this legislation, and I thank him for the partnership that we have on this measure and on many other initiatives to improve quality of life in the region that we both represent. It is truly a pleasure working with him.

The bill before the House is also co-authored by our Virginia colleagues, Mr. CANTOR, Mr. SCOTT, Mrs. DRAKE, Mr. WOLF, and Mr. DAVIS, and I want to thank them for their cosponsorship.

Mr. Speaker, I urge the adoption of H.R. 4118.

I reserve the balance of my time.

Mr. GOODLATTE. Mr. Speaker, at this time it is my pleasure to yield such time as she may consume to the gentlewoman from Virginia, Congresswoman DRAKE.

Mrs. DRAKE. Mr. Speaker, we all were deeply affected by the tragic events of this past April at Virginia Tech. Our hearts and prayers go out to the families and friends of those who

lost loved ones and to those who are struggling to recover from their injuries. The days, weeks, and months since that dark day have been a time of healing for the Virginia Tech community, the Commonwealth of Virginia, and the Nation. I am moved by the outpouring of compassion and generosity that have been displayed since this tragedy.

Virginia Tech University established the Hokie Spirit Memorial Fund in order to aid in the healing process and generate financial support for those affected. Thousands of individuals gave graciously in the hope of assisting the victims' families in their time of need. In fact, Virginia Tech has distributed millions from the fund to the families of the 32 deceased victims and 47 injured students.

The least that this Congress can do in assisting these families is to exempt payments made from the Hokie Spirit Memorial Fund from Federal taxes, and I would like to thank Congressman BOUCHER for his leadership in crafting this bill and bringing it to the floor.

□ 1600

Mr. GOODLATTE. Mr. Speaker, I want to thank the gentleman from the Ninth Congressional District of Virginia (Mr. BOUCHER), a good friend and colleague, for his leadership in introducing this legislation. It's been a pleasure to work with him.

And it is, I think, fair to say on behalf of not only all members of the Virginia delegation, but all Members of Congress, our heart goes out to the families of the victims and to the Virginia Tech Community who suffered this horrendous tragedy. This is just a small way that we can make right a part of that by ensuring that the generosity of thousands of Americans across the country to the Virginia Tech Hokie Spirit Fund will see that money in its entirety go to the benefit intended by those who donated it and for the purposes designated by the family members of the victims of this tragedy. So again, I thank Congressman BOUCHER.

I want to thank Congressman CANTOR for his leadership on the Ways and Means Committee, as well as the effort that Congressman McCRERY, our ranking member, and Chairman RANGEL made in bringing this legislation to the floor as promptly as possible.

And I want to also thank the staff of the Ways and Means Committee, and the staff of Congressman BOUCHER and myself for the hard work that they put in to making sure that this was done and done in a way that would benefit the families of the victims of this tragedy.

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

Mr. BOUCHER. Mr. Speaker, I recognize myself for 1 minute to close.

Mr. Speaker, I urge approval of this measure. It would simply make payments to the victims of the tragedy that occurred in April of this year at

Virginia Tech tax exempt to the recipients of those payments. Congress responded in a similar way following the Oklahoma City and 9/11 tragedies, and we ask that the House accord similar tax status to the payments that were recently made from the Hokie Spirit Memorial fund.

I want to thank all who have assisted in the construction of this measure. Particular thanks to my colleague, Mr. GOODLATTE, for his leadership and hard work in bringing this measure to the floor today. And thanks again to the Chair and the subcommittee Chair of the Ways and Means Committee and their very capable staff for the excellent assistance and cooperation they provided to us.

Mr. CANTOR. Madam Speaker, when an act of random cruelty bewilders us and pulls us down, exceptional displays of generosity, courage and heroism can serve as a potent counterforce. They comfort and replenish the bereaved, and they remind us of the extraordinary selflessness our people are capable of. Nowhere has this been truer than in the aftermath of the Virginia Tech massacre.

We saw numerous examples of students and faculty risking and giving their lives to spare others of the murderer's wrath. We saw a shaken Hokie Nation come together to begin a long healing process. But we also were moved by the outpouring of support from a deeply sympathetic Nation. Donors from across the country pumped over \$7 million into the Hokie Spirit Memorial Fund, which makes direct contributions to the victims and their families, as well as to scholarships in the victims' names.

Sadly, recipients have to pay taxes on their donations, an injustice that we hope this bill will promptly correct. There can be no denying that the kind folks who made contributions did not intend to enrich the Federal government's coffers.

For many of the families and victims still suffering from the tragedy, this funding is urgent. As the grisly images and unprecedented horror of the Virginia Tech massacre recede further from the public's view, we mustn't turn our backs on Hokie Nation.

Mr. GARRETT of New Jersey. Madam Speaker, I rise today in support of H.R. 4118, a bill that will exclude from gross income, payments received by the grieving families and victims of the tragic Virginia Tech massacre from the Hokie Spirit Memorial Fund.

Madam Speaker, April 16, 2007 is a day that will forever be seared into the collective memory of the American people as a day of terror, tragedy, loss, and mourning. It was a day when we were reminded of the frailty of life; and a day when we were reminded how much we, as a Nation, value the sanctity and freedom of our schools, colleges, and universities. For on that day, we learned that because of the murderous intentions of one person, the lives of 32 students and faculty members at the Virginia Polytechnic Institute and State University had been snuffed out. One of the victims of this tragedy, Matthew La Porte, was a 20-year-old student from Dumont, New Jersey, and a constituent of mine.

In the aftermath of this tragedy, and in response to the generosity of people across the country, Virginia Tech founded the Hokie Spirit Memorial Fund. Many donors contributed to

this fund in memory of the victims of the massacre, and in support of those who survived it. Today, the fund has received contributions of over \$7 million. And while no amount of money can ever replace the loss of a loved one, this legislation will ensure that all of the victims, families of victims, and survivors of this tragedy receive payments from this fund without interference from the Internal Revenue Service.

Madam Speaker, it is during times of great tragedy that the kindness and generosity of the American people is most apparent. It is in that spirit of generosity, and in the memory of all the victims of the Virginia Tech massacre, that I ask my colleagues to support H.R. 4118.

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

The SPEAKER pro tempore (Ms. JACKSON-LEE of Texas). The question is on the motion offered by the gentleman from Washington (Mr. McDERMOTT) that the House suspend the rules and pass the bill, H.R. 4118, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The title was amended so as to read: "A bill to exclude from gross income payments from the Hokie Spirit Memorial Fund to the victims of the tragic event at Virginia Polytechnic Institute & State University.".

A motion to reconsider was laid on the table.

PROVIDING FOR CONCURRENCE BY HOUSE WITH AMENDMENTS IN SENATE AMENDMENT TO H.R. 710, CHARLIE W. NORWOOD LIVING ORGAN DONATION ACT

Mr. INSLEE. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 837) providing for the concurrence by the House in the Senate amendment to H.R. 710, with amendments.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 837

Resolved, That, upon the adoption of this resolution, the House shall be considered to have taken from the Speaker's table the bill, H.R. 710, with the Senate amendment thereto, and to have concurred in the Senate amendment with the following amendments: In lieu of the matter proposed to be inserted by the amendment of the Senate to the text of the bill, insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Charlie W. Norwood Living Organ Donation Act".

SEC. 2. AMENDMENTS TO THE NATIONAL ORGAN TRANSPLANT ACT.

Section 301 of the National Organ Transplant Act (42 U.S.C. 274e) is amended—

(1) in subsection (a), by adding at the end the following: "The preceding sentence does not apply with respect to human organ paired donation."; and

(2) in subsection (c), by adding at the end the following:

"(4) The term 'human organ paired donation' means the donation and receipt of human organs under the following circumstances: