

task of monitoring approximately 15,000 types of products. Over 27,000 deaths and 33 million injuries are associated with consumer products each year. We must ensure that the CPSC has the resources and authority necessary to ensure that the toys and products that we buy for our loved ones are safe. This legislation does precisely that.

The Consumer Product Safety Modernization Act takes a number of important steps to keep our children and grandchildren safe. For the first time, we will have a standard set for levels of lead in children's products. This will be one of the most rigorous standards in the world. It will also increase civil penalties against manufacturers of hazardous products, and establish a third-party certification and testing system for children's products. These and the many other provisions contained within H.R. 4040 will provide the CPSC with the tools required to monitor the evergrowing number of products under its jurisdiction.

Created in 1973 during the height of the consumer movement, the CSC was unfortunately downsized during the 1980s. It has never recovered from those changes, and has not been updated since 1990. Today's legislation will also expand the authority of the CPSC to ensure that only safe toys and products are in our stores and homes.

The CPSC exists to protect Americans from harmful products. We expect that consumer products have been adequately screened and deemed safe before they hit the shelves of our stores. Only by updating the CPSC and expanding its authority can its mission be accomplished in today's globalized market. Public safety must always trump other concerns. The generations of lawmakers that have gone before us had the wisdom to invest in this agency, and it is now our responsibility to modernize and make long overdue improvements to the CPSC that will keep American families safe and restore faith in the agency.

I want to congratulate Chairman DINGELL and the rest of the Energy and Commerce Committee for their hard work on this bill. The legislation that we are considering today has enjoyed strong bipartisan support, clearly demonstrated by its unanimous approval by the full committee. I hope that the House will come together in a similar bipartisan way to advance this important bill.

Ms. ESHOO. Madam Speaker, I rise today in support of H.R. 4040, the Consumer Product Safety Modernization Act.

This has been called the "Year of the Recall" because there's been a complete failure by the Consumer Product Safety Commission to keep harmful and sometimes lethal products from getting on the shelves. Red tape, lax enforcement, and a shortage of resources at the CPSC have contributed to the recent recalls. It's not a coincidence that 25.6 million toys were recalled from stores in fiscal year 2007, compared with only 5 million toys in 2006. Things are falling through the cracks at the CPSC, and it's the American consumers, especially children, who are suffering.

It's become glaringly obvious that we can't rely on manufacturers to police themselves, we need to give our chief consumer regulatory agency the authority and the resources to get unsafe products off the shelves.

This bill is a significant improvement in product safety from the way we're operating now. It provides additional funding to the CPSC and bolsters the commission's ability to

test and identify dangerous products. It also authorizes State Attorneys General to bring action on behalf of their residents to enforce federal consumer safety rules.

H.R. 4040 reduces lead levels in children's products, but in my view it doesn't go far enough. The amendment I offered in committee would have brought lead levels to 40 parts per million, the standard recommended by the American Academy of Pediatrics. It's my hope that the CPSC will take seriously its authority to adopt a more protective standard if it makes the determination that it is feasible and protective of human health.

I'm proud that my amendment to give the CPSC mandatory recall authority is included in the bill. This is an important tool for the CPSC to wield against the most nefarious companies who resist a recall of their faulty products.

I support this bipartisan bill to protect American consumers, especially children, and ask my colleagues to support it as well.

Mr. CUMMINGS. Madam Speaker, I rise today to share my strong support of H.R. 4040, the Consumer Product Safety Modernization Act. As we near the end of the holiday shopping season, the critical nature of this legislation cannot be overstated.

2007 truly has been the Year of Toxic Toys, and I join my colleagues, as well as parents across the nation in expressing extreme alarm at not only the number—more than 2 million—of toys that have been recalled, but also at the names that have been associated with them—Toys 'R Us, Fisher Price, and Mattel.

Madam Speaker, these are not just random toys being picked up at some dime store; these are toys being produced by popular, long-established companies whose names parents trust. Sadly, it appears that this trust may be misplaced.

Toxic levels of lead in the paint have been detected on the popular Thomas the Tank Engine. GHB—the date rape drug—was found in the popular Aqua Dots, at levels high enough to put children in comas. I could offer seemingly endless examples of the atrocities that have been lining the shelves of our toy stores—and of our children's bedrooms—with more regard being placed on profit over protecting children's health. But, Madam Speaker, I will focus instead on something more alarming than these toys themselves: how they are getting into the market in the first place.

Madam Speaker, we have an agency called the Consumer Product Safety Commission. Let me re-emphasize this—the Consumer Product Safety Commission.

Its name alone suggests protection against hazardous products, so how is it possible that parents are purchasing toys with 200 times the legal level of lead?

How is it possible, that more than two million toys were able to slip past this agency, which by definition is charged with being a watchdog for us—and our children's—safety?

The answer, Madam Speaker, is that under the current administration and the previous leadership in Congress, the CPSC has seen drastic cuts in funding. More disturbing than the lax oversight of safety is the chairwoman of the CPSC, Nancy Nord, voicing opposition to increased funding or authority.

I cannot say that I have met anyone who is opposed to getting more money—especially when the person in question is charged with an agency whose mission is so critical—and especially when this agency has one person—one person—assigned to testing toys.

Madam Speaker, only 15 inspectors are policing the hundreds of points of entry for our imported toys—and I might add that 80 percent of toys in the U.S. are imported from China. The CPSC has only 85 percent of the employees it had in 2004, and only half of the employees it had 30 years ago.

This is shocking to the conscience and completely unacceptable. If Ms. Nord and the CPSC are unwilling to do what they ought to do, we must step in and do it ourselves. Our young people's health and futures depend on it. With H.R. 4040, we are taking steps to protect our most vulnerable consumer: our children.

This legislation bans all but trace amounts of lead in toys and children's jewelry. It strengthens the CPSC's ability to notify consumers about dangerous products more quickly and more widely. It bans the importation of toys or other children's products that have not been tested and do not conform to U.S. standards—meaning no more toys containing the date rape drug.

And, although Ms. Nord did not want any monetary gifts, we will be stuffing the CPSC's stocking with much needed supplemental funding this holiday season.

In closing, I thank my friend and colleague, Representative RUSH for understanding the current crisis and for introducing this much needed legislation.

Madam Speaker, I encourage all of my colleagues to join me in supporting H.R. 4040. Let's come together to ensure that 2009 is the Year of Safe Consumerism.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. RUSH) that the House suspend the rules and pass the bill, H.R. 4040, 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. RUSH. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO HOUSE AMENDMENT TO SENATE AMENDMENT TO H.R. 2764, THE DEPARTMENT OF STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2008 (CONSOLIDATED APPROPRIATIONS ACT, 2008) AND FOR CONSIDERATION OF H.J. RES. 72, FURTHER CONTINUING APPROPRIATIONS, FISCAL YEAR 2008

Mr. McGOVERN. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 893 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 893

*Resolved*, That upon adoption of this resolution it shall be in order to take from the

Speaker's table the bill (H.R. 2764) making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes, with the Senate amendment to the House amendment to the Senate amendment thereto, and to consider in the House, without intervention of any point of order except those arising under clause 10 of rule XXI, a motion offered by the chairman of the Committee on Appropriations or his designee that the House concur in the Senate amendment. The Senate amendment and the motion shall be considered as read. The motion shall be debatable for one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. The previous question shall be considered as ordered on the motion to its adoption without intervening motion.

SEC. 2. Upon the adoption of this resolution it shall be in order to consider in the House the joint resolution (H.J. Res. 72) making further continuing appropriations for the fiscal year 2008, and for other purposes. All points of order against consideration of the joint resolution are waived except those arising under clause 9 or 10 of rule XXI. The joint resolution shall be considered as read. All points of order against provisions of the joint resolution are waived. The previous question shall be considered as ordered on the joint resolution to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations; and (2) one motion to recommit.

SEC. 3. During consideration of House Joint Resolution 72 or the motion to concur pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of either measure to such time as may be designated by the Speaker.

SEC. 4. House Resolution 849 is laid upon the table.

The SPEAKER pro tempore. The gentleman from Massachusetts is recognized for 1 hour.

Mr. MCGOVERN. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida, Mr. LINCOLN DIAZ-BALART. All time yielded during consideration of the rule is for debate only.

#### GENERAL LEAVE

Mr. MCGOVERN. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks on H. Res. 893.

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

There was no objection.

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

Madam Speaker, as I said earlier, I have no problem with the rule. I do have a problem with the underlying bill, which provides the President with another blank check in support of his Iraq war policy, but I stated I think very clearly my concerns about that.

Other than a few closing remarks, I am going to reserve my time.

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, this matter was debated previously. It is obviously a

critically important piece of legislation. I made some points about it before. I am not going to repeat my points at this time. I hope we can move to other very pressing matters before us today.

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

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

Madam Speaker, as of today, 3,893 of our bravest men and women have lost their lives in Iraq. Tens of thousands more have been wounded. They have lost limbs, lost their sight and suffered severe brain injuries. We have spent half a trillion tax dollars, none of it paid for. When is enough enough? When will this Congress finally reflect the will of the American people and begin to bring our men and women in Iraq home to their families? I hope it is today. I think it can be today.

As I mentioned earlier, Madam Speaker, in today's Washington Post the U.S. military has found that the strongest point of agreement among all Iraqis across all sectarian and ethnic groups is the belief that the United States' military invasion of their country is the primary root of the violent differences among them and that the departure of "occupying forces," their words, is the key to national reconciliation.

Madam Speaker, I include today's Washington Post article for the RECORD.

[From washingtonpost.com, Dec. 19, 2007]

ALL IRAQI GROUPS BLAME U.S. INVASION FOR DISCORD, STUDY SHOWS  
(By Karen DeYoung)

Iraqis of all sectarian and ethnic groups believe that the U.S. military invasion is the primary root of the violent differences among them, and see the departure of "occupying forces" as the key to national reconciliation, according to focus groups conducted for the U.S. military last month.

That is good news, according to a military analysis of the results. At the very least, analysts optimistically concluded, the findings indicate that Iraqis hold some "shared beliefs" that may eventually allow them to surmount the divisions that have led to a civil war.

Conducting the focus groups, in 19 separate sessions organized by outside contractors in five cities, is among the ways in which Multi-National Force-Iraq assesses conditions in the country beyond counting insurgent attacks, casualties and weapons caches. The command, led by Army Gen. David H. Petraeus, devotes more time and resources than any other government or independent entity to measuring various matters, including electricity, satisfaction with trash collection and what Iraqis think it will take for them to get along.

The results are analyzed and presented to Petraeus as part of the daily Battle Update Assessment or BUA (pronounced boo-ah). Some of the news has been unarguably good, including the sharply reduced number of roadside bombings and attacks on civilians. But bad news is often presented with a bright side, such as the focus-group results and a November poll, which found that 25 percent of Baghdad residents were satisfied with their local government and that 15 percent said they had enough fuel for heating and cooking.

The good news? Those numbers were higher than the figures of the previous month (18 percent and 9 percent, respectively).

And Iraqi complaints about matters other than security are seen as progress. Early this year, Maj. Fred Garcia, an MNF-I analyst, said that "a very large percentage of people would answer questions about security by saying 'I don't know.' Now, we get more griping because people feel freer."

Iraqi political reconciliation, quality-of-life issues and the economy are largely the responsibility of the State Department. But the military, to the occasional consternation of U.S. diplomats who feel vastly outnumbered, has its own "mirror agencies" in many areas. Officers in charge of civil-military operations, said senior Petraeus adviser Army Col. William E. Rapp, "can tell you how many markets are open in Baghdad, how many shops, how many banks are open . . . We have a lot more people" on the ground.

On Iraqi politics, "we have four to six slides almost every morning on 'Where does the Iraqi government stand on de-Baathification legislation?' All these things are embassy things," Rapp said. But Petraeus is interested in "his 'feel' for a situation, and he gets that from a bunch of different data points," he added.

Even though members of the military "understand the limitations" of polling data, Rapp said, "subjective measures" are an important part of the mix. In July, the military signed a contract with Gallup for four public opinion polls a month in Iraq: three nationwide and one in Baghdad. Lincoln Group, which has conducted surveys for the military since shortly after the invasion, received a year-long contract in January to conduct focus groups.

Outside of the military, some of the most widespread polling in Iraq has been done by D3 Systems, a Virginia-based company that maintains offices in each of Iraq's 18 provinces. Its most recent publicly released surveys, conducted in September for several news media organizations, showed the same widespread Iraqi belief voiced by the military's focus groups: that a U.S. departure will make things better. A State Department poll in September 2006 reported a similar finding.

Matthew Warshaw, a senior research manager at D3, said that despite security improvements, polling in Iraq remains difficult. "While violence has gone down, one of the ways it has been achieved is by effectively separating people. That means mobility is limited, with roadblocks by the U.S. and Iraqi military or local militias," Warshaw said in an interview.

Most of the recent survey results he has seen about political reconciliation, Warshaw said, are "more about [Iraqis] reconciling with the United States within their own particular territory, like in Anbar. . . . But it doesn't say anything about how Sunni groups feel about Shiite groups in Baghdad."

Warshaw added: "In Iraq, I just don't hear statements that come from any of the Sunni, Shiite or Kurdish groups that say 'We recognize that we need to share power with the others, that we can't truly dominate.'"

According to a summary report of the focus-group findings obtained by The Washington Post, Iraqis have a number of "shared beliefs" about the current situation that cut across sectarian lines. Participants, in separate groups of men and women, were interviewed in Ramadi, Najaf, Irbil, Abu Ghraib and in Sunni and Shiite neighborhoods in Baghdad. The report does not mention how the participants were selected.

Dated December 2007, the report notes that "the Iraqi government has still made no significant progress toward its fundamental goal of national reconciliation." Asked to

describe “the current situation in Iraq to a foreign visitor,” some groups focused on positive aspects of the recent security improvements. But “most would describe the negative elements of life in Iraq beginning with the ‘U.S. occupation’ in March 2003,” the report says.

Some participants also blamed Iranian meddling for Iraq’s problems. While the United States was said to want to control Iraq’s oil, Iran was seen as seeking to extend its political and religious agendas.

Few mentioned Saddam Hussein as a cause of their problems, which the report described as an important finding implying that “the current strife in Iraq seems to have totally eclipsed any agonies or grievances many Iraqis would have incurred from the past regime, which lasted for nearly four decades—as opposed to the current conflict, which has lasted for five years.”

Overall, the report said that “these findings may be expected to conclude that national reconciliation is neither anticipated nor possible. In reality, this survey provides very strong evidence that the opposite is true.” A sense of “optimistic possibility permeated all focus groups . . . and far more commonalities than differences are found among these seemingly diverse groups of Iraqis.”

Madam Speaker, the Iraqi people themselves firmly believe that reconciliation will not happen until we leave. If the Iraqi people want us to leave and a majority of the Iraqi Government wants us to leave and a majority of the American people want us to leave, then why on Earth are we still staying?

As I have said on a number of occasions today, what is contained in the underlying bill is a blank check. There are no restrictions on the tens of billions of dollars that we are going to give the President in support of his Iraq policy. There is no conditionality. There are no timetables for withdrawal. There is nothing. This is a blank check. We are into the fifth year of this war, and after all that we have seen, after all that we have been told that has turned out not to be true, it seems unbelievable to me that this Congress would vote for yet another blank check.

Madam Speaker, I urge my colleagues to reject this latest blank check, which essentially is in support of an endless war in Iraq, and vote “no” on the underlying bill. I ask for support of the rule.

Madam Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### FURTHER CONTINUING APPROPRIATIONS, FISCAL YEAR 2008

Mr. OBEY. Madam Speaker, pursuant to House Resolution 893, I call up the joint resolution (H.J. Res. 72) making further continuing appropriations for the fiscal year 2008, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

The text of the joint resolution is as follows:

H.J. RES. 72

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Public Law 110-92 is further amended by striking the date specified in section 106(3) and inserting “December 31, 2007”.*

SEC. 2. Public Law 110-92 is further amended by adding at the end the following new sections:

“SEC. 160. Notwithstanding any other provision of this joint resolution, there is appropriated for payment to the heirs at law of Julia Carson, late a Representative from the State of Indiana, \$165,200.

“SEC. 161. Notwithstanding section 106, the authority to provide care and services under section 1710(e)(1)(E) of title 38, United States Code, shall continue in effect through September 30, 2008.

“SEC. 162. Notwithstanding section 106, the authority provided by section 2306(d)(3) of title 38, United States Code, shall continue in effect through September 30, 2008.”

The SPEAKER pro tempore. Pursuant to House Resolution 893, the gentleman from Wisconsin (Mr. OBEY) and the gentleman from California (Mr. LEWIS) each will control 30 minutes.

The Chair recognizes the gentleman from Wisconsin.

#### GENERAL LEAVE

Mr. OBEY. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days within to revise and extend their remarks on House Joint Resolution 72.

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

There was no objection.

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

Madam Speaker, I know the gentleman from California has to get to another meeting, so I will not take long. Everyone understands what this is. It is a continuing resolution that keeps the government open until the last day of the year so that the President can review other pending legislation.

I do want to just take one moment to bring to the House’s attention the fact that a good and faithful servant of the House will soon be leaving this institution, John Daniel, who is sitting next to me and who, if he could, would wring my neck because I am even mentioning him.

John has served the Rules Committee, he has served the leadership, and he has served the Appropriations Committee for many years with extremely excellent judgment and extreme dedication to this institution. There are a lot of people in this institution who demagogue the institution every day. John is not one of them.

I simply want to express my profound thanks to him for the service he has given the House in general and most specifically the service he has given to the Appropriations Committee. We hate to see him leave, but sometimes

even the best of congressional staffers have a lapse in judgment. That is the only thing that can explain his departure in this case.

With that, I am ready to yield back when the gentleman is ready to yield back.

Mr. LEWIS of California. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I have said all I need to say about this bill except to echo the chairman’s remarks regarding John’s service.

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

Mr. OBEY. I yield back my time.

The SPEAKER pro tempore. Pursuant to House Resolution 893, the joint resolution is considered read and the previous question is ordered.

The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

□ 1445

#### TAX INCREASE PREVENTION ACT OF 2007

Mr. RANGEL. Madam Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 3996) to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes.

The Clerk read the title of the bill.

The text of the Senate amendment is as follows:

Senate amendment:

Strike out all after the enacting clause and insert:

#### SECTION 1. SHORT TITLE.

*This Act may be cited as the “Tax Increase Prevention Act of 2007”.*

#### SEC. 2. EXTENSION OF INCREASED ALTERNATIVE MINIMUM TAX EXEMPTION AMOUNT.

(a) IN GENERAL.—Paragraph (1) of section 55(d) of the Internal Revenue Code of 1986 (relating to exemption amount) is amended—

(1) by striking “(\$62,550 in the case of taxable years beginning in 2006)” in subparagraph (A) and inserting “(\$66,250 in the case of taxable years beginning in 2007)”, and

(2) by striking “(\$42,500 in the case of taxable years beginning in 2006)” in subparagraph (B) and inserting “(\$44,350 in the case of taxable years beginning in 2007)”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2006.

#### SEC. 3. EXTENSION OF ALTERNATIVE MINIMUM TAX RELIEF FOR NONREFUNDABLE PERSONAL CREDITS.

(a) IN GENERAL.—Paragraph (2) of section 26(a) of the Internal Revenue Code of 1986 (relating to special rule for taxable years 2000 through 2006) is amended—

(1) by striking “or 2006” and inserting “2006, or 2007”, and

(2) by striking “2006” in the heading thereof and inserting “2007”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2006.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from