

through a series of events far beyond their control. It is only right and fair that we extend the period of eligibility so that the affected disadvantaged businesses are allowed to grow and flourish and enjoy the full 9 years of the program.

Nineteen months since Katrina struck, most of our 8(a) firms across the gulf coast are still struggling to return.

This bill is about equity and fairness at a time when the road to recovery has been anything but fair for disadvantaged firms in the region. For example, in the time just following the storm, 90 percent of the \$2 billion in initial contracts were awarded to companies based outside of the three primary affected States and to large concerns. Minority businesses received just 1.5 percent of the first \$1.6 billion spent there. Women-owned businesses received even less. This was the outcome in spite of laws such as the Stafford Act, which require contracting officials to prioritize awards to local businesses and to reach a goal of 5 percent of contracts to minority-owned businesses.

The continued recovery from Katrina is made up of many interconnected issues, and we cannot fully recover without addressing all of them. Helping small businesses, as this and other bills such as the RECOVER Act do, restores jobs that our citizens can return home to and puts our businesses back on track. It broadens the tax base of our region and helps with our recovery.

I look forward to continuing to work on the Small Business Committee with Ms. VELÁZQUEZ and Mr. CHABOT to address the needs of small businesses in the gulf region.

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

Ms. VELÁZQUEZ. Mr. Speaker, I would like to thank the gentleman from Ohio (Mr. CHABOT) for his support and cooperation in helping expedite this legislation.

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 New York (Ms. VELÁZQUEZ) that the House suspend the rules and pass the bill, H.R. 1468, 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.

RECESS

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

Accordingly (at 3 o'clock and 13 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1700

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SALAZAR) at 5 p.m.

ANIMAL FIGHTING PROHIBITION ENFORCEMENT ACT OF 2007

Mr. SCOTT of Virginia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 137) to amend title 18, United States Code, to strengthen prohibitions against animal fighting, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 137

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 "Animal Fighting Prohibition Enforcement Act of 2007".

SEC. 2. ENFORCEMENT OF ANIMAL FIGHTING PROHIBITIONS.

(a) IN GENERAL.—Chapter 3 of title 18, United States Code, is amended by adding at the end the following:

"§ 49. Enforcement of animal fighting prohibitions

"Whoever violates subsection (a), (b), (c), or (e) of section 26 of the Animal Welfare Act shall be fined under this title, imprisoned for not more than 3 years, or both, for each violation."

(b) CLERICAL AMENDMENT.—The table of contents for such chapter is amended by inserting after the item relating to section 48 the following:

"49. Enforcement of animal fighting prohibitions."

SEC. 3. AMENDMENTS TO THE ANIMAL WELFARE ACT.

Section 26 of the Animal Welfare Act (7 U.S.C. 2156) is amended—

(1) in subsection (c), by striking "interstate instrumentality" and inserting "instrumentality of interstate commerce for commercial speech";

(2) in subsection (d), by striking "such subsections" and inserting "such subsection";

(3) by striking subsection (e) and inserting the following:

"(e) It shall be unlawful for any person to knowingly sell, buy, transport, or deliver in interstate or foreign commerce a knife, a gaff, or any other sharp instrument attached, or designed or intended to be attached, to the leg of a bird for use in an animal fighting venture."

(4) in subsection (g)—

(A) in paragraph (1), by striking "or animals, such as waterfowl, bird, raccoon, or fox hunting"; and

(B) by striking paragraph (3) and inserting the following:

"(3) the term 'instrumentality of interstate commerce' means any written, wire, radio, television or other form of communication in, or using a facility of, interstate commerce;" and

(5) by adding at the end the following new subsection:

"(i) The criminal penalties for violations of subsection (a), (b), (c), or (e) are provided in section 49 of title 18, United States Code."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. SCOTT) and the gen-

tleman from North Carolina (Mr. COBLE) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. SCOTT of Virginia. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Mr. SCOTT of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 137 is a bipartisan effort by the Judiciary Committee, led by the gentleman from California (Mr. GALLEGLY) as the chief sponsor and the gentleman from Oregon (Mr. BLUMENAUER) as the lead Democratic sponsor. Both have worked long and hard on this issue. I would also like to express my appreciation to Chairman CONYERS, Ranking Member SMITH, and Subcommittee Ranking Member FORBES for their leadership and support in moving this matter forward, and also the former chairman of the committee, Mr. COBLE, who is with us today.

The Animal Fighting Prohibition Enforcement Act of 2007 addresses the growing problem of staged animal fighting in this country. It increases the penalties under the current Federal law for transporting animals in interstate commerce for the purpose of fighting and for interstate and foreign commerce in knives and gaffs designed for use in cockfighting.

Specifically, H.R. 137 makes violations of the law a felony punishable by up to 3 years in prison. Currently, these offenses are limited to misdemeanor treatment with the possibility of a fine and up to 1 year of imprisonment. Most States make all staged animal fighting illegal. Just one State currently allows cockfighting to occur legally.

The transport of game birds for the purpose of animal fighting and the implements of cockfighting are already prohibited by Federal law, though the current law only allows, as I have indicated, the misdemeanor treatment. In 1976 Congress amended title 7, U.S. Code, section 2156, the Animal Welfare Act, to make it illegal to knowingly sell, buy, transport, deliver, or receive a dog or other animal in interstate or foreign commerce for the purposes of participation in an animal fighting venture or knowingly sponsoring or exhibiting an animal in a fighting venture if any animal in the venture was moved in interstate or foreign commerce. Amendments to the Animal Welfare Act contained a loophole, however, that allowed shipments of birds across State lines for fighting purposes if the destination State allowed cockfighting.

While Congress did amend section 26 of the Animal Welfare Act to close this

loophole in 2002, the penalty section and other provisions of the act have not been updated since their original enactment in 1976. This bill is designed to address those shortfalls to more effectively cover modern problems associated with animal fighting ventures.

As I have already mentioned, the legislation increases current penalties to provide a meaningful deterrent. One of the primary reasons for enacting the increased penalties under title 18 is the reluctance of U.S. Attorneys to pursue animal fighting cases under the current misdemeanor provisions because they view the penalties as ineffective against an animal fighting industry, which has continued unabated nationwide.

H.R. 137 further makes it a felony to transport cockfighting implements in interstate or foreign commerce. These implements take the form of razor-sharp knives, known as slashers; or gaffs, instruments shaped in the form of curved ice picks that are attached to birds' legs for fighting. Proponents of these implements within the game fowl community apparently contend that they inflict cleaner wounds upon the birds which are then quicker and easier to heal.

Since penalties against animal fighting were codified in 1976, Federal authorities have pursued less than half a dozen animal fighting cases, despite the fact that the USDA has received numerous tips from informants and requests to assist with State and local prosecutions.

In addition, despite the fact that all 50 States have banned dog fighting and all but one State has banned cockfighting, the animal fighting industry continues to thrive within the United States. Numerous nationally circulated animal fighting magazines advertise fighting animals, and paid lobbyists continue to advocate for animal fighters' interests. Thankfully, H.R. 137 will seek to bring an end to these practices.

Finally, Mr. Speaker, this bill affects matters within the jurisdiction of the Committee on Agriculture and the Judiciary Committee. Both committees have worked closely together to ensure that all matters are dealt with appropriately. We appreciate their assistance in bringing this bill expeditiously to the floor, and I will insert into the CONGRESSIONAL RECORD at this point an exchange of letters between Chairman PETERSON of the Agriculture Committee and Chairman CONYERS of Judiciary.

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, March 8, 2007.

Hon. COLLIN C. PETERSON,
Chairman, Committee on Agriculture,
Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your recent letter regarding the Agriculture Committee's jurisdictional interest in H.R. 137, the "Animal Fighting Prohibition Enforcement Act of 2007," which the Committee on the Judiciary reported by voice vote. As ordered reported, the bill establishes criminal penalties for violations of Federal prohibitions on animal fighting.

I appreciate your willingness to discharge the bill from further consideration by your Committee, in order to expedite its floor consideration. I understand and agree that this is without prejudice to your Committee's jurisdictional interests in this or similar legislation in the future. In the event a House-Senate conference on this or similar legislation is convened, I would support your request for an appropriate number of conferees.

I will include a copy of your letter and this response as part of the Congressional Record during consideration of the legislation on the House floor. Thank you for your cooperation as we work towards enactment of H.R. 137.

Sincerely,

JOHN CONYERS, Jr.,
Chairman.

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON AGRICULTURE,
Washington, DC, March 8, 2007.

Hon. JOHN CONYERS,
Chairman, Committee on the Judiciary,
Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your recent letter regarding Judiciary Committee action on H.R. 137, a bill to establish criminal penalties for violations of Federal prohibitions on animal fighting.

In the interest of expediting the consideration of H.R. 137, I agree to the discharge of the bill from further consideration by the Committee on Agriculture. I do so with the understanding that the Committee on Agriculture does not waive any future jurisdictional claim over this or similar matters. In the event a conference with the Senate is requested on this bill, the Committee on Agriculture reserves the right to seek appointment of conferees.

Thank you for your cooperation in this matter.

Sincerely,

COLLIN C. PETERSON,
Chairman.

With that, Mr. Speaker, I urge my colleagues to support the legislation.

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

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

Mr. Speaker, H.R. 137, the Animal Fighting Prohibition Enforcement Act of 2007, creates Federal felony penalties for animal fighting. The distinguished gentleman from California (Mr. GALLEGLY) is the lead sponsor of this bill with over 300 cosponsors from both sides of the aisle.

The Animal Fighting Prohibition Enforcement Act increases criminal penalties for illegal dog fighting and cockfighting. The act, furthermore, imposes penalties for the interstate promotion of animal fighting and the interstate transportation of animals for use in an animal fighting venture.

All 50 States, Mr. Speaker, prohibit dog fighting, and 48 States prohibit cockfighting. Louisiana and New Mexico, the two States that do, in fact, allow cockfighting, may take up legislation to ban the practice as early as this year.

According to the Humane Society, animal fighting, particularly cockfighting, has become an interstate venture with small syndicates of cockfighters moving across the country staging these different fights. Ani-

mal fighting is also linked oftentimes with other criminal conduct such as drug trafficking, illegal firearms sales, and gang activity.

By raising this offense from a misdemeanor to a felony, we are more likely to deter illegal animal fighting and increase the likelihood that Federal prosecutors will pursue these cases.

I urge my colleagues to support this bipartisan legislation.

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

Mr. SCOTT of Virginia. Mr. Speaker, I yield such time as he may consume to the gentleman from Michigan (Mr. CONYERS), chairman of the Judiciary Committee.

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

Mr. CONYERS. Mr. Speaker, to subcommittee Chairman BOBBY SCOTT we owe a debt of gratitude, as well as to subcommittee Ranking Member COBLE and, of course, the author of this bill, ELTON GALLEGLY, who through the years has persevered to make us finally come to this day. I guess we should also thank about 303 Members of the House of Representatives that have stuck with us and supported this legislation all this time. My congratulations to all of you. I never thought that a measure that was not considered as grave and large as some of the issues that come before the House Judiciary Committee would meet with so much encouragement and support to get us to this day. I congratulate the House of Representatives and the leadership on both sides.

I join, of course, in this measure and would like to make this point: this legislation includes a special provision clarifying the fact that it only supercedes State law in the case of a direct or irreconcilable conflict. The Humane Society is with us. The American Veterinary Medical Association is with us. The National Association of Sheriffs is with us, and hundreds and hundreds of local law enforcement agencies in every State of the Union have all come out in support of this basic, commonsense, long overdue legislation.

I thank those who have worked so tirelessly across the years to bring us to this day where this bill has now come before the floor.

I'm pleased to join the growing list of supporters, including the 30 or so Members of the Judiciary Committee, that have decided to lend their support to this measure.

For far too long, the sponsors of abusive animal fighting events (including cockfight and dog fight promoters) have been permitted to freely engage in such activities without any real fear of prosecution. Fortunately, the bill before us seeks to change that.

First, the legislation provides up to the three years in jail for people who transport animals in interstate commerce with the purpose of participating in an animal fighting venture. Current law only treats such offenses as a mere misdemeanor. However, research has shown us that simple misdemeanor criminal penalties

don't provide enough of a meaningful deterrent, especially when thousands of dollars are wagered on a single dog or cock fight.

Second, the legislation makes it unlawful to sell or ship instruments in interstate commerce that are designed to be attached to the leg of a bird for use in an animal fighting venture. Razor sharp knives, commonly known as "slashers", are oftentimes attached to the legs of a bird to make cockfights even more violent. This provision would prohibit such activity, and subject any violators to a term of imprisonment of up to three years in jail.

Finally, the legislation includes a special provision clarifying that this measure only supersedes state law in the case of a direct or irreconcilable conflict.

The Humane Society, the American Veterinary Medical Association, the National Sheriffs Association, and nearly 400 local law enforcement agencies covering all 50 states have all come out in support of this legislation.

I strongly urge my colleagues to lend their support to this bipartisan, commonsense measure as well.

Mr. COBLE. Mr. Speaker, I now yield 3 minutes to the distinguished gentleman from California (Mr. GALLEGLY), member of the House Judiciary Committee and original sponsor of this legislation.

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

Mr. GALLEGLY. Mr. Speaker, I thank the gentleman for yielding.

As you know, along with my good friend EARL BLUMENAUER and ROSCOE BARTLETT, we have been trying to federally criminalize this brutal, inhumane practice of animal fighting for the past several Congresses.

When Congress enacted legislation to tighten Federal animal fighting laws, we left in place weak penalties that have proven ineffective and allowed the barbaric practice to thrive, in spite of bans in virtually every State. Misdemeanor penalties simply don't provide a meaningful deterrent. Animal fighters consider misdemeanor penalties as a "slap on the wrist" or merely the "cost of doing business."

State and local law enforcement officials are increasingly concerned about animal fighting not only because of the animal cruelty involved but because of the other crimes that often go hand in hand with animal fighting, including illegal gambling, drug trafficking, and acts of human violence. In the last 6 months, virtually every reported arrest in an animal fight has also led to additional arrests for at least one of these criminal activities.

Cockfighting has also spread diseases that jeopardize poultry and even public health. California experienced this firsthand when cockfighters spread exotic Newcastle disease in 2002 and 2003. That outbreak cost U.S. taxpayers nearly \$200 million to eradicate, and the cost to the U.S. poultry industry was in the millions. Cockfighting has been identified as the major contributor to the spread of avian flu throughout Thailand and other parts of Asia, where the strain originated.

I want to express my sincere thanks to you, EARL BLUMENAUER, and to ROSCOE BARTLETT for their work on this legislation. I also commend and thank my good friend and neighbor Mr. JOHN CONYERS, the chairman of the committee; LAMAR SMITH, the ranking member; BOBBY SCOTT, the chairman of the subcommittee; and RANDY FORBES, the ranking member, for recognizing the importance of this issue and moving H.R. 137 through the Judiciary Committee so quickly.

□ 1715

Also I want to recognize COLLIN PETERSON on the Ag Committee for his assistance.

Finally, more important than all, is recognizing the 303-plus Members that have co-sponsored this legislation. It is hard to believe that we have that many people agreeing on something like this when it is not often that we have that many people in the House agreeing on what day of the week it is. So I want to thank all of them for their support.

Mr. Speaker, I ask my colleagues to join with all of us in passing this legislation when we bring it to a vote here in a couple of minutes.

Mr. SCOTT of Virginia. Mr. Speaker, I yield 3 minutes to the gentleman from Oregon (Mr. BLUMENAUER), the lead Democratic sponsor of this measure.

Mr. BLUMENAUER. Mr. Speaker, I appreciate Mr. SCOTT's courtesy in permitting me to speak and the leadership in taking what is seemingly a simple and innocuous bill and bringing it to the floor of the House. I appreciate working with my friend, ELTON GALLEGLY. This has been a long haul, lots of ups and downs, but today we reach an important milestone.

This is my fifth year of working on this issue. We were exposed to it during the last farm bill. We found that this got caught up in back-room machinations that really just defy description.

You have already heard about the despicable cruelty. You have heard about the association with illegal activity, gambling, violence, drugs and firearms trade. Louisiana is now poised to become the last State to make it illegal, making it illegal in every State in the Union.

Why then is this even an issue? Well, it is an underground and pervasive activity. It is in fact active across the country.

I just heard from one of our floor staff as we walked in today that he saw accounts from small town newspapers in Alabama the last 2 weeks in articles there. In Portland, Oregon, in recent months we have had officers break into a meth and coke den where there were 43 live chickens and all the equipment, as well as illegal weapons and large amounts of cash. In another high-profile case in my community, a professional basketball player was involved with illegal fighting of his pit bull.

This is something that has been an area, frankly, where Congress has

shamefully been complicit. We have ignored the fact that inadequate penalties, as has been said by the chairman of the committee, by my friend from California, which have just been the "cost of doing business." We have looked the other way.

This is an important vote today. I am confident with over 300 co-sponsors it will pass, and it will pass overwhelmingly. But the battle is not done. Never underestimate the power of the apologists, the allies and the enablers of this vicious and cruel, I won't even call it a "sport," it is a vicious practice.

I am hopeful that we will move forward with not just voting today, but make sure that it passes the other body, and it is not subjected, as it has been time and time again over the last 5 years, to some other devious action.

Do not sell short the people who are apologists for this sport. Join with us not just with your vote but to make sure that we get this legislation enacted and then enforced around the country.

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

Mr. SCOTT of Virginia. Mr. Speaker, I yield 2½ minutes to the gentlelady from California, Ms. SANCHEZ.

Ms. LINDA T. SANCHEZ of California. Mr. Speaker, I rise today in proud support of H.R. 137, the Animal Fighting Prohibition Enforcement Act of 2007, because it is time for the Federal Government to up the ante in its efforts to curb this cruel and gruesome abuse of animals.

The current misdemeanor penalties in Federal law have not been effective. They are considered a cost of doing business by the animal fighting industry, which continues to operate across the country.

This bill addresses the growing problem of animal fighting by amending Federal law to prohibit moving animals through interstate commerce for the purpose of fighting.

Do we want to make a Federal case out of this? Yes, we do. Those who profit from animal fighting often drug dogs and roosters to make them hyper-aggressive and to keep fighting even after suffering severe injuries. The animals are in a closed pit from which they cannot escape. Often, they die during the fight. This is a gruesome and inhumane practice. The American people agree. Dog fighting is illegal in 50 States and cockfighting is illegal in most.

Current law is simply not strong enough. Animal fighting often leads to additional criminal behavior. It is associated with illegal gambling, narcotics trafficking, public corruption, gang activity, and violent behavior toward people.

The National Sheriffs' Association supports the legislation, and more than 400 individual sheriffs and police departments in every State in the country have endorsed it. They recognize that animal fighting often involves movement of animals across interstate

and foreign borders, and they can't do the job on their own. They need the Federal Government to do its part to curb this dangerous activity.

I am proud to be a part of this bipartisan effort to curb this appalling treatment of animals. I urge my colleagues to join me in voting yes on H.R. 137.

Mr. COBLE. Mr. Speaker, I continue to reserve the balance of my time.

Mr. SCOTT of Virginia. Mr. Speaker, I yield 3 minutes to the gentleman from Tennessee (Mr. COHEN).

Mr. COHEN. Mr. Speaker, I want to thank the gentleman from Virginia for this time.

This is my first year in the Congress. In my 24 years in the State senate, I was the leading spokesperson for animal welfare legislation, and I took great pride in that. So I am particularly appreciative of standing up on this bill.

I incorporate by reference all the things that have been said about the harmful effects of this practice, and they are well known. I think that the spread of avian flu and all the other pertinent conduct is to be prohibited.

But the main thing is, dogs are our best friends. Harry Truman said, if you want a friend in Washington, get a dog. So far, I haven't been here 90 days, I have made lots of friends. I haven't needed a dog yet, but I have thought about the day. I saw a Congressman come in the other day, Congressman WHITFIELD from Kentucky, he had his dog with him. He has been here more years than me.

Dogs are our friends. We all have dogs that we feel that are part of our families. We shouldn't treat any of God's creatures the way that people treat dogs and cocks; and I guess if I was from Kentucky, Congressman YARMUTH, I could speak more fondly about chickens, because the Colonel and KFC have done a lot for his district.

But my particular interest is dogs, and we should treat them well. They are our friends. You can go back in TV lore, Lassie and Asta, and you think about Snoopy. To teach them to fight, to require them to fight, to watch them die is just not what God intended and not what we should encourage and condone.

Children shouldn't be exposed to this, and sometimes they are. This type of conduct leads to other types of harmful conduct and violence against women, violence against seniors. People who enjoy this type of violence and watching it are more often than not going to be the most likely people to pick on others who are unable to take care of themselves.

I am very proud to be a cosponsor of H.R. 137. I look forward to its passage and the day that we don't have people who get some type of great enjoyment out of watching dogs, cocks or any other of God's creatures fight to the death and find pleasure and enjoyment in it and teach their children by that

association that violence is something good, when it isn't.

Mr. COBLE. Mr. Speaker, I am advised the distinguished gentleman from Virginia would like me to yield 3 minutes to the distinguished gentleman from Virginia (Mr. MORAN) which I am pleased to do.

Mr. MORAN of Virginia. Mr. Speaker, I thank both my friend from North Carolina and my friend from Virginia, as well as the chairman of the Judiciary Committee, for bringing this forward, as well as those who have spoken on behalf of this bill.

This is not just a nuisance industry. This is a malicious industry that represents a very, very serious public health threat. We are very much concerned that the interstate or international transport, especially of birds used for cockfighting, could spread an influenza outbreak. The World Health Organization has reported at least nine confirmed human cases of avian flu in Thailand and Vietnam that they expect is related directly to cockfighting activity.

The American Veterinary Medical Association, the poultry industry, all the animal protection associations, of course, but the National Sheriffs' Association as well has urged us to pass this bill.

Yes, there are 50 different State bills against dog fighting, 49 against cockfighting, but many of them are different. And the fact is there is a great deal of interstate commerce that takes place, so you need a Federal law banning this, because it is so closely associated, and this is what the National Sheriffs' Association tells us, so closely associated to illegal gambling, trafficking of narcotics, public corruption, dangerous gang activity. There are so many reasons why we should ban this practice.

As has been said, it is cruel, and it is inhumane. They drug these animals so that they are hyper-aggressive, so that they will continue fighting until they kill or are killed. That is not right. It is not moral. But even beyond the cruel and inhumane aspect of this practice, it represents a very dangerous public health threat, as well as a source of a great deal of other illegal criminal activity.

This House would be well-served to listen to the more than 300 Members who have cosponsored this legislation and pass it today.

Mr. SCOTT of Virginia. Mr. Speaker, I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, let me thank the author of the bill and certainly the chairman of the Subcommittee on Crime, the chairman of the full committee and ranking members as well.

I rise to enthusiastically support H.R. 137 and announce that it is impacting so many different communities

that it is imperative that there be a Federal prohibition on transporting animals interstate. There is a question of disease, there is a question of violence, and certainly with the increasing numbers of dangerous animals that attack human beings, fighting animals certainly pose a severe threat to the community.

This is a good bill. I am delighted to be a co-sponsor. The good news is that we are getting it through the House today. This bill has been around since the last session. I congratulate all of the authors. It is time now to spell relief by passing this bill and protecting the lives of our children and saving the lives of those who would be endangered by cockfighting and other dangerous activities with animals.

Mr. Speaker, I rise in strong support of H.R. 137, the "Animal Fighting Prohibition Enforcement Act of 2007." I was a co-sponsor of this legislation when it was considered in the 109th Congress and a strong supporter and cosponsor when the bill was re-introduced in this Congress.

Mr. Speaker, H.R. 137 establishes felony-level jail time (up to 3 years) for violators of the Federal animal fighting law. The bill amends Title 18 of the U.S. Code to strengthen the maximum jail time from the 1-year misdemeanor level in current law. The bill also prohibits interstate and foreign commerce in cockfighting weapons.

1. DOGFIGHTING AND COCKFIGHTING ARE INHUMANE AND BARBARIC ACTIVITIES

In a typical fight, animals are drugged to heighten their aggression and forced to keep fighting even after injuries such as pierced lungs and gouged eyes—all for the amusement and illegal wagering of handlers and spectators. Dogfighting and cockfighting are also associated with other criminal conduct, such as drug traffic, illegal firearms use, and violence toward people. Children are often present at these spectacles. Some dogfighters steal pets to use as bait for training their dogs; some allow trained fighting dogs to roam neighborhoods and endanger the public.

2. FELONY PENALTIES ARE NEEDED

Misdemeanor penalties don't provide a meaningful deterrent; they're considered a "slap on the wrist" or a "cost of doing business." And prosecutors are reluctant to pursue animal fighting cases carrying only a misdemeanor penalty. Since the Federal animal fighting law was first enacted in 1976, authorities have pursued only a handful of cases, despite receiving innumerable informant tips about illegal interstate activity and requests to assist with state and local busts and prosecutions.

3. THE ANIMAL FIGHTING PROHIBITION ENFORCEMENT ACT BRINGS FEDERAL LAW IN LINE WITH STATE LAWS

When the Federal animal fighting law was enacted in 1976, only one state had felony penalties for animal fighting. Today, dogfighting is a felony in 48 states, and cockfighting is a felony in 33 states. State laws commonly authorize jail time of 3 to 5 years or more for animal fighting.

4. OTHER RECENT FEDERAL ANIMAL PROTECTION LAWS THAT AMENDED TITLE 18 OF THE U.S. CODE HAVE FELONY PENALTIES

In 1999, Congress authorized imprisonment of up to 5 years for interstate commerce in videos depicting animal cruelty, including animal fighting (P.L. 106-152), and mandatory

jail time of up to 10 years for willfully harming or killing a federal police dog or horse (P.L. 106–254).

5. THERE IS NO REASON TO ALLOW INTERSTATE AND FOREIGN COMMERCE IN SHARP IMPLEMENTS DESIGNED EXCLUSIVELY FOR COCKFIGHTS

Razor-sharp knives known as “slashers” and ice pick-like gaffs are attached to the legs of birds to make cockfights more violent. These weapons, used only in cockfights, are sold through cockfighting magazines and through the Internet.

6. THE ANIMAL FIGHTING INDUSTRY CONTINUES TO THRIVE ACROSS THE U.S.

All 50 states ban dogfighting, 48 states ban cockfighting, and there has been a dramatic increase in the number of animal fighting raids by state and local authorities. Yet numerous nationally circulated animal fighting magazines still promote these cruel practices and advertise fighting animals and the accoutrements of animal fighting. There are also several active websites for animal fighting enthusiasts, and paid lobbyists advocating animal fighters' interests.

7. COCKFIGHTERS HAVE SPREAD DISEASES AND POSE A CONTINUING THREAT TO FARMERS AND PUBLIC HEALTH

As former Agriculture Secretary Ann Veneman wrote in a May 2004 letter indicating the Bush Administration's endorsement of the animal fighting felony legislation:

“[cockfighting has] been implicated in the introduction and spread of exotic Newcastle disease in California in 2002–2003, which cost U.S. taxpayers nearly \$200 million to eradicate, and cost the U.S. poultry industry many millions more in lost export markets. . . . We believe that tougher penalties and prosecution will help to deter illegal movement of birds as well as the inhumane practice of cockfighting itself.”

According to government officials, interstate and international transport of fighting birds posed the greatest risk of transmission, since cockfighters move their birds often and participants from as many as a dozen states gather at illegal fighting derbies.

Cockfighting also has been implicated in the deaths of at least 9 people in Asia who were reportedly exposed through cockfighting activity to bird flu. The National Chicken Council, which represents 95% of U.S. poultry producers/processors, has called on Congress to enact the animal fighting felony legislation, noting “we are concerned that the nationwide traffic in game birds creates a continuing hazard for the dissemination of animal diseases.” We can't afford not to act. The economic consequences of an avian influenza outbreak are staggering—with U.S. losses estimated at between \$185 and \$618 billion (Congressional Budget Office) and worldwide losses projected from \$1.5 to \$2 trillion (The World Bank).

8. H.R. 137 ENJOYS OVERWHELMING BIPARTISAN SUPPORT

H.R. 137 currently has more than 300 sponsors. More than 400 local and state law enforcement agencies covering every state in the country have endorsed this legislation, along with animal welfare, poultry industry, and other organizations. Enacting this animal fighting legislation is long overdue.

Mr. Speaker, I urge my colleagues to support H.R. 137.

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

Mr. SCOTT of Virginia. Mr. Speaker, I urge my colleagues to support this

legislation. It is bipartisan legislation. We have listened to all of the people who have worked long and hard on this legislation. I hope it will be the pleasure of the House to pass the bill.

Mr. BLUMENAUER. Mr. Speaker, I support the Animal Fighting Prohibition Act, which would raise the penalty for violators of the federal animal welfare law, from a class 1 misdemeanor to a felony. In an industry where thousands of dollars change hands with each fight, misdemeanor fines and charges are simply considered “the costs of doing business”. This bill would close this loophole and keep criminals from traveling to states with weaker penalties to conduct their business.

Animal fights are not only despicable for their cruelty to animals, but they are commonly associated with illegal gambling, drug traffic, firearms trades, and numerous other illicit activities. Recently in Oregon, officers found meth, cocaine, \$10,000 in cash, along with 43 live chickens, cockfighting equipment including metal spurs and gaffs in a Portland man's home. Drugs are often the impetus for the discovery of gamecocks and illegal weapons. In another high profile Oregon case, a former Portland Trailblazer pled guilty to animal abuse for fighting his pit bull. Officials found her bloody, scarred, and covered in tar which is used by fighters as a cheap antiseptic to fresh wounds.

But animal fighting doesn't just pose a threat to the people and animals who engage in them, it has enormous costs to the United States health and economy. Cockfighting has been implicated in the introduction and spread of exotic Newcastle disease in California in 2002–2003, which cost the U.S. taxpayers nearly \$200 million to eradicate. The disease spread further to large scale egg farms in Arizona, Nevada, New Mexico, and Texas; costing the U.S. poultry industry many millions of dollars in lost export markets. Cockfighting has also been implicated in the deaths of at least 9 people in Asia who contracted avian flu after exposure to fighting birds. If avian flu were to reach the shores of America, the economic and human consequences would be staggering.

This bill has widespread support across the country, including 303 cosponsors in the House and 35 cosponsors in the Senate. HR 137 is endorsed by the Humane Society of the United States, the National Chicken Council which represents 95 percent of the Nation's poultry producers, the American Veterinary Medical Association, the National Sheriff's Association, and more than 400 local law enforcement agencies. Currently there is only one bastion left for cock fighters; the State of Louisiana. Although gamblers have attempted to use tribal lands as exemptions from state and federal laws, a federal jury recently convicted four men for their participation in a cockfight, and 70 others entered guilty pleas. It is my understanding that the increase in penalties contained within this bill would be equally applicable to animal fights held on tribal lands or Indian Reservations.

It is far past time that Congress give our law enforcement agencies the tools they need to end this barbaric and consequential practice.

Mr. SHAYS. Mr. Speaker, I rise in support of H.R. 137, the Animal Fighting Prohibition Enforcement Act, of which I am also a cosponsor. The way a society treats its animals speaks to the core values and priorities of its

citizens. I am committed to animal welfare because I believe humankind has an obligation to all animals.

Currently, it is a misdemeanor to sell, buy, or transport an animal to be used in a fight.

This legislation would make the crime a felony and increase the imprisonment penalty from 1 year to 3 years. The legislation also makes it unlawful to ship in interstate commerce a knife, gaff, or other sharp instrument used in cockfighting, and makes it a felony to use the postal service to promote an animal fight.

Dog fighting is banned in 50 states and cockfighting is banned in all but two, so I believe the Federal government is simply codifying a value that our States governments have already individually expressed.

Animal fighting is a cruel pastime where, in a typical fight, animals are drugged to heighten their aggression and forced to keep fighting, even after injuries, for the amusement and illegal wagering of handlers and spectators. We must put an end to this form of entertainment, which results in the brutal treatment of animals.

As a co-chair of the Congressional Friends of Animals Caucus, I will continue to work on a bipartisan basis to help protect animals at the Federal level.

Mr. BARTLETT of Maryland. Mr. Speaker, with my colleagues Mr. GALLEGLY and Mr. BLUMENAUER, I have introduced H.R. 137 to establish felony-level jail time of up to 3 years for those who violate the law against animal fighting. H.R. 137 would amend current law to toughen the maximum jail time from a one-year misdemeanor.

The penalties in the existing federal animal fighting statute are too weak. The upgraded penalty better aligns federal law with state law. Almost all states have established felony-level penalties for illegal animal fighting activities. State laws commonly authorize jail time of 3 to 5 years or more for animal fighting.

George Bernard Shaw once stated, “The worst sin toward our fellow creatures is not to hate them, but to be indifferent to them, that's the essence of inhumanity.” We should not be indifferent to the reprehensible underground organized crime of animal fighting, which is not only cruel but poses threats to public health and safety.

The Humane Society of the U.S. estimates that there are at least 40,000 dogfighters in America. Cockfighting has been tied to the spread of bird flu. Animal fighting spawns a number of other criminal activities, such as illegal gambling and using and selling drugs. Even more disturbing is the conclusion by many experts that acts of cruelty against animals are precursors to violence against humans. The felony-level penalties against animal fighting in H.R. 137 are necessary, and I urge my colleagues to support the bill.

Mr. FARR. Mr. Speaker, I rise today in strong support of H.R. 137, the Animal Fighting Prohibition Enforcement Act of 2007.

As many of my colleagues know, I have had a lifelong love and compassion for animals of all kinds. That is why I am simply shocked that it is not already illegal to take animals across state lines for the purpose of fighting. This is an inhumane and cruel practice that must not be allowed to continue. Another reason why this practice must be outlawed is because animal fighting spreads disease and poses an enormous public health risk. At a time when

avian flu is at the forefront of this county's health-related worries, it should be of the utmost concern to people that animal fighting is occurring all across the country. It makes one wonder, what kind of person could enjoy a "sport" like this?

In the forty-eight states where animal fighting is already outlawed, illegal gambling goes hand-in-hand with this gruesome activity. H.R. 137, the Animal Fighting Prohibition Enforcement Act of 2007, makes it a felony to knowingly sponsor or exhibit an animal or to use interstate commerce for the purposes of fighting. This bill would impose a prison sentence of up to 3 years.

I have supported this legislation since 2003. I am pleased that this legislation has overwhelming bipartisan support, with 303 cosponsors. Obviously we need stronger laws on this because this practice still continues.

Mr. Speaker, I urge my colleagues to pass H.R. 137, the Animal Fighting Prohibition Enforcement Act of 2007.

Mr. KUCINICH. Mr. Speaker, I rise today in support of H.R. 137, the Animal Fighting Prohibition Enforcement Act of 2007. It is hard to believe that an act as horrendous and brutal as animal fighting still takes place today.

H.R. 137 would make engaging in animal fighting a felony. This legislation will ensure that those who choose to fight animals illegally will be met with the appropriate penalty when they disregard the law.

Despite the fact that the vast majority of states have banned this atrocious and deplorable act, animal fighting continues to plague our communities. Animals such as dogs and chickens are fought to the death in the name of sport. This is unhealthy, violent behavior on the part of humans and is inhumane and merciless to the animals.

I commend both local and state officials for stepping up raids on animal fighting rings. Now it is time for this body of Congress to do our part by making these offenses a felony under Federal law. I urge my colleagues to join me and vote in favor of the Animal Fighting Prohibition Enforcement Act, H.R. 137.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. SCOTT) that the House suspend the rules and pass the bill, H.R. 137, 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. WESTMORELAND. 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 question will be postponed.

□ 1730

INTERIM APPOINTMENT OF UNITED STATES ATTORNEYS

Mr. CONYERS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 580) to amend chapter 35 of title 28, United States Code, to provide for a

120-day limit to the term of a United States attorney appointed on an interim basis by the Attorney General, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 580

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

SECTION 1. INTERIM APPOINTMENT OF UNITED STATES ATTORNEYS.

Section 546 of title 28, United States Code, is amended by striking subsection (c) and inserting the following new subsections:

"(c) A person appointed as United States attorney under this section may serve until the earlier of—

"(1) the qualification of a United States attorney for such district appointed by the President under section 541 of this title; or

"(2) the expiration of 120 days after appointment by the Attorney General under this section.

"(d) If an appointment expires under subsection (c)(2), the district court for such district may appoint a United States attorney to serve until the vacancy is filled. The order of appointment by the court shall be filed with the clerk of the court.

"(e) This section is the exclusive means for appointing a person to temporarily perform the functions of a United States attorney for a district in which the office of United States attorney is vacant."

SEC. 2. APPLICABILITY.

(a) IN GENERAL.—The amendments made by this Act shall take effect on the date of the enactment of this Act.

(b) APPLICATION.—

(1) IN GENERAL.—Any person serving as a United States attorney on the day before the date of the enactment of this Act who was appointed under section 546 of title 28, United States Code, for a district may serve until the earlier of—

(A) the qualification of a United States attorney for that district appointed by the President under section 541 of that title; or

(B) 120 days after the date of the enactment of this Act.

(2) EXPIRED APPOINTMENTS.—If an appointment expires under paragraph (1)(B), the district court for the district concerned may appoint a United States attorney for that district under section 546(d) of title 28, United States Code, as added by this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. CONYERS) and the gentleman from North Carolina (Mr. COBLE) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. CONYERS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, the measure before us today has been introduced by the gentleman from California, a ranking member of the committee and a subcommittee Chair, HOWARD BERMAN. It

is intended to restore the historical checks and balances to the process by which interim U.S. Attorneys are appointed. It will repair a breach in the law that has been a major contributing factor in the recent termination of eight able and experienced United States Attorneys and their replacement with interim appointments. It has gathered much attention across this Nation, and not just in government and legal circles.

The full circumstances surrounding these terminations are still coming to light, but what we know is already very troubling. The reports about these terminations are particularly troubling in that the United States Attorneys are among the most powerful government officials we have. They have the power to seek convictions and bring the full weight of the United States Government against any citizen or company that they deem important and eligible for prosecution. They can negotiate plea agreements. They can send people to prison for years and years. And frequently, the mere disclosure of a criminal investigation can destroy reputations and careers.

These are awesome powers. And so we on the Judiciary Committee consider it absolutely essential that the American people have full confidence in those entrusted to exercise these powers and that they do so with complete integrity and free from political influence of any kind.

The committee's investigation into these troubling circumstances is continuing. The longer time goes on, the more we know; and the more we know, the more we are troubled about what has been going on in the Department of Justice. It has already become abundantly clear that the gaping vulnerability in the law, which has placed the independence and integrity of our prosecutorial system in jeopardy, needs to be repaired as quickly as possible; and that is what we are here to do today.

What helped bring these troubling circumstances about, what helped make it possible for high-level Justice Department and White House officials to even entertain the notion that they could, as appears to be the case, target certain U.S. Attorneys for an unprecedented mid-course purge was an obscure provision adequately and anonymously slipped into the USA PATRIOT Reauthorization Act conference report in March of 2006. Without any debate, let alone the benefit of a single hearing in either body, this provision, added at the behest of the Justice Department's top political appointees to significantly enhance the power to appoint interim U.S. Attorneys without having to subject their appointments to customary safeguard of Senate confirmation. It was a middle-of-the-night insertion, and we are here to correct that.

Indeed, the administration's plan to exploit the new provision to bypass the Senate confirmation process is now well documented. As bluntly explained