

men, women, and children are completely reliant on international aid for survival. Unless the world stirs from its slumber and takes concerted and decisive action to relieve this suffering, the ongoing genocide in Darfur will stand as one of the blackest marks on mankind for centuries to come.

In 1948, the United Nations General Assembly adopted the "Convention on the Prevention and Punishment of the Crime of Genocide." As its title suggests, the treaty imposes two core obligations on participating states: first, state parties undertake to prevent genocide; and second, they commit to punish genocide as well as several related acts, such as attempting to commit genocide. The Genocide Convention establishes our core obligations in combating the genocide phenomenon—preventing and punishing Genocide. The document gives the U.N. a broad license to deal with genocide. In addition, individual states are expected to do all they can to prevent genocide. It also gives responsibility to state parties to prosecute the perpetrators of genocide.

In 1987, Congress enacted legislation to bring U.S. law into conformity with the Genocide Convention. The "Proxmire Act" (The Genocide Convention Implementation Act of 1987) is the key U.S. law implementing the Genocide Convention. When read together with other provisions of the federal criminal code concerning conspiracy and complicity, the Proxmire Act addresses the explicit obligation set forth in Article VI of the Genocide Convention concerning prosecution of genocide and related criminal acts in courts of the State where genocide occurs. In addition, the Proxmire Act makes it a federal crime for a U.S. national to commit genocide anywhere.

The proliferation of civil wars accompanied by ethnic cleansing and outright genocide which characterized the end of the 20th century, from Bosnia and Herzegovina to the civil wars in Somalia and Liberia, produced a number of perpetrators of genocidal acts who later ended up on American shores. This revealed a shortcoming in our current laws, under which the United States cannot indict someone for genocide committed outside the United States, even when the victim is an American citizen, unless the perpetrator is a U.S. national.

In contrast, laws on torture, material support for terrorism, terrorism financing, hostage taking, and many other federal crimes allow for extraterritorial jurisdiction for crimes committed outside the United States by non U.S. nationals. In light of this legal gap in our obligations to prosecute perpetrators of genocide, I commend my colleagues Mr. BERMAN and Mr. PENCE for introducing the Genocide Accountability Act., H.R. 2489 in May of 2007.

Mr. Speaker, this legislation would close a legal loophole that prevents the U.S. Justice Department from prosecuting people in our country who have committed genocide. The bill specifically amends Title 18 to establish federal criminal jurisdiction over the crime of genocide wherever the crime is committed. This jurisdiction should be exercised when the alleged offender is present in the United States and he or she will not be vigorously and fairly prosecuted by another court with appropriate jurisdiction.

Many countries have adopted or enforced legislation establishing jurisdiction over certain international crimes, including genocide, wher-

ever committed if the alleged perpetrator is in their territory and any additional requirements are satisfied. This legislation will be a further step toward bring the United States into line with its international obligations, and toward ensuring that no perpetrator of genocide living on U.S. soil can go unpunished.

I strongly urge my colleagues to join me in supporting this important legislation.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. CONYERS) that the House suspend the rules and pass the Senate bill, S. 888.

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

A motion to reconsider was laid on the table.

#### U.S. CAPITOL POLICE AND LIBRARY OF CONGRESS POLICE MERGER IMPLEMENTATION ACT OF 2007

Mr. BRADY of Pennsylvania. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3690) to provide for the transfer of the Library of Congress police to the United States Capitol Police, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3690

*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 "U.S. Capitol Police and Library of Congress Police Merger Implementation Act of 2007".

#### SEC. 2. TRANSFER OF PERSONNEL.

##### (A) TRANSFERS.—

(1) LIBRARY OF CONGRESS POLICE EMPLOYEES.—Effective on the employee's transfer date, each Library of Congress Police employee shall be transferred to the United States Capitol Police and shall become either a member or civilian employee of the Capitol Police, as determined by the Chief of the Capitol Police under subsection (b).

(2) LIBRARY OF CONGRESS POLICE CIVILIAN EMPLOYEES.—Effective on the employee's transfer date, each Library of Congress Police civilian employee shall be transferred to the United States Capitol Police and shall become a civilian employee of the Capitol Police.

(b) TREATMENT OF LIBRARY OF CONGRESS POLICE EMPLOYEES.—

(1) DETERMINATION OF STATUS WITHIN CAPITOL POLICE.—

(A) ELIGIBILITY TO SERVE AS MEMBERS OF THE CAPITOL POLICE.—A Library of Congress Police employee shall become a member of the Capitol Police on the employee's transfer date if the Chief of the Capitol Police determines and issues a written certification that the employee meets each of the following requirements:

(i) Based on the assumption that such employee would perform a period of continuous Federal service after the transfer date, the employee would be entitled to an annuity for immediate retirement under section 8336(b) or 8412(b) of title 5, United States Code (as determined by taking into account paragraph (3)(A)), on or before the date such employee becomes 60 years of age.

(ii) During the transition period, the employee successfully completes training, as determined by the Chief of the Capitol Police.

(iii) The employee meets the qualifications required to be a member of the Capitol Police, as determined by the Chief of the Capitol Police.

(B) SERVICE AS CIVILIAN EMPLOYEE OF CAPITOL POLICE.—If the Chief of the Capitol Police determines that a Library of Congress Police employee does not meet the eligibility requirements, the employee shall become a civilian employee of the Capitol Police on the employee's transfer date.

(C) FINALITY OF DETERMINATIONS.—Any determination of the Chief of the Capitol Police under this paragraph shall not be appealable or reviewable in any manner.

(D) DEADLINE FOR DETERMINATIONS.—The Chief of the Capitol Police shall complete the determinations required under this paragraph for all Library of Congress Police employees not later than September 30, 2009.

(2) EXEMPTION FROM MANDATORY SEPARATION.—Section 8335(c) or 8425(c) of title 5, United States Code, shall not apply to any Library of Congress Police employee who becomes a member of the Capitol Police under this subsection, until the earlier of—

(A) the date on which the individual is entitled to an annuity for immediate retirement under section 8336(b) or 8412(b) of title 5, United States Code; or

(B) the date on which the individual—

(i) is 57 years of age or older; and

(ii) is entitled to an annuity for immediate retirement under section 8336(m) or 8412(d) of title 5, United States Code, (as determined by taking into account paragraph (3)(A)).

(3) TREATMENT OF PRIOR CREDITABLE SERVICE FOR RETIREMENT PURPOSES.—

(A) PRIOR SERVICE FOR PURPOSES OF ELIGIBILITY FOR IMMEDIATE RETIREMENT AS MEMBER OF CAPITOL POLICE.—Any Library of Congress Police employee who becomes a member of the Capitol Police under this subsection shall be entitled to have any creditable service under section 8332 or 8411 of title 5, United States Code, that was accrued prior to becoming a member of the Capitol Police included in calculating the employee's service as a member of the Capitol Police for purposes of section 8336(m) or 8412(d) of title 5, United States Code.

(B) PRIOR SERVICE FOR PURPOSES OF COMPUTATION OF ANNUITY.—Any creditable service under section 8332 or 8411 of title 5, United States Code, of an individual who becomes a member of the Capitol Police under this subsection that was accrued prior to becoming a member of the Capitol Police—

(i) shall be treated and computed as employee service under subsection 8339 or 8415; but

(ii) shall not be treated as service as a member of the Capitol Police or service as a congressional employee for purposes of computing the amount of any benefit payable out of the Civil Service Retirement and Disability Fund.

(c) DUTIES OF EMPLOYEES TRANSFERRED TO CIVILIAN POSITIONS.—

(1) DUTIES.—The duties of any individual who becomes a civilian employee of the Capitol Police under this section, including a Library of Congress Police civilian employee under subsection (a)(2) and a Library of Congress Police employee who becomes a civilian employee of the Capitol Police under subsection (b)(1)(B), shall be determined solely by the Chief of the Capitol Police, except that a Library of Congress Police civilian employee under subsection (a)(2) shall continue to support Library of Congress Police operations until all Library of Congress Police employees are transferred to the

United States Capitol Police under this section.

(2) **FINALITY OF DETERMINATIONS.**—Any determination of the Chief of the Capitol Police under this subsection shall not be appealable or reviewable in any manner.

(d) **PROTECTING STATUS OF TRANSFERRED EMPLOYEES.**—

(1) **NONREDUCTION IN PAY, RANK, OR GRADE.**—The transfer of any individual under this section shall not cause that individual to be separated or reduced in basic pay, rank or grade.

(2) **LEAVE AND COMPENSATORY TIME.**—Any annual leave, sick leave, or other leave, or compensatory time, to the credit of an individual transferred under this section shall be transferred to the credit of that individual as a member or an employee of the Capitol Police (as the case may be). The treatment of leave or compensatory time transferred under this section shall be governed by regulations of the Capitol Police Board.

(3) **PROHIBITING IMPOSITION OF PROBATIONARY PERIOD.**—The Chief of the Capitol Police may not impose a period of probation with respect to the transfer of any individual who is transferred under this section.

(e) **RULES OF CONSTRUCTION RELATING TO EMPLOYEE REPRESENTATION.**—

(1) **EMPLOYEE REPRESENTATION.**—Nothing in this Act shall be construed to authorize any labor organization that represented an individual who was a Library of Congress police employee or a Library of Congress police civilian employee before the individual's transfer date to represent that individual as a member of the Capitol Police or an employee of the Capitol Police after the individual's transfer date.

(2) **AGREEMENTS NOT APPLICABLE.**—Nothing in this Act shall be construed to authorize any collective bargaining agreement (or any related court order, stipulated agreement, or agreement to the terms or conditions of employment) applicable to Library of Congress police employees or to Library of Congress police civilian employees to apply to members of the Capitol Police or to civilian employees of the Capitol Police.

(f) **RULE OF CONSTRUCTION RELATING TO PERSONNEL AUTHORITY OF THE CHIEF OF THE CAPITOL POLICE.**—Nothing in this Act shall be construed to affect the authority of the Chief of the Capitol Police to—

(1) terminate the employment of a member of the Capitol Police or a civilian employee of the Capitol Police; or

(2) transfer any individual serving as a member of the Capitol Police or a civilian employee of the Capitol Police to another position with the Capitol Police.

(g) **TRANSFER DATE DEFINED.**—In this Act, the term “transfer date” means, with respect to an employee—

(1) in the case of a Library of Congress Police employee who becomes a member of the Capitol Police, the first day of the first pay period applicable to members of the United States Capitol Police which begins after the date on which the Chief of the Capitol Police issues the written certification for the employee under subsection (b)(1);

(2) in the case of a Library of Congress Police employee who becomes a civilian employee of the Capitol Police, the first day of the first pay period applicable to employees of the United States Capitol Police which begins after September 30, 2009; or

(3) in the case of a Library of Congress Police civilian employee, the first day of the first pay period applicable to employees of the United States Capitol Police which begins after September 30, 2008.

(h) **CANCELLATION IN PORTION OF UNOBLIGATED BALANCE OF FEDLINK REVOLVING FUND.**—Amounts available for obligation by the Librarian of Congress as of the date of

the enactment of this Act from the unobligated balance in the revolving fund established under section 103 of the Library of Congress Fiscal Operations Improvement Act of 2000 (2 U.S.C. 182c) for the Federal Library and Information Network program of the Library of Congress and the Federal Research program of the Library of Congress are reduced by a total of \$560,000, and the amount so reduced is hereby cancelled.

### SEC. 3. TRANSITION PROVISIONS.

(a) **TRANSFER AND ALLOCATIONS OF PROPERTY AND APPROPRIATIONS.**—

(1) **IN GENERAL.**—Effective on the transfer date of any Library of Congress Police employee and Library of Congress Police civilian employee who is transferred under this Act—

(A) the assets, liabilities, contracts, property, and records associated with the employee shall be transferred to the Capitol Police; and

(B) the unexpended balances of appropriations, authorizations, allocations, and other funds employed, used, held, arising from, available to, or to be made available in connection with the employee shall be transferred to and made available under the appropriations accounts for the Capitol Police for “Salaries” and “General Expenses”, as applicable.

(2) **JOINT REVIEW.**—During the transition period, the Chief of the Capitol Police and the Librarian of Congress shall conduct a joint review of the assets, liabilities, contracts, property records, and unexpended balances of appropriations, authorizations, allocations, and other funds employed, used, held, arising from, available to, or to be made available in connection with the transfer under this Act.

(b) **TREATMENT OF ALLEGED VIOLATIONS OF CERTAIN EMPLOYMENT LAWS WITH RESPECT TO TRANSFERRED INDIVIDUALS.**—

(1) **IN GENERAL.**—Notwithstanding any other provision of law and except as provided in paragraph (3), in the case of an alleged violation of any covered law (as defined in paragraph (4)) which is alleged to have occurred prior to the transfer date with respect to an individual who is transferred under this Act, and for which the individual has not exhausted all of the remedies available for the consideration of the alleged violation which are provided for employees of the Library of Congress under the covered law prior to the transfer date, the following shall apply:

(A) The individual may not initiate any procedure which is available for the consideration of the alleged violation of the covered law which is provided for employees of the Library of Congress under the covered law.

(B) To the extent that the individual has initiated any such procedure prior to the transfer date, the procedure shall terminate and have no legal effect.

(C) Subject to paragraph (2), the individual may initiate and participate in any procedure which is available for the resolution of grievances of officers and employees of the Capitol Police under the Congressional Accountability Act of 1995 (2 U.S.C. 1301 et seq.) to provide for consideration of the alleged violation. The previous sentence does not apply in the case of an alleged violation for which the individual exhausted all of the available remedies which are provided for employees of the Library of Congress under the covered law prior to the transfer date.

(2) **SPECIAL RULES FOR APPLYING CONGRESSIONAL ACCOUNTABILITY ACT OF 1995.**—In applying paragraph (1)(C) with respect to an individual to whom this subsection applies, for purposes of the consideration of the alleged violation under the Congressional Accountability Act of 1995—

(A) the date of the alleged violation shall be the individual's transfer date;

(B) notwithstanding the third sentence of section 402(a) of such Act (2 U.S.C. 1402(a)), the individual's request for counseling under such section shall be made not later than 60 days after the date of the alleged violation; and

(C) the employing office of the individual at the time of the alleged violation shall be the Capitol Police Board.

(3) **EXCEPTION FOR ALLEGED VIOLATIONS SUBJECT TO HEARING PRIOR TO TRANSFER.**—Paragraph (1) does not apply with respect to an alleged violation for which a hearing has commenced in accordance with the covered law on or before the transfer date.

(4) **COVERED LAW DEFINED.**—In this subsection, a “covered law” is any law for which the remedy for an alleged violation is provided for officers and employees of the Capitol Police under the Congressional Accountability Act of 1995 (2 U.S.C. 1301 et seq.).

(c) **AVAILABILITY OF DETAIL EES DURING TRANSITION PERIOD.**—During the transition period, the Chief of the Capitol Police may detail additional members of the Capitol Police to the Library of Congress, without reimbursement.

(d) **EFFECT ON EXISTING MEMORANDUM OF UNDERSTANDING.**—The Memorandum of Understanding between the Library of Congress and the Capitol Police entered into on December 12, 2004, shall remain in effect during the transition period, subject to—

(1) the provisions of this Act; and

(2) such modifications as may be made in accordance with the modification and dispute resolution provisions of the Memorandum of Understanding, consistent with the provisions of this Act.

(e) **RULE OF CONSTRUCTION RELATING TO PERSONNEL AUTHORITY OF THE LIBRARIAN OF CONGRESS.**—Nothing in this Act shall be construed to affect the authority of the Librarian of Congress to—

(1) terminate the employment of a Library of Congress Police employee or Library of Congress Police civilian employee; or

(2) transfer any individual serving in a Library of Congress Police employee position or Library of Congress Police civilian employee position to another position at the Library of Congress.

### SEC. 4. POLICE JURISDICTION, UNLAWFUL ACTIVITIES, AND PENALTIES.

(a) **JURISDICTION.**—

(1) **EXTENSION OF CAPITOL POLICE JURISDICTION.**—Section 9 of the Act entitled “An Act to define the area of the United States Capitol Grounds, to regulate the use thereof, and for other purposes”, approved July 31, 1946 (2 U.S.C. 1961) is amended by adding at the end the following:

“(d) For purposes of this section, ‘United States Capitol Buildings and Grounds’ shall include the Library of Congress buildings and grounds described under section 11 of the Act entitled ‘An Act relating to the policing of the buildings of the Library of Congress’, approved August 4, 1950 (2 U.S.C. 167j), except that in a case of buildings or grounds not located in the District of Columbia, the authority granted to the Metropolitan Police Force of the District of Columbia shall be granted to any police force within whose jurisdiction the buildings or grounds are located.”

(2) **REPEAL OF LIBRARY OF CONGRESS POLICE JURISDICTION.**—The first section and sections 7 and 9 of the Act of August 4, 1950 (2 U.S.C. 167, 167f, 167h) are repealed on October 1, 2009.

(b) **UNLAWFUL ACTIVITIES AND PENALTIES.**—

(1) **EXTENSION OF UNITED STATES CAPITOL BUILDINGS AND GROUNDS PROVISIONS TO THE LIBRARY OF CONGRESS BUILDINGS AND GROUNDS.**—

(A) **CAPITOL BUILDINGS.**—Section 5101 of title 40, United States Code, is amended by

inserting “all buildings on the real property described under section 5102(d)” after “(including the Administrative Building of the United States Botanic Garden)”.

(B) **CAPITOL GROUNDS.**—Section 5102 of title 40, United States Code, is amended by adding at the end the following:

“(d) **LIBRARY OF CONGRESS BUILDINGS AND GROUNDS.**—

“(1) **IN GENERAL.**—Except as provided under paragraph (2), the United States Capitol Grounds shall include the Library of Congress grounds described under section 11 of the Act entitled ‘An Act relating to the policing of the buildings of the Library of Congress’, approved August 4, 1950 (2 U.S.C. 167j).

“(2) **AUTHORITY OF LIBRARIAN OF CONGRESS.**—Notwithstanding subsections (a) and (b), the Librarian of Congress shall retain authority over the Library of Congress buildings and grounds in accordance with section 1 of the Act of June 29, 1922 (2 U.S.C. 141; 42 Stat. 715).”.

(C) **CONFORMING AMENDMENT RELATING TO DISORDERLY CONDUCT.**—Section 5104(e)(2) of title 40, United States Code, is amended by striking subparagraph (C) and inserting the following:

“(C) with the intent to disrupt the orderly conduct of official business, enter or remain in a room in any of the Capitol Buildings set aside or designated for the use of—

“(i) either House of Congress or a Member, committee, officer, or employee of Congress, or either House of Congress; or

“(ii) the Library of Congress;”.

(2) **REPEAL OF OFFENSES AND PENALTIES SPECIFIC TO THE LIBRARY OF CONGRESS.**—Sections 2, 3, 4, 5, 6, and 8 of the Act of August 4, 1950 (2 U.S.C. 167a, 167b, 167c, 167d, 167e, and 167g) are repealed.

(3) **SUSPENSION OF PROHIBITIONS AGAINST USE OF LIBRARY OF CONGRESS BUILDINGS AND GROUNDS.**—Section 10 of the Act of August 4, 1950 (2 U.S.C. 167i) is amended by striking “2 to 6, inclusive, of this Act” and inserting “5103 and 5104 of title 40, United States Code”.

(4) **CONFORMING AMENDMENT TO DESCRIPTION OF LIBRARY OF CONGRESS GROUNDS.**—Section 11 of the Act of August 4, 1950 (2 U.S.C. 167j) is amended—

(A) in subsection (a), by striking “For the purposes of this Act the” and inserting “The”;

(B) in subsection (b), by striking “For the purposes of this Act, the” and inserting “The”;

(C) in subsection (c), by striking “For the purposes of this Act, the” and inserting “The”; and

(D) in subsection (d), by striking “For the purposes of this Act, the” and inserting “The”.

(c) **CONFORMING AMENDMENT RELATING TO JURISDICTION OF INSPECTOR GENERAL OF LIBRARY OF CONGRESS.**—Section 1307(b)(1) of the Legislative Branch Appropriations Act, 2006 (2 U.S.C. 185(b)), is amended by striking the semicolon at the end and inserting the following: “, except that nothing in this paragraph may be construed to authorize the Inspector General to audit or investigate any operations or activities of the United States Capitol Police;”.

(d) **EFFECTIVE DATE.**—The amendments made by this section shall take effect October 1, 2009.

#### **SEC. 5. COLLECTIONS, PHYSICAL SECURITY, CONTROL, AND PRESERVATION OF ORDER AND DECORUM WITHIN THE LIBRARY.**

(a) **ESTABLISHMENT OF REGULATIONS.**—The Librarian of Congress shall establish standards and regulations for the physical security, control, and preservation of the Library of Congress collections and property, and for the maintenance of suitable order and decorum within Library of Congress.

#### **(b) TREATMENT OF SECURITY SYSTEMS.—**

(1) **RESPONSIBILITY FOR SECURITY SYSTEMS.**—In accordance with the authority of the Capitol Police and the Librarian of Congress established under this Act, the amendments made by this Act, and the provisions of law referred to in paragraph (3), the Chief of the Capitol Police and the Librarian of Congress shall be responsible for the operation of security systems at the Library of Congress buildings and grounds described under section 11 of the Act of August 4, 1950, in consultation and coordination with each other, subject to the following:

(A) The Librarian of Congress shall be responsible for the design of security systems for the control and preservation of Library collections and property, subject to the review and approval of the Chief of the Capitol Police.

(B) The Librarian of Congress shall be responsible for the operation of security systems at any building or facility of the Library of Congress which is located outside of the District of Columbia, subject to the review and approval of the Chief of the Capitol Police.

(2) **INITIAL PROPOSAL FOR OPERATION OF SYSTEMS.**—Not later than October 1, 2008, the Chief of the Capitol Police, in coordination with the Librarian of Congress, shall prepare and submit to the Committee on House Administration of the House of Representatives, the Committee on Rules and Administration of the Senate, and the Committees on Appropriations of the House of Representatives and the Senate an initial proposal for carrying out this subsection.

(3) **PROVISIONS OF LAW.**—The provisions of law referred to in this paragraph are as follows:

(A) Section 1 of the Act of June 29, 1922 (2 U.S.C. 141).

(B) The undesignated provision under the heading “General Provision, This Chapter” in chapter 5 of title II of division B of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (2 U.S.C. 141a).

(C) Section 308 of the Legislative Branch Appropriations Act, 1996 (2 U.S.C. 1964).

(D) Section 308 of the Legislative Branch Appropriations Act, 1997 (2 U.S.C. 1965).

#### **SEC. 6. PAYMENT OF CAPITOL POLICE SERVICES PROVIDED IN CONNECTION WITH RELATING TO LIBRARY OF CONGRESS SPECIAL EVENTS.**

(a) **PAYMENTS OF AMOUNTS DEPOSITED IN REVOLVING FUND.**—Section 102(e) of the Library of Congress Fiscal Operations Improvement Act of 2000 (2 U.S.C. 182b(e)) is amended to read as follows:

“(e) **USE OF AMOUNTS.**—

“(1) **IN GENERAL.**—Except as provided in paragraph (2), amounts in the accounts of the revolving fund under this section shall be available to the Librarian, in amounts specified in appropriations Acts and without fiscal year limitation, to carry out the programs and activities covered by such accounts.

“(2) **SPECIAL RULE FOR PAYMENTS FOR CERTAIN CAPITOL POLICE SERVICES.**—In the case of any amount in the revolving fund consisting of a payment received for services of the United States Capitol Police in connection with a special event or program described in subsection (a)(4), the Librarian shall transfer such amount upon receipt to the Capitol Police for deposit into the applicable appropriations accounts of the Capitol Police.”.

(b) **USE OF OTHER LIBRARY FUNDS TO MAKE PAYMENTS.**—In addition to amounts transferred pursuant to section 102(e)(2) of the Library of Congress Fiscal Operations Improvement Act of 2000 (as added by subsection (a)), the Librarian of Congress may transfer amounts made available for salaries and ex-

penses of the Library of Congress during a fiscal year to the applicable appropriations accounts of the United States Capitol Police in order to reimburse the Capitol Police for services provided in connection with a special event or program described in section 102(a)(4) of such Act.

(c) **EFFECTIVE DATE.**—The amendments made by this section shall apply with respect to services provided by the United States Capitol Police on or after the date of the enactment of this Act.

#### **SEC. 7. OTHER CONFORMING AMENDMENTS.**

(a) **IN GENERAL.**—Section 1015 of the Legislative Branch Appropriations Act, 2003 (2 U.S.C. 1901 note) and section 1006 of the Legislative Branch Appropriations Act, 2004 (2 U.S.C. 1901 note; Public Law 108-83; 117 Stat. 1023) are repealed.

(b) **EFFECTIVE DATE.**—The amendments made by subsection (a) shall take effect October 1, 2009.

#### **SEC. 8. DEFINITIONS.**

In this Act—

(1) the term “Act of August 4, 1950” means the Act entitled “An Act relating to the policing of the buildings and grounds of the Library of Congress,” (2 U.S.C. 167 et seq.);

(2) the term “Library of Congress Police employee” means an employee of the Library of Congress designated as police under the first section of the Act of August 4, 1950 (2 U.S.C. 167);

(3) the term “Library of Congress Police civilian employee” means an employee of the Library of Congress Office of Security and Emergency Preparedness who provides direct administrative support to, and is supervised by, the Library of Congress Police, but shall not include an employee of the Library of Congress who performs emergency preparedness or collections control and preservation functions; and

(4) the term “transition period” means the period the first day of which is the date of the enactment of this Act and the final day of which is September 30, 2009.

The **SPEAKER** pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. BRADY) and the gentleman from Michigan (Mr. EHLERS) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

#### **GENERAL LEAVE**

Mr. BRADY of Pennsylvania. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill now under consideration.

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

There was no objection.

Mr. BRADY of Pennsylvania. I yield myself such time as I may consume.

As chairman of the House Administration Committee, I am pleased to recommend H.R. 3690, the United States Capitol Police and Library of Congress Police Merger Implementation Act of 2007, to the House. This bill will implement the merger of the Library of Congress Police into the Capitol Police. Our committee believes the merger plan contained in this bill is sound and that Congress should enact it as soon as possible.

This day has been a long time coming. In 2003, Congress passed legislation merging the Library Police and the Capitol Police. The goal was to create

“seamless security” on Capitol Hill. The legislation called for the two agencies to develop a merger plan for congressional approval.

Since 2003, many people in both agencies devoted countless hours to the task. For several reasons, 4 years later, the merger has not yet been implemented. This is unfortunate. Much valuable time has been lost.

It's time to get on with it. If done carefully and well, this merger will make Capitol Hill more secure for the millions who visit every year and the thousands privileged to work here every day.

Briefly, H.R. 3690 will implement the merger plan written by the Library and the Capitol Police and jointly recommended to our committee and our Senate counterpart. Under their plan, all Library Police employees will move to the Capitol Police by September 30, 2009. Library officers who meet age and service requirements and who complete Capitol Police training will continue as officers. Library officers who do not meet those requirements will be offered Capitol Police civilian jobs.

This is important: under this plan, nobody will lose their job or suffer a reduction in pay, rank, leave, or other benefits. Officers now represented by the Library's Fraternal Order of Police will transfer to the Capitol Police's FOP who will bargain with management over seniority and other labor matters that may arise during the merger.

The plan shifts jurisdiction over Library buildings in Washington to the Capitol Police. The Librarian will retain responsibility for design of security systems and will issue regulations to protect his collections and maintain order. Finally, the bill provides for handling employment-related claims during the transition and authorizes Library reimbursement of Capitol Police costs for special events. As PAYGO rules require, a minor increase in direct spending is fully offset.

Mr. Speaker, the committee believes this is a sound plan. I commend everyone involved in both agencies, especially for ensuring that nobody loses a job or pay. It has been my pleasure working with the gentleman from Michigan (Mr. EHLERS) who spent much time on this matter while chairman of the committee during the last Congress. We would not be here today without his efforts. I urge an “aye” vote.

I reserve the balance of my time.

Mr. EHLERS. Mr. Speaker, I thank the gentleman from Pennsylvania for his kind words and particularly for his leadership on this issue and finally bringing it to fruition. As he said, it has taken far too long. But now it is here and we are doing it right.

I rise in support of H.R. 3690, the U.S. Capitol Police and Library of Congress Police Merger Implementation Act of 2007, which will provide for the merger between the Library of Congress Police and the United States Capitol Police.

While bringing together two law enforcement bodies may seem like an easy proposition, whenever you have two entities with existing cultures, established protocols, and disparate missions, it is important to conduct a merger of those two groups thoughtfully and with due diligence. This, we have attempted to do.

While the Library of Congress Police and the U.S. Capitol Police both serve and protect the Congress and its assets, they do so in very different capacities. The U.S. Capitol Police are primarily charged with securing the Capitol buildings, Members of Congress, staff and visitors and providing an emergency planning and response function in the event of a terrorist attack or other unplanned activity.

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Its core mission is too important to set aside even in the interest of completing this merger. The Library has a mission to serve the Congress and provide essential materials to enable Members and staff to get the information they need to craft effective legislation and perform other essential duties. One very important yet incomplete undertaking within the Library is to conduct a complete inventory of its collection, not only to have an accurate record of what materials are in its possession, but to also create a baseline for measurement of its inventory control efforts going forward. The committee is working closely with Library staff to ensure that progress continues to be made on the inventory of its collections, despite the additional work and effort required to unite these two law enforcement bodies.

The Library and the U.S. Capitol Police have studied the effects of this merger on executing their core operations and how problematic aspects might be mitigated. I am confident that both organizations will continue to carry out their core functions with the level of excellence that the Congress has come to expect.

Over the past 4 years, through numerous hearings and countless meetings with staff of both organizations, the Library and the Capitol Police have exhibited a commitment to apply the law enforcement expertise of the U.S. Capitol Police to the unique needs of the Library, creating an organization that will be greater than the sum of its parts. They have worked to put in place policies and procedures that will ensure that this union is successful and that it achieves the desired objectives of both organizations. Still, this merger marks a beginning, not an end.

As ranking member of the Committee on House Administration, I look forward to working with Chairman BRADY to make certain that, going forward, both organizations have the resources and assistance they need to successfully integrate their law enforcement divisions. In particular, we wish to provide the Library and the

Capitol Police with a means to communicate with the Congress on the progress of the merger and impart any guidance or resources that they require to achieve long-term success. I urge our colleagues to join me in supporting this bill which will help ensure that the Library's treasures are protected from harm and preserved for generations to come.

I want to once again thank Chairman BRADY and the other members of the committee for their hard work on this very, very difficult issue. It seemed easy, but it wasn't, and I'm pleased that we finally have achieved this good result.

I also want to thank Chief Morris of the U.S. Capitol Police who has handled this very well and gone through some very delicate negotiations. In addition, the administration of the Library has been very helpful in trying to reach agreement, and they, of course, have very legitimate concerns about their needs to protect their collection, and they, one and all, have been very helpful in working with us.

Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. BRADY of Pennsylvania. Madam Speaker, for the RECORD, I include the following exchange of letters between the Committee on Oversight and Government Reform and the Committee on House Administration concerning H.R. 3690:

HOUSE OF REPRESENTATIVES, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,

Washington, DC, December 5, 2007.

Hon. ROBERT A. BRADY  
Chairman, Committee on House Administration,  
Washington, DC.

DEAR CHAIRMAN BRADY: I am writing to confirm our mutual understanding with respect to the consideration of H.R. 3690, the U.S. Capitol Police and Library of Congress Police Merger Implementation Act of 2007.

As you know, on November 7, 2007, the Committee on House Administration ordered H.R. 3690 reported to the House. The Committee on Oversight and Government Reform appreciates your effort to consult regarding those provisions of H.R. 3690 that fall within the Oversight Committee's jurisdiction. More specifically, those sections involving the federal workforce.

In the interest of expediting consideration of H.R. 3690, the Oversight Committee will not separately consider this bill. The Oversight Committee does so, however, with the understanding that this does not prejudice the Oversight Committee's jurisdictional interests and prerogatives regarding this bill or similar legislation.

I respectfully request your support for the appointment of outside conferees from the Oversight Committee should H.R. 3690 or a similar bill be considered in conference with the Senate.

I also request that you include our exchange of letters on this matter in the Congressional Record during consideration of this legislation on the House floor.

Thank you for your attention to these matters.

Sincerely,

HENRY A. WAXMAN  
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON HOUSE ADMINISTRATION,

Washington, DC, December 5, 2007.

Hon. HENRY WAXMAN,  
Chairman, Committee on Oversight and Government Reform, House of Representatives,  
Washington, DC.

DEAR MR. CHAIRMAN: I write to confirm our mutual understanding with respect to your claim of jurisdiction regarding H.R. 3690, the U.S. Capitol Police and Library of Congress Police Implementation Act of 2007. As you know, the Committee on House Administration reported H.R. 3690 to the House on December 4, 2007.

Given the importance of moving this legislation forward promptly, I appreciate your decision not to pursue your claim of jurisdiction at this time and your willingness to allow it to move forward today. Furthermore, I agree that this action in no way diminishes or alters the jurisdictional interest of our respective committees with regard to future legislation.

Sincerely,

ROBERT A. BRADY,  
Chairman.

I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Ms. SOLIS). The question is on the motion offered by the gentleman from Pennsylvania (Mr. BRADY) that the House suspend the rules and pass the bill, H.R. 3690, as amended.

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

A motion to reconsider was laid on the table.

#### REAPPOINTMENT OF PATRICIA Q. STONESIFER AS A CITIZEN REGENT OF THE BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION

Mr. BRADY of Pennsylvania. Madam Speaker, I move to suspend the rules and pass the Senate joint resolution (S.J. Res. 8) providing for the reappointment of Patricia Q. Stonesifer as a citizen regent of the Board of Regents of the Smithsonian Institution.

The Clerk read the title of the Senate joint resolution.

The text of the Senate joint resolution is as follows:

S.J. RES. 8

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with section 5581 of the Revised Statutes (20 U.S.C. 43), the vacancy on the Board of Regents of the Smithsonian Institution, in the class other than Members of Congress, occurring because of the expiration of the term of Patricia Q. Stonesifer of Washington, is filled by the reappointment of Patricia Q. Stonesifer, for a term of 6 years, effective December 22, 2007.*

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. BRADY) and the gentleman from Michigan (Mr. EHLERS) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

#### GENERAL LEAVE

Mr. BRADY of Pennsylvania. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on this joint resolution and to include extraneous matter.

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

There was no objection.

Mr. BRADY of Pennsylvania. Madam Speaker, I yield myself as much time as I may consume.

This joint resolution would reappoint Patricia Stonesifer to a new 6-year term as a citizen regent of the Smithsonian Institution. Her current term will expire December 22. Ms. Stonesifer is the chief executive officer of the Bill and Melinda Gates Foundation, a renowned philanthropic institution based in Seattle, Washington. She was previously a senior vice president at Microsoft.

On the Smithsonian Board of Regents, Stonesifer is currently Chair of the Executive Committee, the institution's most important internal panel which acts on behalf of the board between its meetings. She also chairs the Compensation and Human Resources Committee.

Ms. Stonesifer previously chaired the Governance Committee which guided the board's most significant action this year, preparing its comprehensive report last June responding to the broad range of issues emerging from the resignation of former Secretary Lawrence Small. Proper implementation of this report will be critical to the effective reform and modernization of the Smithsonian.

The House Administration Committee, as the House panel with exclusive jurisdiction over Smithsonian governance matters, will exercise vigorous oversight to ensure that the board approves additional significant changes.

As the Smithsonian Board of Regents undertakes the urgent task of reinventing itself as a full-time management and policymaking body, Ms. Stonesifer's expertise and willingness to communicate with Congress will continue to be a valuable asset. Members of the House Administration Committee held a briefing with her 3 weeks ago, were impressed by her continued commitment to the task ahead, and agreed to move this joint resolution expeditiously. I want to thank the ranking member again, Mr. EHLERS, for his active participation and cooperation in these actions.

Madam Speaker, I urge the passage of the joint resolution.

I reserve the balance of my time.

Mr. EHLERS. Madam Speaker, as the ranking member of the House Administration Committee, I'm pleased to support the reappointment of Patty Stonesifer as a citizen regent of the Smithsonian Institution.

Six years ago I stood at this very microphone in a slightly different role as a member of the majority recom-

mending Ms. Stonesifer for her initial appointment. I was very impressed with her qualifications at that time. She has not disappointed us. She has done very well.

In her role as chief executive officer of the Bill and Melinda Gates Foundation, Ms. Stonesifer leads the foundation in their mission to help all peoples of the world lead healthy, productive lives. At the end of last year, under the leadership of Ms. Stonesifer, the Bill and Melinda Gates Foundation had an endowment of approximately \$33 billion, and remains one of the largest charitable foundations in the world.

In developing countries, the foundation focuses on improving people's health and giving them the chance to lift themselves out of hunger and extreme poverty. In the United States, it seeks to ensure that all people, especially those with the fewest resources, have access to the opportunities they need to succeed in school and life. For all three of the Bill and Melinda Gates Foundation program groups, Patty Stonesifer sets strategic priorities, monitors results and facilitates relationships with key partners.

Before helping Bill and Melinda Gates launch the Gates Learning Foundation in 1997, Ms. Stonesifer was a senior vice president at Microsoft, where she was responsible for an \$800 million business activity focused on interactive entertainment, news, information and service products. She is active in a number of other charitable endeavors, and has served as a member of the U.S. delegation to the United Nations General Assembly Special Session on AIDS.

As Chair of the Smithsonian's Governance Committee, Ms. Stonesifer led the board's efforts to implement best practices in the nonprofit sector, and helped develop and implement the recommendations from the independent review committee designed to strengthen the board's oversight of the institution and reform its operations. In June, the board formally adopted the Governance Committee's 25 recommendations, and they are on target for completion by early 2008.

She has performed incredibly well in all of these areas, and the problems that we have had at the Smithsonian are well underway to conclusion simply due to the work of Ms. Stonesifer. The reforms include a reexamination of compensation, compliance with the Freedom of Information Act, and restructuring senior management to create a stronger reporting relationship with the board. Once implemented, these strengthened government practices will be an important step towards restoring faith in the Smithsonian and its management structure, and they demonstrate the positive impact of Ms. Stonesifer's leadership in this area.

After meeting once again with Ms. Stonesifer, I'm confident that her unique blend of business and philanthropic experience will continue to be a most valuable factor on the board