

want to welcome Dr. PAUL BROUN from the 10th Congressional District of Georgia to the United States House of Representatives.

Madam Speaker, I yield to Congressman JACK KINGSTON, from the First Congressional District of Georgia.

Mr. KINGSTON. Madam Speaker, Members of the House, and my friend JOHN LEWIS, you are correct. His father was my State senator and JOHN BARROW's State senator for 38 years. He was a very well-respected Democrat. We all liked him a lot. But he sure raised his son the right way. We are glad to have him.

We all miss and loved Charlie Norwood. You know, in this House, there are creatures of habit. Of course, any time you want to see Mr. MURTHA and the Pennsylvania delegation, you go to that corner. Any time you want to see Mr. YOUNG and anybody who wants something out of him from Appropriations, all the Florida Members, you go over to that corner. I think, in Charlie's memory, we will all begin to think that the Georgia delegation will be sitting there.

PAUL, we are going to be very happy to have you sitting amongst us.

PAUL, JOHN BARROW and I went to the same junior high school. We are very proud to boast about that. He is an avid fly-fisherman. He is a sportsman. He did volunteer work for Safari-International and worked with many of you, got to know Ron Marlene very well and Jo ANN EMERSON, among others, and he is ready to go on any codel to Montana or Wyoming that he gets invited to.

PAUL is going to be a great Member of the House. He is a hard worker. I think you will like him on both sides of the aisle because he will work for what is best for the United States of America.

Mr. LEWIS has already gone over his resume, so I won't repeat it. But I will just say, PAUL, welcome to the greatest body the world has ever seen, the United States House of Representatives.

Mr. BROUN of Georgia. Madam Speaker and colleagues, I am glad to call you colleagues. I am eager to work with you. I am eager to represent the people of the 10th Congressional District of Georgia. It is exciting to me. Just 1 week ago, I was campaigning. Things have been going very quickly ever since then. I am just overwhelmed.

I look forward to working with you and working with this great, august body. I appreciate the opportunity. I appreciate the well wishes and all of the host of welcomes that I have gotten from each and every one of you.

So I appreciate the welcome that you all have given me. I look forward to working with you. Thank you so much. God bless you.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Under clause 5(d) of rule XX, the Chair announces to the House that, in light of the administra-

tion of the oath to the gentleman from Georgia, Mr. PAUL BROUN, the whole number of the House is 433.

COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2008

The SPEAKER. Pursuant to House Resolution 562 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 3093.

□ 1837

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 3093) making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2008, and for other purposes, with Mr. HASTINGS of Florida (Acting Chairman) in the chair.

The Clerk read the title of the bill.

The Acting CHAIRMAN. When the Committee of the Whole rose earlier today, the amendment by the gentlewoman from California (Ms. ZOE LOFGREN) had been disposed of and the bill had been read through page 48, line 3.

AMENDMENT OFFERED BY MR. KING OF IOWA

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Iowa (Mr. KING) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. Pursuant to the order of the House of today, this is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 19, noes 389, answered “present” 16, not voting 13, as follows:

[Roll No. 726]

AYES—19

Bishop (UT)	Garrett (NJ)	Rogers (AL)	English (PA)	Ruppertsberger
Buyer	Gohmert	Sali	Eshoo	Rush
Cannon	King (IA)	Sessions	Etheridge	Ryan (OH)
Davis (KY)	Lamborn	Tancredo	Everett	Ryan (WI)
Deal (GA)	McHenry	Westmoreland	Faleomavaega	Salazar
Foxx	Pearce		Fallin	Sánchez, Linda
Franks (AZ)	Pitts		Farr	T.

NOES—389

Abercrombie	Bachus	Berman	Ferguson	Sarbanes
Ackerman	Baird	Berry	Filner	Saxton
Aderholt	Baker	Biggert	Flake	Schakowsky
Akin	Baldwin	Bilbray	Forbes	Mack
Alexander	Barrow	Bilirakis	Fortenberry	Mahoney (FL)
Allen	Bartlett (MD)	Bishop (GA)	Fortuno	Schmidt
Altmore	Barton (TX)	Bishop (NY)	Fossella	Maloney (NY)
Andrews	Bean	Blumenauer	Frank (MA)	Schwartz
Arcuri	Becerra	Blunt	Frelinghuysen	Scott (GA)
Baca	Berkley	Boehner	Gallegly	Scott (VA)
				Serrano
				Sestak
				Shadegg
				Shays

Shea-Porter	Tanner	Wasserman
Sherman	Tauscher	Schultz
Shimkus	Taylor	Waterson
Shuler	Terry	Watson
Shuster	Thompson (CA)	Watt
Simpson	Thompson (MS)	Waxman
Sires	Thornberry	Weiner
Skelton	Tiahrt	Welch (VT)
Slaughter	Tiberi	Weldon (FL)
Smith (NE)	Tierney	Weller
Smith (NJ)	Towns	Wexler
Smith (TX)	Turner	Whitfield
Smith (WA)	Udall (CO)	Wicker
Snyder	Udall (NM)	Wilson (NM)
Solis	Upton	Wilson (OH)
Souder	Van Hollen	Wilson (SC)
Space	Velázquez	Wolf
Spratt	Visclosky	Woolsey
Stark	Walberg	Wu
Stearns	Walden (OR)	Wynn
Stupak	Walsh (NY)	Yarmuth
Sullivan	Walz (MN)	Young (FL)
Sutton	Wamp	

ANSWERED "PRESENT"—16

Bachmann	Green, Gene	McCaull (TX)
Barrett (SC)	Hastings (FL)	McCotter
Blackburn	Hastings (WA)	Royal-Allard
Bonner	Jones (OH)	Sensenbrenner
Delahunt	Kline (MN)	
Doyle	Latham	

NOT VOTING—13

Broun (GA)	DeFazio	Rangel
Christensen	Hill	Royce
Clarke	Hunter	Young (AK)
Cubin	LaHood	
Davis, Jo Ann	Marshall	

□ 1844

Mr. HASTINGS of Florida changed his vote from "no" to "present."

Mr. GINGREY changed his vote from "present" to "no."

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

JUVENILE JUSTICE PROGRAMS

For grants, contracts, cooperative agreements, and other assistance authorized by the Juvenile Justice and Delinquency Prevention Act of 1974 ("the 1974 Act"), the Omnibus Crime Control and Safe Streets Act of 1968 ("the 1968 Act"), the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109-162), and other juvenile justice programs, including salaries and expenses in connection therewith to be transferred to and merged with the appropriations for Justice Assistance, \$399,900,000, to remain available until expended as follows:

(1) \$725,000 for concentration of Federal efforts, as authorized by section 204 of the 1974 Act;

(2) \$81,175,000 for State and local programs authorized by section 221 of the 1974 Act, including training and technical assistance to assist small, non-profit organizations with the Federal grants process;

(3) \$53,000,000 for demonstration projects, as authorized by sections 261 and 262 of the 1974 Act;

(4) \$100,000,000 for youth mentoring grants;

(5) \$70,000,000 for delinquency prevention, as authorized by section 505 of the 1974 Act, of which—

(A) \$17,500,000 shall be for the Tribal Youth Program;

(B) \$25,000,000 shall be for a gang resistance education and training program; and

(C) \$25,000,000 shall be for grants of \$360,000 to each State and \$6,640,000 shall be available for discretionary grants to States, for programs and activities to enforce State laws prohibiting the sale of alcoholic beverages to minors or the purchase or consumption of alcoholic beverages by minors, prevention and

reduction of consumption of alcoholic beverages by minors, and for technical assistance and training;

(6) \$20,000,000 for the Secure Our Schools Act, as authorized by part AA of the 1968 Act, as amended by section 1169 of Public Law 109-162;

(7) \$15,000,000 for programs authorized by the Victims of Child Abuse Act of 1990; and

(8) \$60,000,000 for the Juvenile Accountability Block Grants program as authorized by part R of the 1968 Act, as amended by section 1166 of Public Law 109-162 and Guam shall be considered a State:

Provided, That not more than ten percent of each amount may be used for research, evaluation, and statistics activities designed to benefit the programs or activities authorized: *Provided further*, That not more than two percent of each amount may be used for training and technical assistance: *Provided further*, That the previous two provisos shall not apply to demonstration projects, as authorized by sections 261 and 262 of the 1974 Act.

PUBLIC SAFETY OFFICERS BENEFITS

For payments and expenses authorized by part L of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796), such sums as are necessary, as authorized by section 6093 of Public Law 100-690 (102 Stat. 4339-4340) (including amounts for administrative costs, which amounts shall be paid to the "Justice Assistance" account), to remain available until expended; and \$5,000,000 for payments authorized by section 1201(b) of such Act; and \$4,100,000 for educational assistance, as authorized by section 1212 of such Act.

GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

SEC. 201. In addition to amounts otherwise made available in this title for official reception and representation expenses, a total of not to exceed \$60,000 from funds appropriated to the Department of Justice in this title shall be available to the Attorney General for official reception and representation expenses.

SEC. 202. None of the funds appropriated by this title shall be available to pay for an abortion, except where the life of the mother would be endangered if the fetus were carried to term, or in the case of rape: *Provided*, That should this prohibition be declared unconstitutional by a court of competent jurisdiction, this section shall be null and void.

SEC. 203. None of the funds appropriated under this title shall be used to require any person to perform, or facilitate in any way the performance of, any abortion.

SEC. 204. Nothing in the preceding section shall remove the obligation of the Director of the Bureau of Prisons to provide escort services necessary for a female inmate to receive such service outside the Federal facility: *Provided*, That nothing in this section in any way diminishes the effect of section 203 intended to address the philosophical beliefs of individual employees of the Bureau of Prisons.

SEC. 205. Not to exceed five percent of any appropriation made available for the current fiscal year for the Department of Justice in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than ten percent by any such transfers: *Provided*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section: *Provided further*, That none of the funds appropriated to "Buildings and Facilities, Federal Prison

System" in this or any other Act may be transferred to "Salaries and Expenses, Federal Prison System", or any other Department of Justice account, unless the President certifies that such a transfer is necessary to the national security interests of the United States, and such authority shall not be delegated, and shall be subject to section 505 of this Act.

SEC. 206. The Attorney General is authorized to extend through September 30, 2009, the Personnel Management Demonstration Project transferred to the Attorney General pursuant to section 1115 of the Homeland Security Act of 2002, Public Law 107-296 (6 U.S.C. 533) without limitation on the number of employees or the positions covered.

SEC. 207. Notwithstanding any other provision of law, Public Law 102-395 section 102(b) shall extend to the Bureau of Alcohol, Tobacco, Firearms and Explosives in the conduct of undercover investigative operations and shall apply without fiscal year limitation with respect to any undercover investigative operation initiated by the Bureau of Alcohol, Tobacco, Firearms and Explosives that is necessary for the detection and prosecution of crimes against the United States.

SEC. 208. None of the funds made available to the Department of Justice in this Act may be used for the purpose of transporting an individual who is a prisoner pursuant to conviction for crime under State or Federal law and is classified as a maximum or high security prisoner, other than to a prison or other facility certified by the Federal Bureau of Prisons as appropriately secure for housing such a prisoner.

SEC. 209. (a) None of the funds appropriated by this Act may be used by Federal prisons to purchase cable television services, to rent or purchase videocassettes, videotape recorders, or other audiovisual or electronic equipment used primarily for recreational purposes.

(b) The preceding sentence does not preclude the renting, maintenance, or purchase of audiovisual or electronic equipment for inmate training, religious, or educational programs.

SEC. 210. None of the funds made available under this title shall be obligated or expended for SENTINEL, or for any other major new or enhanced information technology program having total estimated development costs in excess of \$100,000,000, unless the Deputy Attorney General and the investment review board certify to the Committee on Appropriations that the information technology program has appropriate program management and contractor oversight mechanisms in place, and that the program is compatible with the enterprise architecture of the Department of Justice.

SEC. 211. (a) Section 589a of title 28, United States Code, is amended in subsection (b) by—

(1) striking "and" in paragraph (8);

(2) striking the period in paragraph (9) and inserting ";" and"; and

(3) adding the following new paragraph:

"(10) fines imposed under section 110(1) of title 11, United States Code."

(b) Section 110(1)(4)(A) of title 11, United States Code, is amended to read as follows:

"(A) Fines imposed under this subsection in judicial districts served by United States trustees shall be paid to the United States trustees, who shall deposit an amount equal to such fines in the United States Trustee Fund."

SEC. 212. (a) Section 1930(a) of title 28, United States Code, is amended in paragraph (6) by striking all that follows "whichever occurs first." and inserting the following: "The fee shall be \$325 for each quarter in which disbursements total less than \$15,000; \$650 for each quarter in which disbursements

total \$15,000 or more but less than \$75,000; \$975 for each quarter in which disbursements total \$75,000 or more but less than \$150,000; \$1,625 for each quarter in which disbursements total \$150,000 or more but less than \$225,000; \$1,950 for each quarter in which disbursements total \$225,000 or more but less than \$300,000; \$4,875 for each quarter in which disbursements total \$300,000 or more but less than \$1,000,000; \$6,500 for each quarter in which disbursements total \$1,000,000 or more but less than \$2,000,000; \$9,750 for each quarter in which disbursements total \$2,000,000 or more but less than \$3,000,000; \$10,400 for each quarter in which disbursements total \$3,000,000 or more but less than \$5,000,000; \$13,000 for each quarter in which disbursements total \$5,000,000 or more but less than \$15,000,000; \$20,000 for each quarter in which disbursements total \$15,000,000 or more but less than \$30,000,000; and \$30,000 for each quarter in which disbursements total more than \$30,000,000. The fee shall be payable on the last day of the calendar month following the calendar quarter for which the fee is owed".

(b) This section and the amendment made by this section shall take effect January 1, 2008, or the date of the enactment of this Act, whichever is later.

SEC. 213. None of the funds appropriated by this Act may be used to plan for, begin, continue, finish, process, or approve a public-private competition under the Office of Management and Budget Circular A-76 or any successor administrative regulation, directive, or policy for work performed by employees of the Bureau of Prisons or of Federal Prison Industries, Incorporated.

AMENDMENT NO. 9 OFFERED BY MR. SESSIONS

Mr. SESSIONS. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 9 offered by Mr. SESSIONS: Strike section 213.

Mr. SESSIONS. Mr. Chairman, my amendment would strike section 213 of this legislation which, as drafted, would have the same anticompetitive effect as language already included in a number of the Democrat majority's other appropriations bills by preventing funds from being spent to conduct public-private competitions.

In this case, it would prevent funds from being used to allow the private sector to compete against the government for jobs at the Bureau of Prisons or Federal Prison Industries, Incorporated.

While this policy may be good for increasing dues payments to the public-sector union bosses, it is unquestionably bad for taxpayers and for Federal agencies because agencies are left with less money to spend on their core missions when Congress takes the opportunity to take competition away from them.

In 2006, Federal agencies "competed" only 1.7 percent of their commercial workforce, which makes up less than one-half of 1 percent of the entire civilian workforce. This very small use of competition for services is expected to generate savings of \$1.3 billion over the next 10 years by closing performance gaps and improving efficiencies.

Competitions completed since 2003 are expected to produce almost \$7 bil-

lion in savings for taxpayers over the next 10 years. This means that taxpayers will receive a return of about \$31 for every dollar spent on competition, with annualized expected savings of more than \$1 billion.

This provision, included by the Democrat Appropriations Committee, directly contradicts a number of legislative provisions recently passed on this issue by the House, including: The conference report for the 1997 omnibus appropriations bill, which specifically directed the Bureau of Prisons to undertake a prison privatization demonstration project; also, the National Capital Revitalization and Self-Government Improvement Act of 1997, which directed the Bureau of Prisons to rehabilitate D.C. inmates in private prisons; and since 2001, every Commerce-Justice-State appropriations bill has directed the Bureau of Prisons to contract for prison services.

I think the answer is clear, Mr. Chairman, that when the Democrats claim that these services are "inherently governmental," despite numerous citations in the A-76 circular that these activities are exempt from this definition, and prevent competitive sourcing from taking place, that the Democrat leadership is clearly hearing from labor bosses that this bill represents another good opportunity to increase their power at the expense of taxpayers and good government.

In this time of stretched budgets and bloated Federal spending, Congress should be looking to use all of its tools it can to find taxpayer savings and reduce the cost of services that are being provided by thousands of hardworking companies nationwide.

I urge all of my colleagues to support this commonsense, taxpayer-first amendment to oppose the underlying provision to benefit public-sector union bosses by keeping cost-saving competition available to the government.

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

Mr. MOLLOHAN. Mr. Chairman, I move to strike the last word.

The Acting CHAIRMAN. The gentleman from West Virginia is recognized for 5 minutes.

Mr. MOLLOHAN. Mr. Chairman, I rise in opposition to the gentleman's amendment.

Mr. Chairman, this provision is simply a provision of fairness. It provides that contracting out of Federal employees in the U.S. Bureau of Prisons cannot be done under these A-76 guidelines and puts a prohibition on that.

Now, we have accommodated in our language in our manager's amendments all of the concerns that we received from private industry. We have accommodated that. And the bill and report language were modified in the full committee's manager's amendment to clarify that the general provision does not impact the Bureau of Prisons' practice of contracting with State, local and private entities to meet needs for existing and new prison capacity.

This language is compromise language. It protects Federal employees, professionals working in the Bureau of Prisons, who obviously have a very sensitive job and position, at the same time it accommodates the concerns of private industry with regard to appropriate contracting out by State and local and private entities.

I urge opposition to the amendment on that basis. The bill is a good, balanced approach and accommodates the Federal employees who risk their lives every day working in correctional situations, but at the same time it accommodates the legitimate concerns of the private sector.

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

Mr. FRELINGHUYSEN. Mr. Chairman, I move to strike the last word.

The Acting CHAIRMAN. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. I rise to support the Sessions amendment. I believe in the A-76 process. I do think public and private competition is important. The contracts are important. The A-76 process I do think provides more efficiency and is definitely better for the taxpayers. So I support his amendment quite strongly.

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

Mr. ANDREWS. Mr. Chairman, I move to strike the last word.

The Acting CHAIRMAN. The gentleman from New Jersey is recognized for 5 minutes.

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

Mr. ANDREWS. Mr. Chairman, I would like to join the subcommittee chairman in opposition to this amendment.

Members who believe in a balanced and fair competition where the taxpayers get the greatest value for the dollar should oppose this amendment and support the underlying bill. The underlying bill, as the chairman said, is a carefully crafted compromise that permits a rational assessment of the cost and benefits of contracting out, and provides for a fair appeal process where whichever side loses that process would have the opportunity to bring its case to another level and have it reexamined.

So I think that the bill is neither pro-contracting out nor anti-contracting-out. I think the bill strikes a fair balance, and it says in instances where someone decides a contract should be permitted, it happens; and for instances where it should not be, it does not.

I commend the chairman for crafting a fair compromise. I join him in urging defeat of the amendment.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. SESSIONS).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mr. SESSIONS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

AMENDMENT OFFERED BY MR. INSLEE

Mr. INSLEE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. INSLEE:

Page 56, after line 7, insert the following new section:

SEC. 214. The amounts otherwise provided by this title are revised by reducing the amount made available for "GENERAL ADMINISTRATION—SALARIES AND EXPENSES", and increasing the amount made available for "OFFICE ON VIOLENCE AGAINST WOMEN—VIOLENCE AGAINST WOMEN PREVENTION AND PROSECUTION PROGRAMS" (consisting of an additional \$6,000,000 for grants to assist children and youth exposed to violence, \$6,000,000 for services to advocate for and respond to youth, \$1,000,000 for the national tribal sex offender registry, and \$1,000,000 for research relating to violence against Indian women, as authorized by sections 41303, 41201, 905(b), and 904, respectively, of the Violence Against Women and Department of Justice Reauthorization Act of 2005), by \$14,000,000.

Mr. INSLEE (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. INSLEE. Mr. Chairman, I rise to offer an important amendment that will help continue our work in Congress to break the cycle of domestic violence from which we still suffer. We started that work in the Violence Against Women Act of 2005. We now need to extend it.

I want to recognize the chairman's strong showing of support for efforts against violence in this fashion by \$60 million of funding. We appreciate that. But we do have several new programs that the Congress has authorized, has approved, has recognized as a valid effort that have not had an appropriation to date. We aim to fix that with an effort to provide that appropriation.

It would direct the Department of Justice to administer grants to fund four priority new programs for children and Native women in order to break this chain, this multigenerational chain of violence.

The amendment offered by myself and Mr. BURTON would, for the first time, provide Federal funding to local domestic violence programs that provide direct intervention services to children who have witnessed domestic violence in their families. We know how witnessing violence ends up perpetuating violence down the chain of generations. We have to nip this in the bud.

We have to get kids treatment early. We know this amendment will do it.

Men who have experienced violence in their families as children are twice as likely to become perpetrators themselves.

□ 1900

This amendment will also, for the first time, fund a competitive grant program for nonprofit organizations to provide community services to teens and young adult victims of domestic violence, sexual assault and stalking. We know girls and young women between age 16 and 24 have the highest rate of intimate partner violence. Teens need to learn at an early age about healthy relationships. This amendment will help that.

My amendment also ensures that we can track crimes against American Indian and Alaska Native women through a national tribal sex offender registry. This is a place where we have been lacking resources in the tribes. One out of every three American Indian and Alaska Native women are victims of sexual assault on reservations.

Currently, every State has a sexual offender registry, but crimes against native women are rarely entered. We need to pass this to fix that problem.

So we know that this epidemic of domestic violence affects every State and community. We know that these VAWA programs can help break the cycle, and we know that we've authorized these programs, but we have not appropriated a dime for them. We have done this with some other new programs in this bill.

We have carefully selected four programs. This has the wide support of groups across the country who have selected these four programs as the highest priorities of those programs that have been authorized but not appropriated.

The Chair's done a good job with limited resources, but we hope that we can extend this effort and these authorized programs to nip and end this circle of violence.

Mr. BURTON of Indiana. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. BURTON of Indiana. First of all, I want to thank Mr. INSLEE for introducing this amendment. I'm very proud to cosponsor it with you. It's very needed, and the reason I know it's very needed is because the things you talked about I experienced as a boy. I won't be redundant and go into the things that you have mentioned and the reasons why this program is so necessary.

But I do want you to know that I don't normally support changing money from one area to another like from the Department of Justice to these programs, but this is one of the most urgent needs in America, and it's been like this for the last 50 to 60 years.

I can remember when we went to police headquarters with my mother after we'd been beaten and my father had beaten my mother, and the police ser-

geant said, If you don't get these kids home, I'm going to have you arrested for child abuse. That's the way it was in those days. There was no place for a woman to hide, and the children had to experience this.

At 4 o'clock in the morning, when you hear your mother being beaten and you come down the stairs and your hair is standing straight up on the back of your head and your father turns and says to you, If you don't get back up the stairs, you're going to get some of this, kids should not have to endure that. They should not ever have to endure that as well.

It's a shame that there aren't more people talking about this because this is something that's an urgent, urgent need.

Mr. INSLEE's absolutely right about the chances for a child who's been abused like this to do the same things throughout the rest of their life. I was very fortunate that didn't happen, but I've known a lot of people who experienced that who did, and I think it's a tragic thing.

We really need to find a way to get these women and kids into shelter and away from these abusive parents, fathers and sometimes mothers, and we need to help the women who are abused.

As he just said, in the Native American community, there are women who are being raped and beaten, and there's really no place for them to turn. There's no registry so we can track these guys. That's a horrible thing to have to experience.

So I just want to say to my colleagues, and as I said, I won't be redundant, but I was reading in our information that we use when we discuss these issues, I was reading that between 3.3 million and 10 million children witness domestic violence every year. Can you imagine, up to 10 million kids that witness domestic violence in the home and elsewhere every single year? That's unforgivable. And at one time, in 1 day, one 24-hour period, there were 18,000 children in the United States that received services and support because they were experiencing domestic violence, in one day. That's something, in my opinion, that's inexcusable.

This is a very, very important piece of legislation. I would urge all of my colleagues to vote for this. There should not be one negative vote on this, not one, because there are kids and women who are suffering, sometimes every day. Sometimes the husband will beat the child and they'll turn around to the wife and say, I'll never do that again, and he does it the next week. Sometimes he'll beat his wife and he puts his arms around her, and I've seen this firsthand, he says, Honey, I will never do that again. And the next week she's beaten again, and she sometimes has no place to go and she feels like there's no hope.

It's extremely important that we give these women and these kids hope,

and that's why I say to you, Mr. INSLEE, thank you very much for introducing this amendment. I hope it passes unanimously.

With that, I yield back the balance of my time.

Mr. MOLLOHAN. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman from West Virginia is recognized for 5 minutes.

Mr. MOLLOHAN. Mr. Chairman, I rise in opposition to the amendment, and first of all, I want to acknowledge the compelling story of the gentleman from Indiana. That's truly moving. There's no two ways about it, and that's why we have this program, and that's why the subcommittee and the full committee strongly supported funding for VAWA and all of these grant programs, acknowledging at the same time that there are additional grant programs authorized under VAWA that have not received funding. We look forward to working on those, and this one in particular, as we move forward through conference.

But let me suggest to the body that we would love to increase funding for programs like this, the Violence Against Women Act Programs. There's more compelling argument for it, particularly as described.

Let me note, however, for the record that we have increased VAWA funding to \$430 million. We rejected the President's proposal to shrink the grant program, actually to eliminate these individual grant programs, and to have a bloc grant program. We have continued to fund the various categories, and we certainly look forward to considering other authorized grant programs that are not currently funded.

We funded, at \$430 million, VAWA programs, a \$60 million increase over the President's request, and \$47 million over the 2007 funding level. That is a sizeable increase to this very worthy program, not that there couldn't be more. So I can't argue for one second to either of my colleagues against adding funding to VAWA.

The real point is that we have significantly increased that funding because we share the concerns of the gentlemen who have spoken here, and I hope that we can all understand and agree with that.

We are again targeting offsets in a general administration account. A \$14 million cut to the Department of Justice general administration account will require layoffs. And let me just put this in perspective. We've already had a \$30 million cut to this account. We're down from \$104 million in Department of Justice general administration to \$74 million, and we're looking at another \$14 million cut.

At some point, everybody has to appreciate that there has to be some money in these administrative accounts to administer these programs that we all care about, and we have to get real about this process. This is obviously a very strong and passioned ex-

pression of support for the programs we've authorized to prevent violence against women, and we're all working in that venue. The committee did it by increasing the funding by \$60 million over the President's request, almost \$50 million over last year. You're doing it here today by adding another \$14 million. And we can't argue with the merit of that sentiment, but we can express concern and try to bring some reality to the offset suggested here.

We are cutting Department of Justice general administration accounts below the level in which they can effectively operate and administer the very programs which we are increasing.

So, reluctantly, I oppose the amendment. At the same time, I do look forward to working with the gentlemen, no matter what the outcome of the amendment, as the process moves forward.

Mr. Chairman, I yield back my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Washington (Mr. INSLEE).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. BURTON of Indiana. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Washington will be postponed.

AMENDMENT OFFERED BY MR. LIPINSKI

Mr. LIPINSKI. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. LIPINSKI:

Page 56, after line 7, insert the following new section:

SEC. 214. For "OFFICE OF JUSTICE PROGRAMS—STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE" for the Law Enforcement Tribute Act program, as authorized by section 11001 of the 21st Century Department of Justice Appropriations Authorization Act (Public Law 107-273), and the amount otherwise provided by this title for "GENERAL ADMINISTRATION—SALARIES AND EXPENSES" is hereby reduced by \$1,000,000.

Mr. LIPINSKI. Mr. Chairman, I rise today to offer an amendment which would provide \$1 million in funding for the Law Enforcement Tribute Act Program. This program provides one-time grants to help State and local governments complete permanent tributes that honor law enforcement and public safety officers who have been killed or seriously injured in the line of duty.

There are currently 17,917 names engraved on the walls of the National Law Enforcement Officers Memorial in Washington, DC, including 928 from my home State of Illinois. But many communities also want to honor their law enforcement heroes with local memorials or permanent tributes. The Law Enforcement Tribute Act Program provides support to States and localities to help them do this. Without this support, many communities would not be financially able to provide these worthy tributes.

The Law Enforcement Tribute Act Program was authorized in fiscal year

2002 at \$3 million per year, but no funding has been appropriated since 2003.

Last year, this Chamber approved a similar amendment by voice vote when I offered it with Representatives ADAM SCHIFF and TOM DAVIS. Unfortunately, that amendment, like the appropriations bill it was included in, never became law. Today, we have an opportunity to once again approve funding that will help communities honor all of those local heroes who have given so much to protect us.

This amendment has the strong support of law enforcement groups all over the country, including the National Association of Police Organizations.

Mr. Chairman, law enforcement and public safety officers dedicate their career and their lives to protecting us. Tributes provide us with a constant reminder of the sacrifices that they have made. The least we can do is help local communities honor these brave men and women.

I urge my colleagues today to support this amendment.

Mr. MOLLOHAN. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman from West Virginia is recognized for 5 minutes.

Mr. MOLLOHAN. Mr. Chairman, let me commend the gentleman from Illinois (Mr. LIPINSKI) for bringing this matter before the body again this year.

The point is being made that this particular act is not being funded and it should be. It's extremely meritorious. The sacrifice, and the dedication, the commitment of our law enforcement people throughout the country need to be recognized, and this is the reason we passed the legislation.

As we move this bill forward to conference, I hope that we can work with the gentleman and assure that there is funding on this provision, and we will commit to the gentleman to work with him in that regard.

Mr. LIPINSKI. Mr. Chairman, will the gentleman yield?

Mr. MOLLOHAN. I yield to the gentleman from Illinois.

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Mr. LIPINSKI. Mr. Chairman, with that assurance, with the agreement that you will work, and I know that you see the great value in the program, to work in the conference on providing funding for this, I will withdraw the amendment.

The CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

TITLE III—SCIENCE

OFFICE OF SCIENCE AND TECHNOLOGY POLICY

For necessary expenses of the Office of Science and Technology Policy, in carrying out the purposes of the National Science and Technology Policy, Organization, and Priorities Act of 1976 (42 U.S.C. 6601-6671), hire of passenger motor vehicles, and services as authorized by 5 U.S.C. 3109, not to exceed \$2,500 for official reception and representation expenses, and rental of conference rooms in the District of Columbia, \$5,515,000.

NATIONAL AERONAUTICS AND SPACE
ADMINISTRATION
SCIENCE

For necessary expenses, not otherwise provided for, in the conduct and support of science research and development activities, including research, development, operations, support, and services; maintenance; construction of facilities including repair, rehabilitation, revitalization, and modification of facilities, construction of new facilities and additions to existing facilities, facility planning and design, and restoration, and acquisition or condemnation of real property, as authorized by law; environmental compliance and restoration; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; not to exceed \$14,000 for official reception and representation expenses; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, \$5,696,100,000, of which not less than \$278,000,000 shall be for the Hubble Space Telescope, not less than \$545,000,000 shall be for the James Webb Space Telescope, not less than \$90,000,000 shall be for the Global Precipitation Measurement mission, not less than \$625,700,000 shall be for the Mars Exploration Program, and not less than \$71,600,000 shall be for the Space Interferometry Mission, to remain available until September 30, 2009.

AERONAUTICS

For necessary expenses, not otherwise provided for, in the conduct and support of aeronautics research and development activities, including research, development, operations, support, and services; maintenance; construction of facilities including repair, rehabilitation, revitalization, and modification of facilities, construction of new facilities and additions to existing facilities, facility planning and design, and restoration, and acquisition or condemnation of real property, as authorized by law; environmental compliance and restoration; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; not to exceed \$14,000 for official reception and representation expenses; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, \$700,000,000 to remain available until September 30, 2009.

EXPLORATION

For necessary expenses, not otherwise provided for, in the conduct and support of exploration research and development activities, including research, development, operations, support, and services; maintenance; construction of facilities including repair, rehabilitation, revitalization, and modification of facilities, construction of new facilities and additions to existing facilities, facility planning and design, and restoration, and acquisition or condemnation of real property, as authorized by law; environmental compliance and restoration; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; not to exceed \$14,000 for official reception and representation expenses; and purchase, lease, charter, mainte-

nance, and operation of mission and administrative aircraft, \$3,923,800,000, to remain available until September 30, 2009: *Provided*, That none of the funds under this heading shall be used for any research, development, or demonstration activities related exclusively to the human exploration of Mars.

EDUCATION

For necessary expenses, not otherwise provided for, in carrying out aerospace and aeronautical education, including personnel and related costs, uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; not to exceed \$4,000 for official reception and representation expenses; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, \$220,300,000 to remain available until September 30, 2009.

Mr. LAMPSON. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman from Texas is recognized for 5 minutes.

Mr. LAMPSON. Mr. Chairman, I want ask Chairman MOLLOHAN to enter into a colloquy with me for just a minute.

I want to thank the chairman for his efforts on behalf of NASA. As the chairman knows, the Johnson Space Center is the crown jewel of our Nation's space program and resides in my congressional district. The hard work of many bright minds down there has yielded tremendous accomplishments and results over the years.

Of course, it's important to be fiscally responsible. I am glad that the chairman knows it's just as important to continue funding our Nation's top science projects, including NASA.

Mr. MOLLOHAN. I thank the gentleman from Texas for his tireless efforts on behalf of NASA. He has been working, I know, diligently in that vineyard all year long. I know, personally, because he has been contacting me and the committee in order to advance the best interests of NASA, to personally facilitate important meetings between the NASA Administrator, and I know the chairman of our full committee Mr. OBEY, and several of our colleagues throughout the year.

These meetings and my talks with the gentleman from Texas have made it clear how important NASA funding is to the gentleman, significantly contributing to NASA's ability to meet all of its mission commitments.

The gentleman is to be commended for his commitment and his hard work on behalf of NASA and on behalf of NASA's employees. I will continue to work on the House floor and in conference to maintain funding levels as reported out of the subcommittee.

I sincerely appreciate the gentleman's interest and hard work.

Mr. LAMPSON. Well, I appreciate the chairman's kind words on our combined efforts. I am thankful for his hard work and attention to this important matter.

NASA is doing so many important things right now, including our work on the international space station, continued shuttle flights, and our transi-

tion to the next-generation crew exploration vehicle, advanced scientific experiments and many other projects, both large and small, that we can't afford to fall behind on these projects, and the various programs, program transitions that NASA is trying to make.

I will continue to work with you and all of our colleagues on the Appropriations Committee to help maintain these funding levels as well.

Mr. MOLLOHAN. As the gentleman knows, our bill funds NASA in excess of the President's request. We intend to work very hard between now and conference and through the signing ceremony to ensure that funding is maintained. The gentleman is a champion for NASA here in the House. I know he is working hard for that part of NASA that's back in his district, and we look forward to his support as we move forward.

Mr. LAMPSON. Thank you for entering into the colloquy. I look forward to working with you.

AMENDMENT OFFERED BY MS. EDDIE BERNICE JOHNSON OF TEXAS

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Ms. EDDIE BERNICE JOHNSON of Texas:

Page 59, line 21, insert "of which not less than \$70,700,000 shall be for the Minority University Research and Education Programs," after the dollar amount.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I rise in support of my amendment to the Commerce, Justice, Science and Related Agencies appropriations bill for fiscal year 2008.

My amendment is focused on the education activities at NASA, the National Aeronautics and Space Administration. Specifically, the amendment designates \$70.7 million of NASA's \$220.3 million for education appropriations for the minority workforce preparation.

This program has been in action before. It was a good program, but because of the cuts that NASA did suffer, it was defunded actually, as they rearranged the funding. I thank the committee for the increase that they did make and commend their recognition of the importance of education funding for NASA.

All of us know that this is the focus of education, now, trying to make sure we have workforce available so that we can maintain the competitive edge.

NASA had proposed to spend about \$40 million, or 27 percent, of its education budget on minority university research and education programs, commonly called the Hispanic-Serving Institutions, as well as the Historically Black Institutions.

So the program includes Partnership Awards for Integration of Research, the Space Science Collaboration, the Math Science Teacher and Curriculum Enhancement Program, the Undergraduate Scholars program, Network

Resource and Training Sites, Model Institutes for Excellence and the Earth Science Collaborations program.

I think that since only 2 percent of our Nation's engineers are African American and Hispanic, we really do need to encourage them to be in this part of the workforce. It's critically important to support these Federal programs.

I urge adoption, although I would like to have a colloquy with the chairman.

Mr. MOLLOHAN. I thank the gentlelady. I think this amendment is one more expression of a number one concern about the attention that education is getting in our various science accounts. We have attempted very diligently, pointedly, to address that by increasing funding in education accounts across the bill. This account, the NASA account, first of all, we broke it out as a separate account and then increased it by \$66.6 million for a total of \$220 million.

The fact that the gentlelady is reaching out to NASA, NASA should be listening. Universities, education, K-12, they want NASA. They realize how important, and the gentlelady realizes how important, NASA is to inspiring youth and also getting resources on programs and funding them. That's the gentlelady's purpose behind this.

I hope that the gentlelady will allow us to work with her to achieve her purposes as this bill moves forward within the funding allocations that we have received. I want her to know that I have heard her interest, and we intend to be responsive to her as we move forward. I commend her for her leadership in this area.

We will be as responsive as possible, and I appreciate the opportunity to do so.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I ask unanimous consent to withdraw this amendment.

The CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

CROSS-AGENCY SUPPORT PROGRAMS

For necessary expenses, not otherwise provided for, in the conduct and support of science, aeronautics and exploration research and development activities, including research, development, operations, support, and services; maintenance; construction of facilities including repair, rehabilitation, revitalization, and modification of facilities; construction of new facilities and additions to existing facilities, facility planning and design, and restoration, and acquisition or condemnation of real property, as authorized by law; environmental compliance and restoration; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; not to exceed \$10,000 for official reception and representation expenses; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft,

\$356,000,000, to remain available until September 30, 2009.

Ms. SUTTON. Mr. Chairman, I move to strike the last word. I would like to enter into a colloquy with the chairman.

The CHAIRMAN. The gentlewoman from Ohio is recognized for 5 minutes.

Ms. SUTTON. I really appreciate having this opportunity to talk with you, and I commend your work on putting this very strong legislation together that includes important increases for science and technology programs, as well as law enforcement, among many other things.

But I want to discuss with you just for a moment my concerns for funding and oversight in this bill for the United States Trade Representative. Now, many of my colleagues have been pretty vocal, since the beginning of this Congress, in expressing our concerns with our current trade policy and its harmful effects on our families and communities. A large part of this is what I see as a lack of responsibility by the USTR in promoting exports to other nations and protecting American workers and businesses against unfair trade practices against other nations.

I was going to offer a number of amendments here today dealing with increasing USTR funding, specifically for oversight and enforcement of our trade laws, but I appreciate the increase in funding in the bill for the ITC, but I believe so much more needs to be done. Instead of fixing the many problems we have with our current policies, whether it's our current record trade deficit or the loss of millions of manufacturing jobs, the USTR has, instead, focused efforts on enacting more flawed trade agreements.

It seems as if, instead of working to make our trade agreements better, the administration and the USTR have focused on joining with private interests and using USTR funding to lobby Congress. I believe we must rein this in, what I see as an improper and excessive lobbying by USTR of Congress.

While I was hoping to offer an amendment on that here today as well, I hope that this Congress will take a closer look at their activities in the future. I strongly believe that we have a responsibility to stand up and tell the USTR that they must start working for American businesses and workers, rather than continue current policies that cost jobs here at home and have decimated our manufacturing base.

While I would have hoped that we could have done more on this bill to move USTR in that direction to be more responsive to the responsibility to the American people and to the workers in my district, rather than foreign governments and large corporations, I am happy to be here and am supportive of the bill.

I appreciate the opportunity to share this with you and look forward to working with you in the future.

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

Mr. MOLLOHAN. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman from West Virginia is recognized for 5 minutes.

Mr. MOLLOHAN. Mr. Chairman, I want to command the gentlelady for bringing this issue to our attention. I want her to know that the House knows she knows something about basic industry in America. She knows something about the challenges of transitioning economies, and she knows something about the importance of USTR trying to protect the very best interests of American citizens and American workers working in all sectors of the economy. From my perspective, I am particularly concerned about those workers in basic industry, in extraction-related industries in America.

A lot of us have concerns about the USTR and the Trade Representative's actual commitment to representing the very best interests of those sectors of our economy. As we transition into an increasingly international economic community, we have to be cognizant of the impacts of a trade policy that is precipitous to the point of creating real chaos and tremendous hardship, particularly in those sectors of the economy that I represent and that I know the gentlelady is particularly sensitive to.

So we need to provide oversight of the USTR as we encourage them to enforce our trade laws and to be aggressive advocates, advocates for our best interests as they approach our trading partners and trade negotiations. They should be looking at issues to balance and level the playing field, such as insisting that trade agreements include environmental laws that we have correctly imposed upon our industry and our manufacturing processes.

Incorporating those regulations into the manufacturing process is expensive. Our competitors around the world, many of them, particularly in the developing countries, don't have those costs. Where we have incorporated health and safety regulations in the workplace, statutorily imposed, that has cost money.

The USTR needs to be sensitive to that. The administration needs to be sensitive to that. It needs to incorporate those kinds of public interest concerns as they negotiate trade agreements.

Why? Why? Because we have done it, and we are their competitors. We are a country with a higher standard of living, and if we can't level the playing field with regard to regulatory activity, then we will never be able to begin to be competitive with our competitors from developing nations.

Let me again compliment the gentlelady for being focused on this very early in her career, being a champion for the working people, and for the best interests of our trade policy generally in all sectors of the economy, and for bringing this to our attention in this bill.

I can assure her that we will be sensitive in large part because of the concerns that she expresses here today. Thank you very much, Ms. SUTTON, for bringing that to our attention.

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

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Mr. LAMPSON. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman from Texas is recognized for 5 minutes.

Mr. LAMPSON. Mr. Chairman, a few hundred miles above us the astronauts of Expedition 15 work around the clock on board the international space station. Their efforts have just been boosted by delivery of a huge new power element from the space shuttle *Atlantis* crew. The *Atlantis* astronauts, working with station crew mates, brought the orbiting base ever closer to completion and a whole new era of living and working in space.

The international space station is a remarkable achievement of global cooperation now entering its most critical period. Over the next 3 years, more than a dozen flights of the space shuttles *Atlantis*, *Discovery*, and *Endeavor* will complete assembly that began in 1998. The completed station will be home to a crew of six astronauts and generation-spanning research that will reach into the lives of every American family. Yes, completion and operation of the international space station is that important to America's future.

I am fortunate to represent one of the most enduring and important NASA facilities, the Johnson Space Center in Houston, and have had the honor over my five terms in Congress to work with dedicated and amazing people at the Johnson Space Center. Their passion and commitment to space exploration led me to introduce the Space Exploration Act of 2002. I introduced the Space Exploration Act as a challenge to this country and the leaders in Congress and the White House to offer a vision and concrete goals for the human space flight program after the international space station. Many here on this floor joined me in that call to action, to invest in a space exploration vital for the future of this country.

In 2004, President Bush announced a similar plan, the Vision for Space Exploration. The President's vision outlined a sustained and affordable human and robotic program to explore the solar system and beyond. I fully supported the President in pushing for an expanded mission for NASA. But in the years that have followed, this Nation has seen rhetoric not supported by action. The administration's vision for space and subsequent authorized funding limits have consistently been ignored, and the President's yearly budget does not fund a robust vision for NASA's future. As a result, we now see a widening gap in the period of time between the retirement of the space shuttle in 2010 and the next generation

Crew Exploration Vehicle and Crew Launch Vehicle.

This gap will impede access to the station for our astronauts in the years immediately following the shuttle's retirement. During that period, before the new Orion and Ares space vehicles are operational, NASA and America will be totally reliant upon Russia for access to the space station by our astronauts and to carry cargo into space. We will be forced to spend more money than could ever be spent to accelerate arrival of our new space vehicles. This year alone, the administration worsened that gap by making its budget request some \$1.4 billion below the congressionally authorized level.

Adding to the strain, millions of dollars have been shifted from the station and shuttle accounts to pay for repairs made necessary by Hurricanes Katrina and Rita which damaged NASA facilities in New Orleans, the Mississippi gulf coast, and Florida.

NASA now faces the stark reality that the timeline for next-generation human space exploration is becoming increasingly hard to meet. We as a Congress must do more to ensure viability of NASA space exploration programs. And I stand here not to criticize the past efforts of the President or previous Congresses, but to call on leaders of both parties to help us meet and even exceed the funding levels required to continue all the important projects in NASA's orbit. As this bill goes to conference, I believe we can find additional resources for NASA to reduce the widening gap between the shuttle and the Orion and Ares programs.

Mr. Chairman, now is not the time to trim our sails into space. I join with the heroes of the space program, past and present, our Nation's industry leaders, and other forward-looking supporters to urge our colleagues to fund NASA fully into the coming years at the amount authorized by Congress. In today's global competition, there is no substitute for keeping America first in outer space.

I yield back the balance of my time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SPACE OPERATIONS

For necessary expenses, not otherwise provided for, in the conduct and support of space operations research and development activities, including research, development, operations, support, and services; maintenance; construction of facilities including repair, rehabilitation, revitalization, and modification of facilities; construction of new facilities and additions to existing facilities; facility planning and design, and restoration, and acquisition or condemnation of real property, as authorized by law; environmental compliance and restoration; space flight, spacecraft control, and communications activities including operations, production, and services; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; not to exceed \$14,000 for official reception and representation expenses; and purchase,

lease, charter, maintenance, and operation of mission and administrative aircraft, \$6,691,700,000 to remain available until September 30, 2009.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, \$34,600,000, to remain available until September 30, 2009.

AMENDMENT OFFERED BY MRS. BIGGERT

Mrs. BIGGERT. Mr. Chairman, I have an amendment at the desk.

The CHAIRMAN. This amendment appropriately comes toward the end of the bill, and we have not read to that section yet.

Mrs. BIGGERT. I understood that. I am going to withdraw the amendment and ask unanimous consent to present it at this time.

The CHAIRMAN. Without objection, the Clerk will report the amendment.

There was no objection.

The Clerk read as follows:

Amendment offered by Mrs. BIGGERT:

At the end of the bill (before the short title), insert the following:

TITLE VII—ADDITIONAL GENERAL PROVISIONS

SEC. 701. (a) Of the amounts made available for "STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE" for the Edward Byrne Memorial Justice Assistance Grant program, \$15,000,000 shall be available for the Internet Crimes Against Children Task Force program, as authorized by title IV of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5771 et seq.).

(b) Of the amounts made available for "JUSTICE ASSISTANCE", \$15,000,000 shall be available for the Internet Crimes Against Children Task Force program, as authorized by title IV of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5771 et seq.).

Mrs. BIGGERT (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

Mr. MOLLOHAN. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. The gentleman from West Virginia reserves a point of order.

Mrs. BIGGERT. I thank Chairman MOLLOHAN for all of his work on this bill, and I appreciate your commitment to all the missing children's programs. It is very important. And I know that you are equally disturbed by the prevalence of Internet crimes against our children. And the numbers certainly don't lie.

According to the National Center for Missing and Exploited Children's CyberTip Line, the number of reports relating to the online enticement of children for sexual acts increased by 139 percent between 2005 and 2006. Over the same period, there was a 194 percent increase in the number of reports related to unsolicited obscene material sent to a child on the Internet.

Certainly more can and must be done. And this problem is not regional; it is not isolated to big cities or rural

communities. This is a real national problem that will not go away unless we can expand our capabilities of our law enforcement, which is exactly what my amendment will do by increasing the funding for the Internet Crime Against Children Task Force.

The Internet Crime Against Children Task Force, or ICAC, plays a very critical role in protecting our children on the Internet. The ICAC Task Force's mission is clear: to help State and local government enforcement agencies develop an effective response to cyber-enticement and child pornography cases. This help involves forensic and investigative support training and technical assistance, victims services, and community education.

The amendment would carve out \$15 million out of the Justice Assistance account's Missing Children Program for the Internet Crime Against Children Task Force. It would also carve out \$15 million out of the Edward Byrne Memorial Justice Assistance Grant program for the ICAC Task Force. Both accounts were used in fiscal year 2007 to fund the Internet Crime Against Children Task Force at \$26 million.

And I certainly understand the problems that having to do with this amendment, so I am certainly willing to withdraw my amendment if the chairman and ranking member are willing to work toward an increase in funding for the Internet Crime Against Children Task Force in conference.

I yield to the gentleman from West Virginia.

Mr. MOLLOHAN. I appreciate the gentlelady yielding.

The gentlelady is really at the forefront of this issue. She is co-chair of the 131 Member strong Congressional Missing and Exploited Children Caucus. She is to be commended for that. She has worked with me, she has worked with Mr. FRELINGHUYSEN, she has worked with the committee. To some extent she can declare success because she is tenacious in getting additional funding for Missing Children's programs. She has been successful in increasing funding 100 percent, you could argue, since the President asked for no funding here.

But we would like to point out that in response to her and the caucus's expressions of concern to the committee, we have funded the Missing Children's program account to the tune of \$61.4 million, which is \$14 million above the 2007 enacted funding level. That is in large part because of her efforts, and we do appreciate it. She should declare success, and she should be proud of that. She is, as I say, tenacious. And speaking for myself, and Mr. FRELINGHUYSEN who I know shares this interest, we look forward to working with her as we move forward. She is representing this caucus here today, and we look forward to trying to even increase this amount of money as we go to conference.

I want to thank her for her efforts and for helping the committee as we

have marked up our bill and funded this account.

Mrs. BIGGERT. Reclaiming my time, I would thank the gentleman for his kind words. And I bring this up to just enforce the importance of missing children, the caucus and the task force, tonight, because every problem is increasing so much, as I said earlier. The problems that we used to have, we are seeing many more problems with the use of the Internet, with just what is happening to children in this day and age. And the more that we can do to prevent online enticement, to prevent children being sexually assaulted, all of the tragedies that are happening right now. So I appreciate that.

Mr. MOLLOHAN. The gentlelady makes her point. And out of the Office of Justice programs, we funded the Missing Children account higher than any other programs. So she can take credit for a great success, and we appreciate her help.

Mrs. BIGGERT. Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

□ 1945

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

ADMINISTRATIVE PROVISIONS
(INCLUDING TRANSFER OF FUNDS)

Notwithstanding the limitation on the duration of availability of funds appropriated for "Science", "Aeronautics", "Exploration", "Cross-Agency Support Programs", or "Space Operations" under this title, when any activity has been initiated by the incurrence of obligations for construction of facilities or environmental compliance and restoration activities as authorized by law, such amount available for such activity shall remain available until expended. This provision does not apply to the amounts appropriated for institutional minor revitalization and minor construction of facilities, and institutional facility planning and design.

Funds for announced prizes otherwise authorized shall remain available, without fiscal year limitation, until the prize is claimed or the offer is withdrawn. Funding shall not be made available for Centennial Challenges unless authorized.

Funding made available under the headings "Science", "Aeronautics", "Exploration", "Education", "Cross-Agency Support Programs", and "Space Operations" for the National Aeronautics and Space Administration shall be governed by the terms and conditions specified in the report accompanying this Act.

The unexpired balances of prior appropriations to the National Aeronautics and Space Administration for activities for which funds are provided under this Act may be transferred to the new accounts established for the appropriation that provides such activity under this Act. Balances so transferred may be merged with funds in the newly established accounts and thereafter may be accounted for as one fund under the same terms and conditions.

Not to exceed five percent of any appropriation made available for the current fiscal year for the National Aeronautics and Space Administration in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise spe-

cifically provided, shall be increased by more than ten percent by any such transfers. Any transfer pursuant to this provision shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section.

Notwithstanding any other provision of law, no funds shall be used to implement any Reduction in Force or other involuntary separations (except for cause) by the National Aeronautics and Space Administration prior to September 30, 2008.

The Administrator of the National Aeronautics and Space Administration shall prepare a strategy for minimizing job losses when the National Aeronautics and Space Administration transitions from the Space Shuttle to a successor human-rated space transport vehicle. This strategy shall include: (1) specific initiatives that the National Aeronautics and Space Administration has undertaken, or plans to undertake, to maximize the utilization of existing civil service and contractor workforces at each of the affected Centers; (2) efforts to equitably distribute tasks and workload between the Centers to mitigate the brunt of job losses being borne by only certain Centers; (3) new workload, tasks, initiatives, and missions being secured for the affected Centers; and (4) overall projections of future civil service and contractor workforce levels at the affected Centers. The Administrator shall transmit this strategy to Congress not later than 90 days after the date of enactment of this Act. The Administrator shall update and transmit to Congress this strategy not less than every six months thereafter until the successor human-rated space transport vehicle is fully operational.

NATIONAL SCIENCE FOUNDATION
RESEARCH AND RELATED ACTIVITIES

For necessary expenses in carrying out the National Science Foundation Act of 1950 (42 U.S.C. 1861-1875), and Public Law 86-209, relating to the National Medal of Science (42 U.S.C. 1880-1881); services as authorized by 5 U.S.C. 3109; maintenance and operation of aircraft and purchase of flight services for research support; acquisition of aircraft; and authorized travel; \$5,139,690,000, to remain available until September 30, 2009, of which not to exceed \$510,000,000 shall remain available until expended for polar research and operations support, and for reimbursement to other Federal agencies for operational and science support and logistical and other related activities for the United States Antarctic program: *Provided*, That receipts for scientific support services and materials furnished by the National Research Centers and other National Science Foundation supported research facilities may be credited to this appropriation.

MAJOR RESEARCH EQUIPMENT AND FACILITIES CONSTRUCTION

For necessary expenses for the acquisition, construction, commissioning, and upgrading of major research equipment, facilities, and other such capital assets pursuant to the National Science Foundation Act of 1950 (42 U.S.C. 1861-1875), including authorized travel, \$244,740,000, to remain available until expended.

EDUCATION AND HUMAN RESOURCES

For necessary expenses in carrying out science and engineering education and human resources programs and activities pursuant to the National Science Foundation Act of 1950 (42 U.S.C. 1861-1875), including services as authorized by 5 U.S.C. 3109, authorized travel, and rental of conference rooms in the District of Columbia, \$822,600,000, to remain available until September 30, 2009.

AGENCY OPERATIONS AND AWARD MANAGEMENT

For agency operations and award management necessary in carrying out the National Science Foundation Act of 1950 (42 U.S.C. 1861–1875); services authorized by 5 U.S.C. 3109; hire of passenger motor vehicles; not to exceed \$9,000 for official reception and representation expenses; uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; rental of conference rooms in the District of Columbia; and reimbursement of the General Services Administration for security guard services; \$285,590,000: *Provided*, That contracts may be entered into under this heading in fiscal year 2008 for maintenance and operation of facilities, and for other services, to be provided during the next fiscal year.

OFFICE OF THE NATIONAL SCIENCE BOARD

For necessary expenses (including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms in the District of Columbia, and the employment of experts and consultants under section 3109 of title 5, United States Code) involved in carrying out section 4 of the National Science Foundation Act of 1950 (42 U.S.C. 1863) and Public Law 86–209 (42 U.S.C. 1880–1881), \$4,030,000, to remain available until September 30, 2009: *Provided*, That not more than \$9,000 shall be available for official reception and representation expenses.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General as authorized by the Inspector General Act of 1978, \$12,350,000, to remain available until September 30, 2009.

TITLE IV—RELATED AGENCIES

COMMISSION ON CIVIL RIGHTS

SALARIES AND EXPENSES

For necessary expenses of the Commission on Civil Rights, including hire of passenger motor vehicles, \$9,000,000: *Provided*, That none of the funds appropriated in this paragraph shall be used to employ in excess of four full-time individuals under Schedule C of the Excepted Service exclusive of one special assistant for each Commissioner: *Provided further*, That none of the funds appropriated in this paragraph shall be used to reimburse Commissioners for more than 75 billable days, with the exception of the chairperson, who is permitted 125 billable days.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Equal Employment Opportunity Commission as authorized by title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, the Equal Pay Act of 1963, the Americans with Disabilities Act of 1990, and the Civil Rights Act of 1991, including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); nonmonetary awards to private citizens; and not to exceed \$28,000,000 for payments to State and local enforcement agencies for authorized services to the Commission, \$332,748,000: *Provided*, That the Commission is authorized to make available for official reception and representation expenses not to exceed \$2,500 from available funds: *Provided further*, That no funds made available under this heading may be used to outsource operations of the National Contact Center.

INTERNATIONAL TRADE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the International Trade Commission, including hire of passenger motor vehicles, and services as authorized by 5 U.S.C. 3109, and not to exceed \$2,500 for official reception and representa-

tion expenses, \$68,400,000, to remain available until expended.

LEGAL SERVICES CORPORATION
PAYMENT TO THE LEGAL SERVICES CORPORATION

For payment to the Legal Services Corporation to carry out the purposes of the Legal Services Corporation Act of 1974, \$377,000,000, of which \$355,134,000 is for basic field programs and required independent audits; \$3,041,000 is for the Office of Inspector General, of which such amounts as may be necessary may be used to conduct additional audits of recipients; \$13,825,000 is for management and administration; \$4,000,000 is for client self-help and information technology; and \$1,000,000 is for loan repayment assistance.

ADMINISTRATIVE PROVISION—LEGAL SERVICES CORPORATION

None of the funds appropriated in this Act to the Legal Services Corporation shall be expended for any purpose prohibited or limited by, or contrary to any of the provisions of, sections 501 through 506 of Public Law 105–119, and all funds appropriated in this Act to the Legal Services Corporation shall be subject to the same terms and conditions set forth in such sections, except that all references in sections 502 and 503 to 1997 and 1998 shall be deemed to refer instead to 2007 and 2008, respectively.

MARINE MAMMAL COMMISSION
SALARIES AND EXPENSES

For necessary expenses of the Marine Mammal Commission as authorized by title II of Public Law 92–522, \$3,000,000.

NATIONAL VETERANS BUSINESS DEVELOPMENT CORPORATION
SALARIES AND EXPENSES

For necessary expenses of the National Veterans Business Development Corporation established under section 33 of the Small Business Act (15 U.S.C. 657c), \$2,500,000, to remain available until expended.

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE
SALARIES AND EXPENSES

For necessary expenses of the Office of the United States Trade Representative, including the hire of passenger motor vehicles and the employment of experts and consultants as authorized by 5 U.S.C. 3109, \$48,407,000, of which \$1,000,000 shall remain available until expended: *Provided*, That not to exceed \$124,000 shall be available for official reception and representation expenses: *Provided further*, That negotiations of the United States at the World Trade Organization shall be conducted consistent with the trade negotiating objectives of the United States contained in section 2102 of the Bipartisan Trade Promotion Authority Act of 2002 (19 U.S.C. 3802).

STATE JUSTICE INSTITUTE
SALARIES AND EXPENSES

For necessary expenses of the State Justice Institute, as authorized by the State Justice Institute Authorization Act of 1984 (42 U.S.C. 10701 et seq.), \$4,640,000: *Provided*, That not to exceed \$2,500 shall be available for official reception and representation expenses.

TITLE V—GENERAL PROVISIONS
(INCLUDING TRANSFER OF FUNDS)

SEC. 501. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 502. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 503. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 504. If any provision of this Act or the application of such provision to any person or circumstances shall be held invalid, the remainder of the Act and the application of each provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

SEC. 505. (a) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2008, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that: (1) creates new programs; (2) eliminates a program, project, or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employees; (5) reorganizes offices, programs or activities; or (6) contracts out or privatizes any functions or activities presently performed by Federal employees; unless the Committee on Appropriations is notified 15 days in advance of such reprogramming of funds.

(b) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2008, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming of funds in excess of \$500,000 or ten percent, whichever is less, that: (1) augments existing programs, projects, or activities; (2) reduces by ten percent funding for any existing program, project, or activity, or numbers of personnel by ten percent as approved by Congress; or (3) results from any general savings, including savings from a reduction in personnel, which would result in a change in existing programs, activities, or projects as approved by Congress; unless the Committee on Appropriations is notified 15 days in advance of such reprogramming of funds.

SEC. 506. Hereafter, none of the funds made available in this Act may be used to implement, administer, or enforce any guidelines of the Equal Employment Opportunity Commission covering harassment based on religion, when it is made known to the Federal entity or official to which such funds are made available that such guidelines do not differ in any respect from the proposed guidelines published by the Commission on October 1, 1993 (58 Fed. Reg. 51266).

SEC. 507. If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a “Made in America” inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 508. The Departments of Commerce and Justice, the National Science Foundation, and the National Aeronautics and Space Administration, shall provide to the Committee on Appropriations a quarterly accounting of the cumulative balances of any unobligated funds that were received by such agency during any previous fiscal year.

SEC. 509. Any costs incurred by a department or agency funded under this Act resulting from personnel actions taken in response to funding reductions included in this Act shall be absorbed within the total budgetary resources available to such department or agency: *Provided*, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: *Provided further*, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 510. None of the funds provided by this Act shall be available to promote the sale or export of tobacco or tobacco products, or to seek the reduction or removal by any foreign country of restrictions on the marketing of tobacco or tobacco products, except for restrictions which are not applied equally to all tobacco or tobacco products of the same type.

SEC. 511. None of the funds appropriated pursuant to this Act or any other provision of law may be used for—

(1) the implementation of any tax or fee in connection with the implementation of section 922(t) of title 18, United States Code; and

(2) any system to implement section 922(t) of title 18, United States Code, that does not require and result in the destruction of any identifying information submitted by or on behalf of any person who has been determined not to be prohibited from possessing or receiving a firearm no more than 24 hours after the system advises a Federal firearms licensee that possession or receipt of a firearm by the prospective transferee would not violate subsection (g) or (n) of section 922 of title 18, United States Code, or State law.

SEC. 512. None of the funds made available in this Act may be used to pay the salaries and expenses of personnel of the Department of Justice to obligate more than \$625,000,000 during fiscal year 2008 from the fund established by section 1402 of chapter XIV of title II of Public Law 98-473 (42 U.S.C. 10601).

AMENDMENT OFFERED BY MR. POE

Mr. POE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. POE:

Page 75, line 24, strike "\$625,000,000" and insert "\$635,000,000".

Page 76, line 2, insert "and the amount otherwise provided under this Act for Department of Commerce, Departmental Management, Salaries and Expenses is reduced by \$10,000,000" after "(42 U.S.C. 10601)".

Mr. POE. Mr. Chairman, I want to talk briefly on the Poe-Costa-Moore amendment. As stated in the amendment, this is a bipartisan amendment. And I want to thank the gentleman from California and the gentleman from Kansas for their support for crime victims under this amendment and the VOCA fund.

The VOCA fund was established under the Reagan administration. It's a novel concept where criminals who are convicted of crime pay fees into a

fund that goes to victims of crime. It's kind of like criminals pay the rent on the courthouse, as they should. And so this fund has been established to supply victims and victims services throughout the country necessary funds for those victims and those projects.

At this present time, the fund is up to \$1.3 billion. But this year the fund is capped at \$625 million for victims services and victims throughout the United States.

This amendment is asking that 10 million more dollars be applied to this fund because of two reasons: Unfortunately, there are more crime victims in the United States than there ever have been. And also, by necessity, there are more programs that are victims services than ever have been in the United States.

Over 4,400 different programs and agencies receive funding under the VOCA fund. Over 3 million victims receive funds from this fund every year. And this covers the gamut, from sexual assault victims to child victims, to robbery victims and victims and families of homicide.

These funds are needed for these families. But they're also needed for domestic violence shelters. They're needed for child assessment centers. Those are centers throughout the United States that take sexually exploited children and help them through the process; not only the medical process, not only the psychological process, but the criminal justice system as well.

There are 26 organizations that support an additional \$10 million for this crime victims fund, because it is necessary to help victims throughout the United States. So under this amendment, we're asking for 10 million additional dollars taken from human resources that would be applied to crime victims organizations throughout the United States and money for crime victims. This money, as I stated, is necessary. Unfortunately, it is necessary to help victims.

As chairman of the Crime Victims Caucus, and my cochair Mr. COSTA, and other Members like Mr. MOORE from Kansas, we all support this additional funding for crime victims. Take it and place it where it is necessary.

It is a novel concept to allow people who violate the law to contribute to a constant fund, and we want that to continue, but this year there needs to be 10 million additional dollars contributed to that fund so that numerous organizations that provide specifically victims services that funding has been cut in the past will be allowed to continue those victims services in the United States.

LIST OF ORGANIZATIONS WHO SUPPORT THE POE-COSTA-MOORE AMENDMENT

American Probation and Parole Association; American Society of Victimology; Break the Cycle; Jewish Women International; Justice Solutions; Legal Momentum; Mothers Against Drunk Driving; National Alliance to End Sexual Violence; Na-

tional Association of Crime Victim Compensation Boards; National Association of VOCA Assistance Administrators; National Center for Victims of Crime; National Children's Alliance; and National Coalition Against Domestic Violence.

National Congress of American Indians; National Criminal Justice Association; National Grange; National Judicial College; National Network to End Domestic Violence; National Organization for Victim Assistance; National Organization of Parents of Murdered Children, Inc.; Pennsylvania Coalition Against Rape; Rape Abuse & Incest National Network; Sacred Circle, National Resource Center to End Violence Against Native Women; Security On Campus, Inc.; Stop Family Violence; and YWCA USA.

Mr. Chairman, I yield back.

Mr. MOLLOHAN. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman from West Virginia is recognized for 5 minutes.

Mr. MOLLOHAN. Mr. Chairman, I oppose the amendment, again, not because of the intended purpose of the gentleman trying to do good here and getting additional resources into the crime victims fund. That's worthy.

It's being authorized at \$625 million, this amendment would raise it to \$635 million. And you might ask, if there are additional resources, why don't we disperse all of them?

Well, that's because that fund has to be managed to ensure that there's a source of funds that will remain available for the program despite the inconsistent levels of the criminal fees that are deposited there annually. So part of that is trying to manage the account to assure stability year in and year out so that funds will be available for victims to be paid out according to the authority.

I would like to point out that the gentleman's offset draws from an account that has been drawn from in the past, and it is the offset is in Commerce. We started out at \$58.6 million at the beginning of the day. We've had a \$25 million cut, a \$10 million cut. This cut would take us down to \$23 million, if my math is right. But if my math is not precisely right, my point should be taken that we've gone from \$58.6 million down to approximately \$23 million in this S&E account. That's a 60 percent reduction. There is going to be nobody left to administer these programs. And that's why we have to think very carefully.

And actually, folks coming here and offering amendments go through the same difficult exercise that the subcommittee and the full committee have gone through. How do you apportion funds when I would argue, the allocation is not adequate to fund all the worthy projects and to fund all of the people who need to administer the worthy projects in this bill?

A 60 percent cut the gentleman's amendment would effect in this S&E account, it simply cannot stand. So for that reason, I must oppose the gentleman's amendment.

Ms. WOOLSEY. Mr. Chairman, I rise in support of this amendment because I believe we

should respect state authority in regards to medical marijuana.

Like my constituents, I believe that doctors should be permitted to prescribe marijuana for patients suffering from cancer, AIDS, glaucoma, spastic disorders, and other devastating diseases.

The people that I represent from Marin and Sonoma counties have made it clear that they want doctors to be permitted to prescribe marijuana for their patients suffering from debilitating diseases, and I believe that the Federal Government must not stand in the way.

I support this amendment because it would stop the Justice Department from punishing those who are abiding by their state's law. Please join me in supporting this important amendment so that those who suffer from debilitating diseases can continue to get relief without the fear of federal interference.

The Federal Government should get its priorities straight—and stop going after fully licensed physicians and their patients instead of the real criminals.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. POE).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. POE. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

The Clerk will read.

The Clerk read as follows:

SEC. 513. None of the funds made available to the Department of Justice in this Act may be used to discriminate against or denigrate the religious or moral beliefs of students who participate in programs for which financial assistance is provided from those funds, or of the parents or legal guardians of such students.

SEC. 514. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

SEC. 515. Any funds provided in this Act used to implement E-Government Initiatives shall be subject to the procedures set forth in section 505 of this Act.

SEC. 516. (a) Tracing studies conducted by the Bureau of Alcohol, Tobacco, Firearms and Explosives are released without adequate disclaimers regarding the limitations of the data.

(b) The Bureau of Alcohol, Tobacco, Firearms and Explosives shall include in all such data releases, language similar to the following that would make clear that trace data cannot be used to draw broad conclusions about firearms-related crime:

(1) Firearm traces are designed to assist law enforcement authorities in conducting investigations by tracking the sale and possession of specific firearms. Law enforcement agencies may request firearms traces for any reason, and those reasons are not necessarily reported to the Federal Government. Not all firearms used in crime are traced and not all firearms traced are used in crime.

(2) Firearms selected for tracing are not chosen for purposes of determining which types, makes, or models of firearms are used for illicit purposes. The firearms selected do not constitute a random sample and should

not be considered representative of the larger universe of all firearms used by criminals, or any subset of that universe. Firearms are normally traced to the first retail seller, and sources reported for firearms traced do not necessarily represent the sources or methods by which firearms in general are acquired for use in crime.

SEC. 517. None of the funds appropriated or otherwise made available under this Act may be used to issue patents on claims directed to or encompassing a human organism.

SEC. 518. None of the funds made available in this Act shall be used in any way whatsoever to support or justify the use of torture by any official or contract employee of the United States Government.

SEC. 519. (a) Notwithstanding any other provision of law or treaty, none of the funds appropriated or otherwise made available under this Act or any other Act may be expended or obligated by a department, agency, or instrumentality of the United States to pay administrative expenses or to compensate an officer or employee of the United States in connection with requiring an export license for the export to Canada of components, parts, accessories or attachments for firearms listed in Category I, section 121.1 of title 22, Code of Federal Regulations (International Trafficking in Arms Regulations (ITAR), part 121, as it existed on April 1, 2005) with a total value not exceeding \$500 wholesale in any transaction, provided that the conditions of subsection (b) of this section are met by the exporting party for such articles.

(b) The foregoing exemption from obtaining an export license—

(1) does not exempt an exporter from filing any Shipper's Export Declaration or notification letter required by law, or from being otherwise eligible under the laws of the United States to possess, ship, transport, or export the articles enumerated in subsection (a); and

(2) does not permit the export without a license of—

(A) fully automatic firearms and components and parts for such firearms, other than for end use by the Federal Government, or a Provincial or Municipal Government of Canada;

(B) barrels, cylinders, receivers (frames) or complete breech mechanisms for any firearm listed in Category I, other than for end use by the Federal Government, or a Provincial or Municipal Government of Canada; or

(C) articles for export from Canada to another foreign destination.

(c) In accordance with this section, the District Directors of Customs and postmasters shall permit the permanent or temporary export without a license of any unclassified articles specified in subsection (a) to Canada for end use in Canada or return to the United States, or temporary import of Canadian-origin items from Canada for end use in the United States or return to Canada for a Canadian citizen.

(d) The President may require export licenses under this section on a temporary basis if the President determines, upon publication first in the Federal Register, that the Government of Canada has implemented or maintained inadequate import controls for the articles specified in subsection (a), such that a significant diversion of such articles has and continues to take place for use in international terrorism or in the escalation of a conflict in another nation. The President shall terminate the requirements of a license when reasons for the temporary requirements have ceased.

SEC. 520. Notwithstanding any other provision of law, no department, agency, or instrumentality of the United States receiving appropriated funds under this Act or any

other Act shall obligate or expend in any way such funds to pay administrative expenses or the compensation of any officer or employee of the United States to deny any application submitted pursuant to section 38(b)(1) of the Arms Control Export Act (22 U.S.C. 2778(b)(1)(B)) and qualified pursuant to 27 C.F.R. 478.112 or 478.113, for a permit to import United States origin "curios or reliques" firearms, parts, or ammunition.

SEC. 521. None of the funds made available in this Act may be used to include in any new bilateral or multilateral trade agreement the text of—

(1) paragraph 2 of article 16.7 of the United States-Singapore Free Trade Agreement;

(2) paragraph 4 of article 17.9 of the United States-Australia Free Trade Agreement; or

(3) paragraph 4 of article 15.9 of the United States-Morocco Free Trade Agreement.

SEC. 522. Section 313(a) of the National Aeronautics and Space Act of 1958 (42 U.S.C. 2459f(a)) is amended by striking paragraph (2) and redesignating paragraph (3) as paragraph (2).

SEC. 523. None of the funds made available in this Act may be used to authorize or issue a national security letter in contravention of any of the following laws authorizing the Federal Bureau of Investigation to issue national security letters: The Right to Financial Privacy Act; The Electronic Communications Privacy Act; The Fair Credit Reporting Act; The National Security Act of 1947; and the laws amended by these Acts.

SEC. 524. None of the funds made available by this Act may be used to implement the revision to Office of Management and Budget Circular A-76 made on May 29, 2003.

SEC. 525. Section 101(k) of the Emergency Steel Loan Guarantee Act of 1999 (15 U.S.C. 1841 note) is amended by striking "2007" and inserting "2009".

SEC. 526. Section 605 of the Harmful Algal Bloom and Hypoxia Research and Control Act of 1998 (16 U.S.C. 1451 note) is amended—

(1) in the matter preceding paragraph (1) by striking "\$25,500,000 for fiscal year 2008" and inserting "\$30,000,000 for each of fiscal years 2008 through 2010";

(2) in each of paragraphs (1), (2), (3), (4), and (6) by striking "2008" and inserting "2010"; and

(3) in paragraph (5) by striking "fiscal year 2008" and inserting "each of fiscal years 2008 through 2010".

SEC. 527. Effective January 13, 2007, section 303A of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1853a) is amended—

(1) by striking "association" in subsection (c)(4)(A)(iii) and inserting "association, among willing parties";

(2) by striking paragraph (2) of subsection (i);

(3) by striking "(1) IN GENERAL—" in subsection (i) and resetting paragraph (1) as a full measure paragraph following "(i) TRANSITION RULES—"; and

(4) by redesignating subparagraphs (A), (B), and (C) of subsection (i)(1) (before its amendment by paragraph (3)) as paragraphs (1), (2), and (3), respectively and resetting them as indented paragraphs 2 ems from the left margin.

SEC. 528. None of the funds made available in this Act may be used to enter into a contract with an entity that does not participate in the basic pilot program described in section 403(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note).

AMENDMENT OFFERED BY MR. REICHERT

Mr. REICHERT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. REICHERT:

Page 83, after line 6, insert the following new section:

SEC. 529. The amounts otherwise provided by this Act are revised by reducing the amount made available for “DEPARTMENTAL MANAGEMENT—SALARIES AND EXPENSES”, and by increasing the amount made available for “OFFICE ON VIOLENCE AGAINST WOMEN—VIOLENCE AGAINST WOMEN PREVENTION AND PROSECUTION PROGRAMS” for the court training and improvements program authorized by section 105 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162), by \$5,000,000.

□ 2000

Mr. MOLLOHAN. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. The point of order is reserved.

Mr. REICHERT. Mr. Chairman, as a former sheriff of King County in Seattle, Washington, and a member of the Congressional Victims’ Rights Caucus, I am proud to offer this amendment along with my colleague from Connecticut, Congressman MURPHY, to provide \$5 million to fully fund the Court Training and Improvements Program, offset from the Department of Commerce departmental management salaries and expenses account.

The Court Training and Improvements Program enhances our courts’ ability to keep victims of domestic and sexual abuse safe and to hold offenders accountable. It was authorized early last year as a part of the Violence Against Women Act but has not yet been funded. Mr. Chairman, this program must be funded.

I spent 33 years of my life working in law enforcement, and during that time I walked into many unpredictable domestic violence situations. Responding to a domestic violence call is one of the most dangerous calls a police officer can go to. Domestic violence cases have their own unique challenges, and we in law enforcement have had to learn specific strategies for how to deal with those situations. People are physically and mentally harmed and homes are torn apart. I have seen how domestic and sexual abuse not only affects spouses but the children, the families, and the lives of the entire community. Safe homes and families are the root of a safe society.

Statistics show that every year almost 1 million incidents of violence occur against current and former spouses, boyfriends, girl friends, and each year nearly 10 million children are exposed to domestic violence. We need to implement and fund every tool at our disposal to combat this terrible problem.

One of the key ways to reduce the impact of domestic violence is to ensure that our justice system has the tools to deal with these cases. Too often lives hang in the balance as judges and court personnel make decisions without an understanding of the dynamics of abuse and violence in relationships. Judges themselves have repeatedly cited a need and a desire for

specialized knowledge and judicial education regarding sex offenders and victims.

The desperate need for trained judges and court personnel was recently brought to light in the tragic case of Yvette Cade. On the morning of October 10, 2005, Yvette was doused with gasoline and set on fire by her estranged husband while at work here in the suburbs of Washington, D.C. At the time of the attack, she had a protection order out against him, but a judge had dismissed her protection order 3 weeks before, saying she didn’t need it. This judge had likened victims of domestic violence to busses that come along all the time. Cade’s husband was recently sent to prison for attempted murder.

Better-trained judges are essential if we are to keep victims and children alive and hold abusers and rapists accountable for their behavior. I urge my colleagues to support this amendment to improve our courts, protect the victims of domestic violence and sexual abuse, prevent future crimes, and ensure that perpetrators are appropriately punished.

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

Mr. MURPHY of Connecticut. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. MURPHY of Connecticut. Mr. Chairman, I rise in support of the amendment. First I would like to thank Chairman MOLLOHAN.

This bill is a vast improvement on previous efforts to fund domestic violence efforts. It goes a very long way. And we rise today with my colleague Mr. REICHERT to simply ask that we fund yet one more important program that has been authorized.

As a child, Mr. Chairman, I remember sitting at home with a baby-sitter while my mother went off to volunteer in a domestic violence shelter, and that memory still stays with me today. Victims of domestic violence require and are entitled to special assistance when dealing with their trauma. However, judges and court personnel need specialized training to deal with these victims in a way that both preserves justice and addresses the severe trauma associated with these crimes.

Some States have already put programs in place to deal with the special needs of these domestic violence victims. My home State of Connecticut is amongst those that has been pioneering these types of programs. In the biggest city in my district, Waterbury, we have a program through which law enforcement personnel, prosecutors, family services organizations, probation officers, and domestic violence advocates all review cases together in an effort to reveal more information about the perpetrator to ensure that victims are protected from further abuse. What makes the Waterbury operation so outstanding is the vertical

case management model that should serve as an example to the rest of the country, a model that could be funded under the proposed appropriation in this amendment.

Congressman REICHERT and I are offering this amendment today so that States can have a partner in the Federal Government. Our amendment will fund the Court Improvements Program to train judges and court personnel to better identify and resolve the complex issues involved in domestic violence cases.

Congress has a responsibility to recognize the unique and horrific nature of domestic violence crimes, and we have done that in the underlying appropriation bill today with a new investment in domestic violence programs. Our amendment today simply seeks to fund yet one more innovative program to make sure that courts, prosecutors, domestic violence advocates, and the victims themselves all have the resources necessary to navigate what can be sometimes a very complex system.

I urge adoption.

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

Mr. MOLLOHAN. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. Does the gentleman continue to reserve his point of order?

Mr. MOLLOHAN. I withdraw my point of order.

The CHAIRMAN. The gentleman withdraws his point of order and is recognized for 5 minutes.

Mr. MOLLOHAN. Mr. Chairman, I rise in opposition to the amendment.

If I might, for the Department of Commerce here, the S&E account is now down to \$18 million if the last two amendments are adopted and you add it to the offsets that were affected by the amendments that have already passed. The Department of Commerce S&E account, they are just going to have to shut down their office again. I would just encourage Members, when they offer these amendments, to get serious about the offsets. And, my goodness, I don’t know what would have happened to President Bush’s budget if we had not increased it, because his S&E account would have been really decimated in increasing the Violence Against Women account. We increased VAWA by \$60 million over the President’s request, \$47 million over 2007.

I understand that our colleagues who are offering these amendments are absolutely in the forefront of protecting women. As we oppose these amendments, at the same time we embrace your cause and that that is why we have worked so hard in effecting these funding increases above the President’s request. If we had a larger allocation, we would put more money on these accounts.

Having said all that, and because the offset is so draconian to the Department of Commerce, I will continue to oppose amendments with these negative offsets. If we aren’t able to restore

the salaries and administrative accounts to the extent these amendments are successful, the Department of Commerce would have to shut down. That is how, as I have used the word before, cavalier we are being about these offsets.

Mr. Chairman, while I certainly support the cause and the purposes of the programs these amendments are increasing funding for, I have to oppose them because of the offsets and because we don't have enough resources to go around, a point which is demonstrated by the offsets that these amendments are having to resort to.

I oppose the amendment.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Washington (Mr. REICHERT).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. REICHERT. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Washington will be postponed.

The Clerk will read.

The Clerk read as follows:

**TITLE VI—RESCSSIONS
DEPARTMENT OF COMMERCE
(RESCISSON)**

Of the unobligated balances available to the Department of Commerce from prior year appropriations, \$41,848,000 are rescinded: *Provided*, That within 30 days after the date of the enactment of this section the Secretary of Commerce shall submit to the Committee on Appropriations of the House of Representatives a report specifying the amount of each rescission made pursuant to this section.

**DEPARTMENT OF JUSTICE
(RESCISSON)**

Of the unobligated balances available to the Department of Justice from prior year appropriations, \$86,000,000 are rescinded: *Provided*, That within 30 days after the date of the enactment of this section the Attorney General shall submit to the Committee on Appropriations of the House of Representatives and the Senate a report specifying the amount of each rescission made pursuant to this section.

**GENERAL ADMINISTRATION
WORKING CAPITAL FUND
(RESCISSON)**

Of the unobligated balances available under this heading, \$41,000,000 are rescinded.

**DETENTION TRUSTEE
(RESCISSON)**

Of the unobligated balances available from prior year appropriations under this heading, \$135,000,000 are rescinded.

**LEGAL ACTIVITIES
ASSETS FORFEITURE FUND
(RESCISSON)**

Of the unobligated balances available under this heading, \$240,000,000 are rescinded.

**OFFICE OF JUSTICE PROGRAMS
(RESCISSON)**

Of the unobligated recoveries from prior year appropriations available under this heading, \$87,500,000 are rescinded.

**COMMUNITY ORIENTED POLICING SERVICES
(RESCSSIONS)**

Of the unobligated recoveries from prior year appropriations available under this heading for purposes other than program management and administration, \$87,500,000 are rescinded.

Of the unobligated funds previously appropriated from the Violent Crime Reduction Trust Fund under this heading, \$10,278,000 are rescinded.

**NATIONAL AERONAUTICS AND SPACE
ADMINISTRATION
(RESCISSON)**

Of the unobligated balances available to the National Aeronautics and Space Administration from prior year appropriations, \$69,832,000 are rescinded: *Provided*, That within 30 days after the date of the enactment of this section the Administrator shall submit to the Committees on Appropriations of the House of Representatives a report specifying the amount of each rescission made pursuant to this section.

**NATIONAL SCIENCE FOUNDATION
(RESCISSON)**

Of the unobligated balances available to the National Science Foundation from prior year appropriations, \$24,000,000 are rescinded: *Provided*, That within 30 days after the date of the enactment of this section the Director shall submit to the Committee on Appropriations of the House of Representatives a report specifying the amount of each rescission made pursuant to this section.

AMENDMENT OFFERED BY MR. LAMPSON

Mr. LAMPSON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. LAMPSON: Page 85, after line 24, insert the following:

**TITLE VII—ADDITIONAL GENERAL
PROVISIONS**

SEC. 701. None of the funds made available in this Act may be used for business-class or first-class airline travel by employees of the Department of Commerce in contravention of sections 301-10.122 through 301.10-124 of title 41, Code of Federal Regulations.

Mr. LAMPSON. Mr. Chairman, as we consider today's appropriations bill, we are all mindful of how harmful wasteful government spending is to hard-working American families. In fact, just this morning I was joined by the majority leader and some of my Blue Dog Coalition colleagues to highlight many of the smart, fiscally responsible initiatives our new majority is pursuing in Congress this year. American citizens expect the Congress to be good stewards of taxpayer dollars, and when we allow deceptive fiscal practices to continue in our government, we set a bad example for our Nation and create a reckless blueprint for future spending.

That is why I have introduced this amendment to today's bill, which will clarify guidelines for premium travel by Department of Commerce employees. The Department's Inspector General March 2007 report showed that these guidelines are not being followed or controlled properly. In fact, the report has a specific section entitled "The Department Needs to Tighten Controls, Update Guidance for Premium-Class Travel," and includes very glaring findings, notably numerous in-

stances in which the Department failed to authorize or approve properly premium-class travel. The report concludes that the two primary reasons for these oversights are outdated policy and poorly implemented internal controls.

Thankfully, Mr. Chairman, there is a simple solution here that can save the taxpayers their hard-earned dollars and continue good government practices, and it is embodied in my amendment. This amendment offers a direct method of guidance by referencing the Code of Federal Regulations 301-10.122 to 10.124 to withhold funds for such premium travel for Department of Commerce employees. A similar amendment applying to Department of State employees was passed by voice vote last year when the House considered the Commerce-Justice-State appropriations bill.

As we continue to tackle large instances of taxpayer dollar waste and abuse, let's not overlook the small steps that we can take that will help lead the way for good government practices.

I thank my colleagues for their attention to this quick and simple way to practice better fiscal responsibility. I ask for support for my amendment.

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

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Mr. MOLLOHAN. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman from West Virginia is recognized for 5 minutes.

Mr. MOLLOHAN. Mr. Chairman, we have no objection to the amendment.

I yield to the ranking member.

Mr. FRELINGHUYSEN. Mr. Chairman, we have no objection to the amendment.

Mr. MOLLOHAN. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. LAMPSON).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. BOSWELL

Mr. BOSWELL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BOSWELL:

At the end of the bill (before the short title), insert the following:

SEC. _____. The amounts otherwise provided by this Act are revised by reducing the amount made available for the "DEPARTMENT OF JUSTICE—General Administration—salaries and expenses", by increasing the amount made available for "DEPARTMENT OF JUSTICE—Office of Justice Programs—community oriented policing services", and by increasing the amount made available for paragraph (5) of the last proviso under the heading "DEPARTMENT OF JUSTICE—Office of Justice Programs—community oriented policing services" by "\$1,000,000", "\$1,000,000", and "\$1,000,000", respectively.

Mr. FRELINGHUYSEN. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. The gentleman from New Jersey reserves a point of order.

Mr. BOSWELL. Mr. Chairman, I've just conferred with the Chair of the subcommittee, and he has asked me to offer it and withdraw it, and we will work on it before we go to conference. So out of my respect for him and the ranking member, of course I will do that.

I would just like to say this: In the last 2 years, we have done a little bit more than this for this good cause, and it's something that's helping law enforcement out across the country. And it's not big bucks, it's pretty small. But then again, you've got to work with where you're at. But it does increase law enforcement agencies' access to records on persons who pose a risk to local communities. I can assure you that the law enforcement agencies need this access, as we think about the things that happen to our children and older folks and so on, to be able to access that good information.

So with my appreciation, Mr. Chairman, I will ask unanimous consent to withdraw, with looking forward to working on this at a later point.

Mr. MOLLOHAN. Will the gentleman yield?

Mr. BOSWELL. I will yield to the gentleman.

Mr. MOLLOHAN. The committee has heard the gentleman. In years past the gentleman has been very concerned. He has asked for increases to the Criminal Records Upgrade Program grants, and the committee has been very receptive to that. Indeed, the committee this year has increased funding for this program by \$2.1 million over 2007, which in part was an effort to be responsive to the gentleman's consistently expressed concerns about this, and genuine concerns, about this account.

If the gentleman has looked at this carefully, we respect his expertise in this area, and we would be interested in visiting with him as we move this to conference and understanding more clearly the justification for an additional increase.

And because of who the gentleman is, I have no doubt that his reasons are valid. And so we look forward to working with him to find a better offset and to be responsive to his needs, if at all possible, as we move to and through conference.

Mr. BOSWELL. Well, I know your sincerity, and I know the ranking member's sincerity in this area. You have worked very hard on it. And I accept that, with appreciation.

Mr. MOLLOHAN. Well, I just want to emphasize that in response to your efforts, we've increased it this year above last year, so we've already been successful.

Mr. BOSWELL. We will have some interesting discussion, and I look forward to it. Thank you for letting me have this moment.

I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

AMENDMENT NO. 23 OFFERED BY MR. GINGREY

Mr. GINGREY. Mr. Chairman, I offer an amendment.

Mr. MOLLOHAN. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. The gentleman from West Virginia reserves a point of order.

The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 23 offered by Mr. GINGREY:
At the end of the bill (before the short title), insert the following:

TITLE VII—ADDITIONAL GENERAL PROVISIONS

SEC. 701. None of the funds appropriated by this Act may be used by the Director of the Bureau of Alcohol, Tobacco, Firearms and Explosives to pay the compensation of employees of the Bureau of Alcohol, Tobacco, Firearms and Explosives to test and examine firearms without written and published testing standards.

Mr. GINGREY. Mr. Chairman, the Bureau of Alcohol, Tobacco, Firearms and Explosives, BATFE, has been in operation without substantial changes since the days of prohibition, bootlegging and gang violence in the 1920s and 1930s.

Last year the House Judiciary Committee considered legislation that would have introduced real reform to BATFE, updating the agency for the 21st century, although time ran out before Congress could get anything accomplished.

One issue of reform I remain particularly concerned about is how BATFE actually tests firearms submitted by law-abiding firearm designers and manufacturers seeking approval to put their product on the market.

Mr. Chairman, without written and uniform standards, gun manufacturers are left guessing about which agent will inspect the firearm this week, whether or not they will be able to ship a product out to potential customers, and whether or not BATFE agents might even prosecute someone because of a shipping mistake or a firearm malfunction. So I have introduced legislation called the Fairness in Firearms Testing Act to address this problem, and it requires BATFE, the Bureau of Alcohol, Tobacco, Firearms and Explosives, to actually videotape firearms tests for the purpose of general oversight, and encourage the agency to adopt these testing standards. However, the amendment I'm offering today would cut right to the point by withholding funds to BATFE if they do not write and publish these testing standards.

More specifically, this amendment creates a level playing field for all United States firearm manufacturers who depend on getting a firearm patented and on the market as soon as possible.

Mr. Chairman, without written procedures, BATFE has literally a free rein to mistreat manufacturers, change their mind after the fact, and leave both manufacturers and customers at a

legal and financial disadvantage. In fact, BATFE regulations are so inconsistent that some manufacturers have been threatened with prosecution after receiving written approval for their products from other BATFE personnel.

Since 2002, 85 percent of American firearm manufacturers have been forced to close their doors. Let me repeat that, Mr. Chairman. Since 2002, 85 percent of American firearm manufacturers have been forced to close their doors. There are only 373 licensed firearm inventors and manufacturers left in America. Moreover, with the increase in number of imported firearms purchased by civilians and law enforcement alike, our Nation is at a strategic defensive disadvantage.

Mr. Chairman, I realize that the chairman has reserved a point of order, and he will explain that, I'm sure, momentarily, but it's my understanding that if I do agree to withdraw this amendment, that the chairman and the committee will work with me to help bring reforms to the BATFE, including these written standards, to help United States firearm manufacturers. I would be happy to yield to the chairman and to engage in a colloquy with him regarding that. Otherwise, in the absence of an agreement, then certainly I want to go forward with my amendment.

Mr. Chairman, I yield to the chairman.

Mr. MOLLOHAN. We would, at that point, talk about the point of order a little more.

We want to be responsive to the gentleman. I have not gotten deeply into his concerns, so I'm not sure exactly where he's coming from on this. But I can commit to him that we're willing to talk about it, we're willing to understand more clearly what his concerns are and in good faith work with him. And if there is an accommodation, we certainly want to make it in good faith. But I certainly cannot telegraph or represent to the gentleman an outcome; I can only promise him the process to work with him in good faith on this issue.

Mr. GINGREY. Reclaiming my time, Mr. Chairman, I understand exactly what the chairman is saying. I'm not necessarily expecting any hard and fast promises on his behalf.

And I didn't mean, Mr. Chairman, for the amendment to catch the distinguished chairman of the Appropriations Committee by surprise in any way, not to be blind-sided or coming up at the last minute. We've had the amendment, we filed the amendment. In fact, I had, Mr. Chairman, introduced legislation pertaining specifically to this effect last year in the 109th Congress, so this amendment basically is a follow-up to that legislation.

I want to thank the gentleman from West Virginia, the distinguished chairman. I appreciate your spirit of cooperation. And I know there are some concerns about the amendment, I appreciate that. But I welcome your support on this matter, and I look forward

to working with you. Let's discuss it and make sure you understand exactly where I'm coming from in regard to the amendment. I think it makes a lot of sense, and I hope I can convince you of the same.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

AMENDMENT OFFERED BY MR. SALI

Mr. SALI. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SALI:

At the end of the bill (before the short title), insert the following:

TITLE VII—ADDITIONAL GENERAL PROVISIONS

SEC. 701. Of the funds appropriated in this Act for “STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE”, \$2,000,000 shall be available to provide grants to develop, expand, and strengthen victim service programs for victims of trafficking, as authorized by section 107(b) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(b)).

Mr. MOLLOHAN. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. The gentleman from West Virginia reserves a point of order.

Mr. SALI. Mr. Chairman, our great country was founded on the recognition of the most basic rights of mankind, that all persons are created equal and endowed by their Creator, with the rights of life, liberty and the pursuit of happiness. Yet for decades this conviction wasn't perfectly realized because of the blight of slavery, which we fought a civil war to end.

Tragically, this is not just a long-past episode in human history. Human trafficking, frequently referred to as modern-day slavery, is an ugly reality not only in the developing world, but also in the United States. Our country is the destination of thousands of people trafficked for purposes of sexual and labor exploitation.

Between October 2000 and March 2007, the U.S. Department of Health and Human Services had certified nearly 1,200 victims of human trafficking. As Americans, we must defend the dignity of human life.

With my amendment, I propose to designate \$2 million of the monies appropriated in this bill for the formation of a task force to combat this barbaric trade coming across our borders in the States of Washington, Idaho and Montana. This task force would join 42 other such task forces nationwide in serving as a cooperative effort between State and local governments, NGOs and compassionate citizens all working together.

The northern border of our country is a point of entry for this horrific practice. In 2004, it was estimated there were between 1,500 and 22,000 people trafficked through Canada to the United States, numbers that some observers believe significantly underestimate the problem.

Currently, however, there are no human trafficking task forces along most of the northern borders of Washington, Idaho and Montana, yet these same States cover more than half of the northern land border of the United States, hundreds of miles of which are extremely rural and rugged, being patrolled only by officers on horseback or even on foot, if patrolled at all. Given the rural nature of these northern borders, opportunities for human trafficking continue, with few resources available to the many rural communities along the same border.

By my amendment, I seek to make \$2 million in the DOJ budget available in grant funds to establish the Tristate Task force to provide training and resources to rural communities in Washington, Idaho and Montana to combat human trafficking. This important task force will work to coordinate local efforts to combat modern-day slavery.

This measure goes to the heart of equality, dignity and worth of every person. I ask my colleagues to join me today in the defense of these essential American values and support this amendment.

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

Mr. MOLLOHAN. Mr. Chairman, I continue to reserve my point of order.

The gentleman raises an interesting concern. We have just been handed this amendment. We would be pleased to work with the gentleman as we move forward.

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In response to his withdrawing the amendment, we are going to have to insist on our point of order if we don't proceed in that fashion. I hope the gentleman will allow us to work with him.

Mr. SALI. Mr. Chairman, if the gentleman will yield, I would agree to work with the chairman.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

AMENDMENT OFFERED BY MR. HINCHEY

Mr. HINCHEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HINCHEY:

At the end of the bill (before the short title), insert the following:

TITLE VII—ADDITIONAL GENERAL PROVISIONS

SEC. 701. None of the funds made available in this Act to the Department of Justice may be used, with respect to the States of Alaska, California, Colorado, Hawaii, Maine, Montana, Nevada, New Mexico, Oregon, Rhode Island, Vermont, and Washington, to prevent such States from implementing their own State laws that authorize the use, distribution, possession, or cultivation of medical marijuana.

Mr. HINCHEY. Mr. Chairman, I am introducing an amendment that is designed to protect States' rights and to provide people across our country in these 12 States that have passed laws authorizing the use of marijuana for

medicinal purposes to have access to that medical use.

It is a very simple, very serious proposal. The Constitution of the United States is very clear. It authorizes States' rights in every other area that is not specifically designated to the Federal Government. One of those main areas is health care. The States have the authority to take care of their own people and to make sure that they have access to the best possible health care.

The amendment is supported by a number of other important organizations across the country, in addition to organizations in those 12 States of Alaska, California, Colorado, Hawaii, Maine, Montana, Nevada, New Mexico, Oregon, Rhode Island, Vermont and Washington that have passed laws authorizing the medicinal use of this product. Two of those States have passed it through their legislatures. The other 10 have passed it by means of referendum. In other words, the people themselves have passed this in referendum.

This is an amendment that really should be adopted. It doesn't do anything to stimulate any violations of the law. It just says those States ought to be able to determine how to take care of their own people. There are a variety of ways in which that can be done to make sure that they get proper attention.

I yield to the gentlewoman from California.

Ms. LEE. Mr. Chairman, let me thank the gentleman from New York for yielding and also for his leadership and for continuing to beat the drum on this very, very important issue.

Mr. Chairman, this amendment is about allowing State governments to provide relief for a small, very important group of people who are suffering from chronic pain or terminal illness. This amendment does not encourage or make legal the recreational use of marijuana. Eleven States, including my home State of California, have legalized medical marijuana, with clear guidelines for doctors' approval before usage.

For example, a constituent from Oakland, Angel Raich, has been diagnosed with more than 10 serious medical conditions, including an inoperable brain tumor. Ms. Raich and others who use medical marijuana are simply trying to relieve their crushing pain while following the guidelines and laws that their doctors and the States have already established. Taxpayer dollars shouldn't be spent on sending seriously or terminally ill patients to jail. Their doctors, not Congress, should decide which drugs will work best.

Mr. Chairman, I urge my colleagues to vote “yes” on this amendment and ensure that patients' rights are upheld. This is the right thing to do. This is the compassionate thing to do. This is about health care.

Mr. Chairman, I want to thank the gentleman from New York again for once again offering this amendment.

Mr. HINCHEY. Mr. Chairman, reclaiming my time, I want to make it clear that there are many dozens of organizations that are focused on health care and constitutional rights across the country; not just in those 12 States, but in a lot of other places, as well, who have endorsed this idea and support this amendment.

They include the American Nurses Association, the American Public Health Association, and the Leukemia and Lymphoma Society. Medical societies all across this country have endorsed this amendment because they know it is in the best interests of people suffering from diseases such as AIDS, cancer, glaucoma and others that can be relieved of pain and suffering and be of assistance in recovering from the debilitating aspects of these diseases.

It simply makes good common sense for us to authorize this amendment. I hope that the majority of the Members in this House of Representatives will now take this opportunity to support good health care for Americans and also support this basic provision of the Constitution.

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

Mr. FRELINGHUYSEN. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in opposition to this amendment.

Mr. Chairman, not only does this amendment hurt law enforcement's efforts to combat drug trafficking, but it sends the wrong message. Marijuana is the most widely abused drug in the United States. According to the Drug Enforcement Agency, which is under the jurisdiction of our committee, more young people are now in treatment for marijuana dependency than for alcohol or for all other illegal drugs combined.

This amendment does not address the problem of marijuana abuse and possibly makes it worse by sending the message to young people that there can be health benefits from smoking marijuana.

Our committee received a letter last week from John Walters, director of the Office of National Drug Control Policy opposing the gentleman's amendment. He warns of the potential public health impacts of encouraging the unfounded belief that smoking marijuana is a safe and effective medicine, contrary to prevailing expert opinion.

Last year, our own FDA stated: "Smoked cannabis has no acceptable medical use in treatment in the United States," and that no animal or human data supported the safety or efficacy of marijuana for general medical use. Furthermore, the FDA has not approved smoked marijuana for any condition or disease indication.

Mr. Chairman, I urge rejection of the gentleman's amendment.

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

Mr. MOLLOHAN. Mr. Chairman, I ask unanimous consent that the gentleman from New York have 3 additional minutes.

The CHAIRMAN. Without objection, the gentleman from New York is recognized for 3 additional minutes.

There was no objection.

Mr. HINCHEY. Mr. Chairman, I just want to point out that the people who are opposed to this amendment, including the gentleman who just spoke, apparently do not understand what we are doing here.

This amendment does not affect States, other than those that have passed laws with respect to medical marijuana, only those 12 States. This amendment would not require or encourage other States to adopt medical marijuana laws. This amendment would not stop law enforcement officials from prosecuting the illegal use of marijuana. This amendment does not encourage drug use in children. Teen use of marijuana has declined in States that have passed medical marijuana laws, and in some of those States it has declined dramatically.

The purpose of this amendment is to allow these States to give relief to people suffering from horrific diseases without fearing Federal intervention or prosecution. At stake in this debate is who should be deciding what is best for patients: Should it be the patients themselves, the doctors, or should it be arbitrarily somebody in the Federal Government?

Support this amendment and support States' rights and compassion. Doctors in these 12 States know what is best for their patients. The Federal Government should not stand in their way.

I yield the remainder of my time to the gentleman from Tennessee.

Mr. COHEN. Mr. Chairman, I had a dear friend named Oral James Mitchell, Jr. Oral James Mitchell, Jr., was a Navy SEAL. He fought in Vietnam. Oral James Mitchell, Jr., got pancreatic cancer. He lived in Bethesda, Maryland, a 210-pound strapping man that you would want on your side in a fight, and I have had on my side in a fight, and this country had on its side in a fight in the Vietnam War.

When he had pancreatic cancer, he smoked marijuana. And his 88-year-old Irish Catholic mother said to me, "Thank God for the marijuana. It is the only thing that makes Oral smile or eat."

I watched that man go down to 115 pounds and die. And Mrs. Mitchell was correct. As he was dying of pancreatic cancer, if he was in a State that made it legal, States' rights say they should have some authority, and Brandeis said States are the laboratories of democracy. And as laboratories of democracy, we ought to experiment and find out if it works and if it is good for people who are dying, if it gives them some relief. If it is glaucoma, if it is cancer, whatever the illness, they should have that relief.

I would ask that we not have the Federal Government and DEA infringe on the laws of the States that have had changes in their laws, oftentimes through referenda of their people, and we allow those States to be the laboratories of democracy and not interfere with people who are dying, people who might have given their lives for this country, but who are dying and get some respite and some relief.

So I ask you to pass this and allow States to have rights and people to have some relief in their dying days.

Mr. WELDON of Florida. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. WELDON of Florida. Mr. Chairman, I rise in opposition to this amendment.

I just want to say a few words about marijuana. First of all, it does cause cancer. I have seen it. I have seen people with lung cancer, no risk other than they were chronic marijuana smokers.

Additionally, the last time we were debating this bill, I called one of my former colleagues in my medical practice who is an oncologist, I had three oncologists, and I asked him for the latest information on cannabis, or THC. He again informed me this is available in pill form. You can actually get it in pill form. Additionally, it is not a very good antiemetic and not a good appetite stimulator. There are about 18 different products legally available that doctors can prescribe.

By and large, most of the people who want to use this want to get high and there are consequences to letting this move forward.

Saying that this State and this State allows this, we need to remember something: States govern where you practice medicine. If I want to practice medicine here, I have got to get a license in the District of Columbia. If I want to open a satellite office, I have got to get a license in Maryland or Virginia. But the Federal Government regulates prescribing, for obvious reasons. If the patient comes in to see me here and lives in Virginia, they are going to go over to a pharmacy there. So the Federal Government has always regulated this.

There are significant consequences to making this product widely available, and that is what this amendment will do. This is a very, very bad amendment. Marijuana has been implicated in railroad accidents. It has been implicated in car accidents. It is documented to have an adverse effect on memory.

Jeepers, we have people dying in this country from the effects of cigarettes. We have people dying in this country from the effects of alcohol. We have people in this body wanting to ban cigarettes and ban smoking. And now we are going to take action to allow another dangerous substance on the market? And there is an agenda of the people who are behind these kinds of amendments.

□ 2045

They want to legalize marijuana, and they want to make another dangerous product available to our society. I think that this is a bad direction for us to go in. This a bad amendment and a dangerous amendment. I would encourage all of my colleagues to vote "no" on the amendment.

Mr. ROHRABACHER. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman from California is recognized for 5 minutes.

Mr. ROHRABACHER. Mr. Chairman, I rise in strong support of the Hinchey-Rohrabacher amendment, which would prohibit any funds made available in this act to be used to prevent implementation of legally passed State laws in those 12 States that have authorized the use of marijuana for medical purposes.

The Founding Fathers wanted criminal law to be the domain of local and State governments. Sick and infirm people who live in the 12 States that have been granted by the voters in these States the legal right to use marijuana to alleviate their suffering if a doctor agrees, we should not make them targets of prosecution. If the voters in a State have so voted, and a doctor agrees, it is a travesty for the Federal Government to waste scarce Federal resources to harass sick people, elderly cancer patients and frail, multiple sclerosis sufferers and prevent them from getting the relief their personal doctors have recommended.

We have heard here hysterical talk about how voting for this amendment will somehow prevent the Federal Government from being able to go after narcotics traffickers. That is nonsense. The DEA would still have the power to arrest anyone selling marijuana for recreational use, as well as anyone selling cocaine or any other drugs. After all, although related to opium, yes, and even heroin, morphine is already used legally in hospitals throughout the United States. That does not mean that we are going to open up the whole country to heroin because we allow hospitals to use morphine.

Whether morphine or marijuana, the fact is that Federal resources could be better used and shouldn't be wasted on arresting sick people or their doctors. Those Federal resources, if this amendment passes, can be redirected away from these people, but to major drug traffickers or crime syndicates. That makes a lot more sense than trying to stop somebody or arrest somebody who has a doctor's prescription because they are suffering from cancer treatment. It makes more sense to focus on the drug dealers, for Pete's sake.

Here in the House there is a wide coalition of Republicans and Democrats, conservatives and liberals, and this number has grown year by year, who want to promote State autonomy on this issue. This is what the Founding Fathers wanted. Criminal matters should be left up to the States.

A vote "yes" on Hinchey-Rohrabacher is a vote to respect the intent of our Founding Fathers and respect the rights of our people at the State level to make the criminal law under which they and their families will live. It reinforces rules surrounding the patient-doctor relationship, and it is in contrast to emotional posturing and Federal power grabs and bureaucratic arrogance, which is really at the heart of the opposition.

This is a vote for good government. This is a good vote for honest compassion. The legal, humanitarian and practical thing to do is to vote "yes" on this amendment.

Let me just note this. I have had personal experiences on this, and I certainly respect Dr. WELDON and his opinion. And I have asked him for his opinion many times for problems of my own. But I lost my mother, and I recently lost my brother, to cancer. I will tell you in both cases there was a loss of appetite and just a pessimism that came over my mother and my brother both. If marijuana would have helped them, and if a doctor would have prescribed it for them, it would have been a horrible thing to think that Federal agents would come in and try to interfere with that so they would not be able to get marijuana, if that is what their doctor felt would have helped them.

That is what we are deciding today: Is that a right use of resources, number one, to go in and interfere with this doctor-patient relationship? They already use morphine in hospitals. That doesn't interfere with people trying to get control of the sale of heroin on our streets. No, this will not interfere with that. But what this will do is prevent a terrible waste of Federal resources.

And let us note again, if people are sick, and a doctor says yes, this would be a good treatment, I don't think our Founding Fathers, who wanted the State governments to make these criminal laws, but I don't even think that they would have wanted the State governments to interfere in such a relationship.

Our Founding Fathers believed in individual freedom, and they believed in limited government. Where else but in the doctor-patient relationship should we have a limit on the government coming in and making things criminal matters? I urge my colleagues to vote "yes" on the Hinchey-Rohrabacher amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. HINCHEY).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. HINCHEY. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York will be postponed.

AMENDMENT OFFERED BY MR. POE

Mr. POE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. POE:

At the end of the bill (before the short title), insert the following:

TITLE VII—ADDITIONAL GENERAL PROVISIONS

SEC. 701. None of the funds appropriated in this Act may be used to enforce—

(1) the judgment of the United States District Court for the Western District of Texas in the case of United States v. Ignacio Ramos, Et Al. (No. EP:05-CR-856-KC) decided March 8, 2006; and

(2) the sentences imposed by the United States District Court for the Western District of Texas in the case of United States v. Ignacio Ramos, Et Al. (No. EP:05-CR-856-KC) on October 19, 2006.

Mr. POE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, in my previous life before coming to Congress, I was a prosecutor in Texas for a long time. Then I was a criminal court judge. Justice is one thing that we should always find in our country, but we don't always find it in our courts, unfortunately.

This case that has now become very famous throughout the United States happens to deal with two border agents doing their job. They come in contact with a drug dealer on the violent Texas-Mexico border. The drug dealer bring in a million dollars' worth of drugs in a van. He abandons the drugs and the van, takes off, tries to run back to Mexico, gets in a confrontation with our border agents. Shots are fired. He is shot in the buttocks and disappears into Mexico.

Our Federal Government brings the drug dealer back to the United States and grants him immunity from prosecution of a million dollars' worth of drugs in order to prosecute the border agents who were doing their job. He was given that immunity and testified against the two border agents. They were convicted and sent to a Federal penitentiary for 11 and 12 years. And for the most part of their sentence, which started in January, they have been in solitary confinement, what we reserve normally for the hardest and meanest and most violent criminals in our society.

It turns out that this drug dealer was not just a mule bringing in drugs to get a little money for his sick mother back in Mexico, but while he was waiting to testify, given immunity, he goes back to Mexico and brings in another load of drugs worth about \$800,000.

Our Federal prosecutors knew about that second load of drugs, but they insisted that the jury not know about that second load of drugs, and the jury never heard about that second load of drugs.

It is relentless prosecution in this case that is chilling the effect of our border agents on the border to do their job, which is to enforce the rule of law, to arrest drug dealers. Our Federal Government had the choice to prosecute two border agents that violated

policy, or a drug dealer bringing in a million dollars' worth of drugs.

Now, you would think that public policy would say we would go after drug dealers. But no, our Federal prosecutors went after the border agents. We still don't know why they were so relentless in that prosecution, but they were. So tonight, while we are here, we have two border agents serving time in the penitentiary.

This amendment simply tries to right a wrong. It requires that no funds be used to incarcerate either one of these two border agents, Ramos and Compean, any further, and that they can be released from custody.

Almost everyone agrees that the punishment is way out of line. Even the prosecutor said that once. Last week the Senate held hearings on the prosecution of this case in a bipartisan manner and said that these sentences were way out of line. And so this amendment will simply allow no Federal funds to be used to incarcerate these two border agents.

Hopefully the House will continue to have hearings on why these two agents and other border agents have been prosecuted by the Western District of Texas while ignoring other violations of the law by drug dealers.

I hope that my fellow colleagues on both sides of the aisle would agree to support this amendment and to allow the release of these two individuals, and not allow any Federal funds to be used to incarcerate two men who were simply doing their job for the rest of us on the violent Texas border.

Mr. CULBERSON. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. Mr. Chairman, every American is born with an innate sense of fairness and what is right and wrong. This case, more than any other, has struck a chord among Americans as being fundamentally unjust and flat wrong; that two law enforcement officers who swore an oath to protect this Nation, who were out on that violent Texas-Mexico border to protect this Nation against criminals and terrorists, every American understands the case where the two Border Patrol agents doing their job are thrown in prison for 11 and 12 years, and the drug smuggler goes free with a visa to pass back and forth as often as he wants. And the drug smuggler sues us, the taxpayers, for millions of dollars. Every American gets that.

I have never seen a level of outrage among my constituents and really across the country on any issue as there has been on this issue of freeing Border Patrol Agents Ramos and Compean.

It is patently unfair these two men, whatever you may say about the circumstances of the case, if they improperly picked up shell casings, they did not report the shooting, it is an administrative violation. At most you fire them from their job. But to be sen-

tenced to 10 to 12 years in prison, these two law enforcement officers, to be sentenced to prison for 10 to 12 years is an outrage. It is just, it is unfair. The drug smuggler to this day is free.

As Judge POE said, the drug smuggler ran another load of dope into the United States, and the DEA knew about it during the trial of this case. This guy ran more drugs into the United States, and the prosecutor ordered the DEA not to arrest him and let him go free.

Every American understands this case. People may not have understood the Nigerian oil barge transfer and the Enron case; everybody gets this one. And the Congress, I am very proud to stand here tonight with many, many other Members of Congress who have asked the President first to pardon these two officers. And now that they are in prison and have suffered so much and have lost everything, many of my colleagues, who you will hear speak, have joined together in writing a letter and asking the President, and we reiterate that call tonight, Mr. Chairman, asking the President to commute the sentences of two Border Patrol agents, Ramos and Compean, for the same reason that he commuted the case of Scooter Libby.

In the case of Scooter Libby, the President said the sentence did not fit the crime. Certainly that is true here. If they picked up shell casings and didn't report the shooting, you don't go to prison for 10 and 11 years. In the case of Scooter Libby, the President said Scooter Libby had already suffered enough. Clearly these two Border Patrol agents have already suffered enough. They have lost everything. Their lives have been destroyed. They have been thrown in prison. It is just simply wrong for their incarceration to continue another day.

For whatever reason, the White House is turning a deaf ear on the call of the American people, the overwhelming outrage of the American people to have these two men released from prison. So what other choice do we have, Mr. Chairman, as Members of Congress, but to cut off the funding to the Bureau of Prisons to incarcerate them? We cannot as Members of Congress send a stronger signal to the White House and to the American people how committed we are to protecting this border and standing behind our law enforcement agents, and letting the Border Patrol agents know that we are proud of them and support the work that they are doing for the sake of our children and for the sake of our constituents. We understand clearly that we will never win the war on terror until we have truly protected our borders.

□ 2100

The border today is unprotected and wide open. If you cross in Arizona, you won't even be arrested the first 15 times you cross over. You're going to be put right back across the border.

If you cross in Brownsville, an agent told us on a trip just a couple of weeks ago, Brownsville will only arrest an illegal alien if they come up and knock on the window of the vehicle.

But yet, right next door in Del Rio, thank God Del Rio is arresting everybody. In Del Rio, using existing law and existing resources, Federal Judge Alia Ludlum, Border Patrol Sector Chief Randy Hill are arresting every single illegal alien crossing the border in Del Rio. They have zero tolerance for illegal aliens crossing in Del Rio. The local community loves it because it keeps the streets safe, the schools safe, the business community thriving. The illegal crossings have plummeted, burglaries have plummeted, and the result in Del Rio is peace and quiet. Yet, right next door in Brownsville there's chaos.

So, we all of us have a stake as Americans. In winning the war on terror, you've got to secure the border. No better way to secure the border than enforce existing law, and the best way to make sure that our agents out there in the field know that they're going to have the support of the American people is for the President to step up and commute the sentences of these two border patrol agents.

Until that happens, it is up to us here in Congress to do all that we can to send a message to every border patrol agent that we're doing everything within our power, officers of the law, to support you, to tell you we're proud of you. You are in front lines of the war on terror on the border, just as our soldiers are in Iraq.

I urge the Members of the House to support Mr. POE's amendment so we can stop the funding of the incarceration of these two agents and send as strong as possible a message to the White House and, frankly, also to every law enforcement agent in the field that we're proud of you and that we want you to protect our border.

Mr. MOLLOHAN. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman from West Virginia is recognized for 5 minutes.

Mr. MOLLOHAN. Well, with Mr. CULBERSON speaking on this issue with such knowledge, he's a member of our subcommittee and I respect his knowledge of border issues so much that I approach this debate with fear and trembling. I know that he is passionate about this issue as he has talked with me about it before, in addition with the other border issues that I'm totally serious he is nigh an expert on.

Nevertheless, Mr. Chairman, I have to rise in opposition to this amendment for a number of reasons, but principally, let's get our jobs straight here. We're article I. We're the legislature. We pass the laws. We appropriate the dollars, and then the executive branch, of course they administer, and it goes on and on.

But the executive branch is article III, and the executive branch takes

these criminal cases and they process them. I heard some really excellent defense summary arguments here before juries in support of this amendment. I cannot imagine a body less capable, less appropriate to adjudicate the issues surrounding the incarceration, conviction, prosecuting of the cases against these two gentlemen than the United States House of Representatives.

First of all, it is a very serious issue, and if we were to act as a jury, we ought to be sitting here. And look around and we're not, not very many of us.

But secondly, it's not at all the appropriate forum. So we really shouldn't even be taking this up. This is a limitation amendment on an expenditure of funds to incarcerate two individuals who have been processed, due process arguably, and have had a very unfavorable result so far as they are concerned. This issue ought to be resolved in the courts surely, or if the President of the United States wanted to take it up, he has the power that we don't have, to my knowledge. He has a pardoning power. We don't have that here, but in effect, we are attempting to act as if we did here with these two amendments.

So I don't even begin to speak to the merits of the cases, and some folks have spoken to the merits of the cases here. I don't have the facts to argue the case, but I do know this is a particularly inappropriate forum and a particularly inappropriate and imperfect process by which to address these gentlemen's grievances.

So I rise in opposition to the amendment. I trust the body will recognize the merit of the arguments that I'm making, because I think they're sound, and will likewise oppose these amendments.

Mr. Chairman, with that, I yield back the balance of my time.

Mr. TANCREDO. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman from Colorado is recognized for 5 minutes.

Mr. TANCREDO. Mr. Chairman, in fact, this is not a unique situation, unique to the extent that the House has not acted before in a criminal case of this nature, but in fact, the House has acted in the past to intervene in cases where we have determined that the outcome was something we did not agree with. We've done it. We've stripped courts of certain abilities to actually hear cases.

In the past, we've actually passed legislation to change or overturn cases. One was, of course, the case of the Ten Commandments. Another one was, I believe, Congressman BERNIE SANDERS at the time passed a bill to overturn a case with regard to pension funds. So it is not unique that we would be doing this.

Mr. MOLLOHAN. Mr. Chairman, will the gentleman yield?

Mr. TANCREDO. I yield to the gentleman from West Virginia.

Mr. MOLLOHAN. Mr. Chairman, my only point is that we have the power to define jurisdictions for the courts. It's in the Constitution. We don't have power to adjudicate the guilt or innocence of two individuals.

Mr. TANCREDO. Reclaiming my time, it is again not the position that we are taking here that we are, in fact, changing the decision of the court in regard to their guilt or innocence. We are saying that the punishment handed down is far in excess of what it is they may have done wrong, and that is something I think that we have the absolute ability and right to do here.

These two gentlemen have served now 190 days, 180 days, something, already in prison, and for what? I mean, the most significant thing that we can actually determine, even according to some of the discussions that have been held and some of the statements that have been made by the prosecuting attorney, they're sorry. They made mistakes in terms of maybe using the type of prosecution that would require this kind of penalty. They have even said this may have been the wrong thing to do. Members of the jury have indicated that if they had seen all of the information now provided to them they would not have voted this way.

So it isn't an issue of the facts of the case so much as it is whether or not we believe these people have actually spent enough time in jail, have they been punished according to the crime. And I would suggest to the gentleman that if you look at this case carefully, certainly that is the case.

The person that brought this stuff through, the individual that actually was the drug dealer, he is walking free. I have visited Mr. Ramos in prison after he was severely beaten in his cell. They attacked him in his cell, of course, because they found out he was a Federal agent, and I went down there and visited him. You cannot imagine how, in a way, heartbreaking it is to see this guy in the orange jumpsuit, in shackles, and knowing that he is being deprived of the comfort of his own family, as is Mr. Compean, and here's a drug dealer that's going free in the meantime. It is absolutely incredible. This is a travesty.

We have begged the President to please become involved with this, please pardon, please commute. He has chosen not to. This is the only option we have open to us, and that is why we are doing what we're doing tonight.

And yes, to some extent, I understand that it is not a common practice here, but I think the situation is not an ordinary situation where we have two people who have sworn to defend and protect this country. They are in jail. They have served enough time; that's what we are saying. They have served enough time.

Please adopt the Poe-Tancredo-Hunter amendment.

Mr. MOLLOHAN. Mr. Chairman, will the gentleman yield?

Mr. TANCREDO. I yield to the gentleman from West Virginia.

Mr. MOLLOHAN. Mr. Chairman, I commend the sentiments of the gentleman who's bringing forth this amendment. I don't for a second do anything but think that that's laudable, and I make no judgment about the merits of this case. As the gentleman describes the merits in the favor of these gentlemen, they're powerful. I mean, it sounds like the equities are running all in their favor. I make no comment on that at all because I don't know the facts. And I have read about it, and it does make one sympathetic based upon the facts as you cited.

But I don't make any judgments about that. I just oppose it because I don't think this is the right forum. The President, of course, would be an appropriate forum, but that's the only basis of my concern about the amendment. So I commend the gentleman for bringing the issue to the House.

Mr. TANCREDO. I thank the gentleman. If there were another way to do this, I assure you we would look at it. We have tried everything imaginable to get these two people to actually get justice, and the justice would be to set them free. And that is what I suggest we do with this amendment, and I certainly would urge this body to adopt the Poe-Hunter-Tancredo amendment.

Mr. FARR. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman from California is recognized for 5 minutes.

Mr. FARR. Mr. Chairman, I didn't come here to speak on this issue. I've certainly, I think like most Members of Congress, been following the sensation that television and others have made of this issue. But in the debate, I just wanted to share a couple of things that I've observed as a member of the Appropriations Subcommittee on Homeland Security and as Member of Congress who spent several days traveling all along the border with the Border Patrol.

It was very interesting because I ran into a lot of people that had been detained. I speak Spanish and was able to interview many of the people that were detained, and we don't really get into the day-to-day administration of the detention, release and so on. What was very interesting and kind of surprising to me, because this case has been argued in the media and certainly here on the floor, I was a little bit shocked by the last speaker who indicated that this is not a matter of facts. It is a matter of facts, and I think that we don't always deal with the facts.

I would point out that the drug dealer, the person that was shot in this case, was released. Did you know that the U.S. Attorney's office does not prosecute anybody who brings less than \$5,000 worth of drugs across the border, less than \$5,000? A lot of those marijuana packs that the smugglers carry are determined to be less than \$5,000, and so nobody who is essentially

a mula is arrested, arrested but not detained.

We also, when we detain people, we give them the option, Do you understand you're now arrested? You have the right to a trial by jury as anybody in this country would have a right to unless you waive it. And 99.9 percent of everybody waives that and, therefore, gets released to their country of origin.

So this catch-and-release is not unusual. In fact, it's the norm, and the fact that this gentleman wasn't prosecuted for his drug record is of other facts.

What really struck me, and I'm just sharing, this is anecdotal information, but I think this amendment and the Congress bringing this up, in my opinion, is an abuse of power. Why? Because if, indeed, and I don't know the sentencing of these border patrolmen, but I know that there is a process if these sentences are extreme, you can appeal those. We have a sentencing commission, and the courts certainly review that. And so I think there is a remedy within our justice system to appeal where the sentences are too harsh.

But here's the thing that's most interesting to me. I didn't find one single member of the Border Patrol that supported these two people that had been arrested, who had been convicted by trial of law. So, on this floor, you're making them out as national heroes. They were convicted in a court of law in the United States for wrongdoing, and I think that, as the chairman has indicated, that it is not wise for the Congress to second-guess and make this a sensational case.

I've visited high school friends who were convicted of drug issues in prison, and I sympathize with everything that people say about these gentlemen, about their families and about the situation of being incarcerated. But I'm also concerned as a Member of Congress that we ought not to override the jurisprudence system that we've established in this country, and that I do think that the remedies in law lie in a court of law, and therefore, this amendment is not appropriate.

Mr. Chairman, I yield back.

Mr. HUNTER. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman from California is recognized for 5 minutes.

Mr. HUNTER. Mr. Chairman, let me explain why this case is different from all the rest. This is an extraordinary case. It's a case which, even if you accept the drug dealer's word and all of his testimony as fact, finds results in not only the Members who have sponsored this amendment, Mr. POE, Mr. TANCREDO, myself, Mr. ROHRABACHER, Mr. CULBERSON and many others, that list should be extended to about 1 million ordinary Americans who now know the basic facts of this case, having been laid out in hearings in the other body and soon to be laid out in hearings here, because these gentlemen have been given murder verdicts. They have been given time in excess of the

average convicted murderer in the United States.

□ 2115

That's what makes this case so extraordinary, along with the facts that attend the way evidence was kept from the jury.

Let me just explain this extraordinary case, this case in which the so-called victim was moving close to \$1 million of drugs across the border, was shot, was wounded, was brought back into the United States, given immunity to testify against these two Border Patrol agents.

Yet after he had been given immunity, and presumably had told the U.S. attorney that in exchange for that immunity he would not continue to move narcotics, he was connected with another massive case of moving almost another \$1 million of drugs across the border. That information was never communicated to the court, even though the testimony of that drug dealer is the testimony that sent both these agents to the penitentiary for, essentially, murder sentences; that is, 11 and 12 years respectively.

Certainly the U.S. Government at that point had an obligation to go to the court and tell the court that, indeed, the credibility of their key witness had been doubly compromised by this second movement of narcotics.

Lastly, let me just say this: Pardons are given, commutations are given. This is, I think you could look at this as maybe another species of commutation. That is, if the Congress speaks loud and clear, and the President signs this bill, then that will be a commutation of the sentence of Agents Compean and Ramos.

In light of the commutations that have been given recently by the executive branch, I think we need to remember that people that live in small houses sometimes have a right to commutations of sentences, just like people who live in big houses.

In this case, these two Border Patrol men are now in isolation, having spent a long time in jail, Mr. Ramos having been beaten up. Their families, most of us have met their families. This is a matter of little children wanting to see their daddies come home who, in my estimation, have not broken any law anywhere as significant as that which would justify these massive sentences that they have been given, this 11 and 12 years in Federal penitentiary, respectively.

Let me add my voice to support of this amendment, which I, along with a number of other colleagues have co-sponsored with our great friend from Texas (Mr. POE).

Mr. Speaker, I yield to Mr. POE the balance of my time.

Mr. POE. Mr. Chairman, how much time do I have?

The CHAIRMAN. There is 1 minute remaining.

Mr. POE. I appreciate the support. I would like to comment on the comments earlier by the gentleman from California.

It is true. I don't know if the American public knows this, but if drug

dealers bring in \$5,000 of drugs or less, they are not prosecuted. But this wasn't a \$5,000 case. The drug dealer first brought in \$1 million worth of drugs, and in the second case he snuck in \$800,000 worth of drugs. The jury was never told about that.

The other thing I would like to point out is that Members of Congress met with the Homeland Security inspector general about this case. They gave us information that turned out not to be true. Mr. Skinner finally testified under oath before Congress that the information they gave us about this case was false. That is disconcerting in this type of matter when we have Homeland Security telling Members of Congress things that are not true about this particular matter.

I don't have time to go on that, but I would ask for support of this case. This is the only remedy available. In my judicial experience, I do believe in our court system, and our courts eventually will work this case out. It will be reversed, but meanwhile they are in jail. The only way they can get out of jail is if we pass this amendment. I appreciate it.

Mr. GOODE. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman from Virginia is recognized for 5 minutes.

Mr. GOODE. Mr. Chairman, I was over in my office signing letters, and I heard the discussion on the floor about Ramos and Compean, and I heard what the great gentleman from West Virginia had to say. He talked about procedures and how, really, this would be better off left to the courts in some other avenue.

But this is not about procedure. It's not about some rules and regulations that we must adhere to over what is just. What is just in this case is to set Ramos and Compean free.

This is an issue of what's right for the United States of America. The morale of our Border Patrol has had a truck driven through it by those who have prosecuted and persecuted Ramos and Compean. They deserve no more prosecution. They deserve no more persecution. They need to be set free and enhance the morale of our Border Patrol and enhance the security and integrity of the United States of America.

This is an issue about our borders. If you believe that our borders should be secure, and if you believe that those who enforce our borders should be stood up for, you need to vote "yes" for this amendment.

I ask you to vote for our country. Vote for our sovereignty, vote for our borders and vote "yes" for the Poe-Hunter-Tancredo amendment.

Mr. ROYCE. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman from California is recognized for 5 minutes.

Mr. ROYCE. Mr. Chairman, this amendment would prevent the expenditures of any funds for the purpose of enforcing the judgment or imposing the sentences handed down in the case of *United States v. Ignacio Ramos and Jose Compean*.

As most of you know, President Bush so far has rejected appeals by many of us for a pardon for these two Border Patrol agents who are now sitting in Federal prison for shooting a professional drug smuggler who worked for the cartels, who was fleeing back across the Rio Grande. These two agents are now serving 11 and 12 years, respectively.

I have talked to many Border Patrol agents about these cases, about the circumstances they face down there. I haven't found any that don't support Jose Compean and Ignacio Ramos, and certainly their association supports them fully.

In the meantime, of course, the great irony here is the smuggler they apprehended for attempting to smuggle some 750 pounds of drugs into our country is free.

The U.S. attorney here claimed that the agents fired on an unarmed man, but how do we know that? Because the U.S. attorney asked the jury to take the smuggler's word for that and to disbelieve the two Border Patrol agents who testified they thought he had a gun.

I can tell you I held numerous hearings down there on the border in Texas in the past, over 400 attacks on our Border Patrol agents. The family members of the individual here who was smuggling say he would not move drugs without a gun on him. That is what his own family says about him.

Frankly, it does take a stretch of the imagination to believe that an employee of a cartel down there would not have a gun somewhere near him moving this quantity of drugs.

Now, the U.S. attorney said the agents failed to file a report for their actions, and that proved they tried to cover up the shooting. I am not sure that was true. Two of their supervisors were on the scene within minutes, and the agents made a verbal report to them, according to Ramos and Compean.

Failing to file a written report is an administration violation and normally punishable by a 3-day suspension, but it is the supervisor who is supposed to file that report, as I understand it, not the agents.

The U.S. attorney says that Ramos and Compean were convicted by a jury in Texas after all the evidence was presented. But, the U.S. Attorney, his team, prevented crucial evidence from being admitted in the trial. For example, the jury did not learn that the smuggler committed a second smuggling operation while he was under the grant of immunity given by the U.S. attorney. That information was withheld from the jury while it was argued that the agents, that the Border Patrol agents, couldn't have known he was a drug smuggler, even though there was this quantity of drugs in his van.

The U.S. attorney had prosecutorial discretion in choosing to do this, and he chose to throw the book at Ramos and Compean while giving the professional drug smuggler a visa that allowed him free passage across our border to smuggle again. The attorneys for Ramos and Compean have filed an appeal with the U.S. circuit court asking for a new trial. They deserve a new trial. Yet the quickest and surest way to manifest this injustice is for President Bush to grant a full pardon or, at a minimum, a commutation of the prison sentence.

These men deserve better, and today we have an opportunity to right that wrong. By voting for this amendment to free these men, Congress will not only be correcting a terrible mistake, it will begin repairing the morale and effectiveness of our Border Patrol that have been damaged by, frankly, these reckless actions.

It's time to send a different message to both the courageous men and women of the Border Patrol and to the mules and to the bosses in the drug cartels. Let's send that message today by telling the cartels that our Border Patrol means business, not business as usual.

Mr. ROHRABACHER. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman from California is recognized for 5 minutes.

Mr. ROHRABACHER. Mr. Chairman, the Ramos and Compean prosecution has been the greatest miscarriage of justice in my 30 years in Washington, DC, and, believe me, I have seen a lot.

Ramos and Compean were veteran Border Patrol agents. They had unblemished records. They had both served in the military. Ramos and Compean were veterans of the Border Patrol, 5 and 10 years, respectively. Both had been in the military. In fact, Mr. Ramos, I believe, had been a 10-year veteran. He was a naval officer in the Navy Reserve for 10 years. Ramos had been nominated the year before as Border Patrol Agent of the Year.

Yet these two agents, their lives have been destroyed, and they have been vilified by Department of Justice officials and this administration. One day 2 years ago, they interdicted a drug dealer. After a scuffle ensued, the drug dealer ran toward the border, shots were fired, the drug dealer was shot in the buttocks. At the end of this incident that took place in just a few minutes, where a split-second decision was made to shoot their weapons, they decided that he had gotten away. They didn't know that the drug dealer had been hit.

There is where they made their mistake. They decided to not go through the 8 hours of arduous drudgery of filling out all of the reports that are necessary, the paperwork that is necessary when there is a shooting incident. So they and their supervisors, I might add, helped collect the little shell casings and determined, well, the guy didn't get hit, we will just forget it.

Well, that was a violation of procedure, yes. For that they might have de-

served a suspension. Instead, this administration chose to throw the book at these men and turn what should have been just a violation of procedure, perhaps just a paperwork mistake, which sometimes happens even here in this body, they turned that into a felony.

They have destroyed the lives of these two defenders of our country who have spent 5 and 10 years of their lives willing to take bullets for us on the border. But our administration, this administration, decided to throw the book at them and give a free pass to the drug dealer, to the man who is bringing in \$1 million worth of narcotics into our country.

That decision is so indefensible that I believe that the administration has been trying to cover up for that mistaken decision since that moment. What we have had, for those of us who have been looking into this, is we have been completely stonewalled by this administration, by the Department of Justice, by U.S. Attorney Johnny Sutton in trying to get the information about the drug dealer and the free passes, the free passes that he had to transit into our country unescorted after this incident.

The fact of the matter is that the jury was told that the drug dealer involved was a one-timer who was trying to raise money so he could buy medicine for his mother, his sick mother. That was a lie that was presented to the jury, a lie.

Let me repeat that. It was not true, and the prosecutors understood they were given something not true. In fact, we were told by the U.S. attorney, Johnny Sutton, well, the fact that the information that the drug dealer had been picked up a second time before that trial was kept from the jury, but that the judge was the one who decided that.

□ 2130

That too is a lie. A lawyer may believe that, but the fact is we know the prosecutors were the ones who demanded the judge. It was their motion to keep that from the jury.

So why do we have an administration that feels so intent on destroying the lives of these two Border Patrol agents that they vilified them, that they keep information from the jury? This whole thing stinks to high heaven and the smell seems to be emanating from the White House.

Ladies and gentlemen, these are two people, two men, two brave heroes who were defending our country every bit as much as those men and women who are overseas right now defending our country. They were willing to risk their lives for us. We should not sit aside and let them languish in prison as their families go down into abject poverty without any health care, without any source of income. Their retirement benefits are destroyed. This is

the most mean-spirited, nasty attack on some of the defenders of our country that I have ever seen in my lifetime. We cannot let it sit. If we are patriotic Americans, it doesn't go to just posture ourselves with the defenders of this country and then let these two men languish in prison.

The CHAIRMAN. The time of the gentleman from California has expired.

(On request of Mr. MOLLOHAN, and by unanimous consent, Mr. ROHRABACHER was allowed to proceed for 3 additional minutes.)

Mr. ROHRABACHER. Mr. Chairman, I would ask my colleagues to search their hearts. We can do something about this.

You know, first of all, it has been a dismay to me to see how we have treated each other in this body. I don't know why, but people are looking to bring down each other because people disagree. We can understand that with philosophical differences, but how can we ever justify someone who has gone out of their way, our representatives in the Department of Justice going out of their way to bring down two defenders, turning a paperwork mistake, a procedural error, into a felony which has destroyed these men's lives.

If we stand up for Ramos and Compean, we stand up for the people of the United States. They know that; they are watching us. They know if we really care about the little guy, and that is what this is all about. We care about the little guy because that is what America is all about.

I support the amendment and ask my colleagues to join me in doing so.

Mr. BILBRAY. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman from California is recognized for 5 minutes.

Mr. BILBRAY. To the gentleman from West Virginia, let me just say I know your concern about the process here. But I think that if you reviewed this situation and the process these two Border Patrol agents went through, you would understand why some of us are standing up and saying, first of all, the 10-year minimum for the commission of a crime while carrying a firearm, it was used to apply to these agents, was never meant to apply to law enforcement agents who are required by law to carry firearms. And I think we can kind of understand.

Remember when we passed that and it went through, it was sort of like, criminals, if you are going to engage in criminal activity, leave your gun at home, as a way of lowering the level of violence and the potential violence of criminals carrying firearms at the time of the commission of the crime.

This law that we passed at the Federal level is being applied to Federal officers who are required by statute to carry a firearm. And so now what we have is that we have law enforcement agents who are sworn to serve the American people, that are being prosecuted under a statute that says we are

going to nail you because you were carrying a firearm during the commission of a crime when, as a requirement of their employment, they had to carry the firearm.

Doesn't anybody else find this kind of absurd, if not ridiculous?

And all I have to say is I would sincerely hope that the chairman of the committee will take a second thought about opposing this amendment, because I think in all fairness the American people are saying we have two agents who were serving their Nation as best as they could. They might have made a mistake that should have been administered through an administrative process; and those of us in local government that have worked with law enforcement know this, excessive force happens in certain situations.

But this is where a Federal law that we passed in Congress that says we are going to nail the criminals who use firearms in the commission of a crime and tell them don't ever carry a firearm when you are thinking of breaking a crime, that that law is being applied to our agents who are executing the requirements of Federal law. That was never the intention of this law, but it is being applied to these two agents.

So I just have to say sincerely, I would really ask the chairman to reconsider his opposition to this amendment. I think fair-minded people that know why this Federal law was passed know that it was not meant for Border Patrol agents or any Federal agents that are required to carry a firearm, to use this law against those agents. And if you can do it to Border Patrol agents, you can do it to FBI agents, you can do it to everybody.

Now, let me just say something about the unique situation that we are seeing down at the border. At this location, Mr. Chairman, within the month of this incident you had Border Patrol agents under fire by automatic gunfire, AK-47s firing at our agents from across the border. There was good reason to think that our agents might have been a little more active with their guns than we might have preferred. But, in all fairness, it really comes down to: Are we willing to stand up and say there has been a mistake, that mistake needs to be addressed, needs to be reassessed, and do we now relinquish our responsibility of the budget to the executive branch where we say these agents have been wronged?

And if those of you that want to talk about this, in all the years I was in local government I saw excessive force cases brought very seldom. In this one sector, this Federal attorney has brought excessive force cases against three different law enforcement officers. Every one of them that we know of, or I know of, just happened to have been cases that involved illegal aliens, drug smugglers, foreign nationals committing a crime. That is really unique. I have never heard of that kind of situation occurring anywhere else.

In this case, it is time that we stand up and we say, you have the jurisdiction

to prosecute, you have the jurisdiction not to give clemency on this issue, but we have the jurisdiction of saying you will not use the taxpayers' funds to prosecute these men.

Mr. KENNEDY. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman from Rhode Island is recognized for 5 minutes.

Mr. KENNEDY. I understand, Mr. Chairman, the President of the United States today issued a press release saying that he was not going to ask that these officers be allowed out on bail or bond even after it was requested that they do be permitted to be released on bail and bond. I find it regrettable that the President did not give some explanation for why he didn't give these officers an opportunity to be given release on bail or bond as other people who would be on trial or given that kind of opportunity would otherwise be given.

At the very least, I think the President, given the nature of these officers being in law enforcement, has an obligation to ensure their security when they are in prison because they are, I understand, at greater threat to their own lives being law enforcement officers if they are incarcerated. And I would hope that the Department of Justice in its incarceration procedures does take into account the very increased threat level to these officers because of the nature of them being law enforcement officers.

That being said, however, we do have to keep in mind that it is a Bush-appointed U.S. Attorney that prosecuted these Border Patrol officers and it was a jury of a U.S. citizens who rendered a verdict based upon the U.S. law and based upon the evidence of U.S. law, not the Members of Congress here standing based upon newspapers and based upon Fox news stories and everything else, but based upon the evidence in a case presented to a jury through an evidentiary hearing. And that is what we need to abide by is a legal process. We can't abide by a political process.

If we were to abide by political process every time a legal case came along and were to suspend the process every time we thought one case was more popular than the other, it would just upset the idea of justice as we know it in this country, because I think all of us could come here to the floor and tell of a unique story where someone was wronged by the system of justice in this country.

And I think that it is kind of ironic that my friends are so outraged by mandatory minimums with guns, because they are so outraged by mandatory minimums with everything, and yet they are the first ones to pass these mandatory minimums and then wonder, now finding their own friends in the behind and saying, no, we can't have it touch our friends, and then all of a sudden they don't want it that way.

Well, you know what? There are lots of people in this country who have been

caught behind these mandatory minimums who have just been caught in the wrong place at the wrong time that are now serving life sentences. Kids that have been caught in ghettos just because they have been friends of friends who have been part of gangs. Now that they have been associated with gangs, they have gotten the gang-related crime tagged onto them, which has added another 10 years to their sentence, and that has been a mandatory minimum just because of some law that we have passed saying that you get another 10 years because you are related to a gang member. Now it is very interesting that all of a sudden people are so outraged by these minimums that have been tacked on to these officers carrying firearms in the commission of a crime.

So I just think that we should all pause for a moment when we think about being tough on crime. Here is a perfect example of where it comes back to bite us in the you-know-where when we think that we are trying to be tough on crime and then find out that sometimes when we are passing these mandatory minimums it doesn't always work out the way we expected it to be.

Mr. BILBRAY. Mr. Chairman, will the gentleman yield?

Mr. KENNEDY. I yield to the gentleman from California.

Mr. BILBRAY. I think you agree, though, that when we talked about the 10-year minimum, the jury was told that they had to administer the 10-year execution based on the commission of the crime. And I think you were here when the 10-year minimum was passed. I think you would agree the idea was to try to encourage anybody that, if you are going to do something that was illegal, you don't carry a gun, because it would lower that level of potential.

Mr. KING of Iowa. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. KING of Iowa. Mr. Chairman, I very much appreciate the gentlemen that have brought this amendment to the floor. It is something that all America has been fixated upon, because they understand the injustice that underlies the prosecution of these two Border Patrol officers. And I would like to characterize this perhaps a little bit differently.

Listening to the gentleman, my friend who just got done speaking, talking about the mandatory minimums being something that comes back to bite us in the you-know-where, no, this isn't the mandatory minimum issue that is before us tonight. This is the equivalent of a private bill.

We have brought private bills through this Congress a number of times when we see issues that there is such an egregious case for specific individuals that we will generally bring that language through the Judiciary Committee, through the Immigration Subcommittee and on through Judici-

ary and onto the floor. It has happened a number of times in my time here in Congress. In fact, I have one here today that one of your colleagues from your side of the aisle offered to me, and I will consider it. But this is actually in my jacket pocket. This is a private bill asking for relief for people who have violated the law but find themselves in unique circumstances and pleading upon this Congress to make an exception because they are unique circumstances, and this is a measure to our heart.

What does our heart have to say to us when you see two Border Patrol officers who put their lives on the line on a daily basis and find themselves caught in this legalistic vice that has unfolded because, I think, of a discretionary decision by a U.S. Attorney in his prosecution?

What I am concerned about is if this Congress doesn't stand up and defend these two people, Ramos and Compean, Border Patrol officers will be reluctant to pull their weapon in the line of duty and they will be in the line of fire. And I am afraid we will lose one or more Border Patrol officers in the line of duty because they will be hesitant to ever pull their weapon. That is a piece of their thing.

I yield to the gentleman from Texas, and again thank him for his work in bringing this amendment to the floor.

□ 2145

Mr. POE. I thank the gentleman from Iowa for yielding.

I know that we've discussed this issue a lot tonight, but it's important because it has to do with the most important concept that any of us have, liberty. And we have found in the investigation of this case that the U.S. Attorney's Office has done everything it can to make sure that these two people stay in jail.

The key to this is that the jury did decide the facts of this case, but the jury didn't get all the facts given to them under the law. There was another case where the drug dealer brought in another \$800,000 worth of drugs while he's running free at American taxpayer expense, and brings in these drugs while he's waiting to testify. Anybody who served on any jury in the country would want to know about that second case. This jury was prohibited from knowing about that because of the insistence and the relentless prosecutor who demanded that the jury not hear about all of the facts.

The question is why? Why wouldn't the prosecutor want the jury to know all the truth about this case?

We don't know. We do know that the Mexican Government, in its righteous indignation, sent a speedy letter over to the U.S. Attorney's Office demanding prosecution of these border agents. The Mexican Government dealing in our court system, their opinion is irrelevant, I submit, Mr. Chairman.

And this case is a case where our Border Patrol agents are in Fabans,

Texas. I don't believe there's been a person here that's been to Fabans, Texas, unless they've gone there on purpose to see the border. It's a violent, dangerous, desolate area. And based upon the rules they have to follow, they cannot fire their weapon unless they are fired upon. In other words, they've got to take a bullet before they can defend the border. And they operate under that environment because of the national security of our border.

In this case, overreaching by the prosecutor; too heavy a sentence. He even said so later after the prosecution. And what this does is release these two individuals while the appeal goes on. It releases them from custody of our Federal Government. And it's the responsibility of Congress in further investigations to find out why our Western District of Texas is so relentless in prosecuting border protectors. And this is one way we can do something. We have that authority. We can cut the funds, and we ought to cut the funds that incarcerate these two individuals. We ought to pass this amendment in a bipartisan manner.

Mr. KING of Iowa. Mr. Chairman, I'd say also there is a bill following this. If this doesn't do the job, I have a bill ready to introduce that grants them a new trial, a *de novo* review, and it removes the jurisdiction to the Northern District of Texas.

We're going to find a solution this. We're going to stand up and defend Ramos and Compean. This sends the message. It might get the job done. I urge adoption.

I yield back.

Mr. GILCHREST. I move to strike the last word.

The CHAIRMAN. The gentleman from Maryland is recognized for 5 minutes.

Mr. GILCHREST. Mr. Chairman, what I would like to do is have a colloquy with the gentleman from Texas (Mr. POE) to inquire about some of the comments that have been made here tonight so I can better understand Congress's role in this particular judicial decision, court decision, conviction in Texas, just to give me a little comfort in trying to understand our role in this case and whether or not it is appropriate.

Can the gentleman from Texas tell me, after the incident occurred with the border agents and the drug dealer, who brought that information to the U.S. attorney in the very beginning? Does anybody know that?

Mr. POE. There's a disagreement over who brought that to them. We first heard that the Mexican Consulate brought it to someone working in the Federal Government. And then we also heard that another border agent brought it, so I don't know the answer to that question.

Mr. GILCHREST. So that's not clear.

Did the border agents supervisors, or do you have any idea who spoke, if there was, in fact, a grand jury, to determine whether or not there was enough evidence?

Mr. POE. There was a grand jury investigation. I do not know who testified. The border supervisors were on the scene and were aware of the entire circumstances.

No one knew that the drug dealer who disappeared back into Mexico had even been shot, and so they thought that the person was shot at and he disappeared. And the next thing they know, they are being questioned about 30 to 60 days later about the incident that occurred.

Mr. GILCHREST. Under those circumstances, with the supervisors aware of the actions of the border agents, the defendant subsequently was found out to be wounded, under those circumstances, in a Federal court, did the prosecutor take into consideration those mitigating circumstances that border agents are often, and in your case, in the area where you represent, a very dangerous situation? This was a known drug smuggler. He had smuggled in \$1 million worth of drugs. He had, apparently, a violent past.

What sentencing guidelines did the prosecutor use to give these border agents 11 years and then 12 years?

Mr. POE. The border agents were offered, if they pled guilty to the offense, 2 years incarceration. If they did not plead guilty and went to trial, the prosecutor added the section under our law, 924(c) section that required or would allow a mandatory additional 10 years incarceration because a weapon was used. That is subject to appeal as to whether that applies to peace officers or not. That was added. Therefore they received 11 and 12 years in the penitentiary after the trial and after sentencing because they would not plead guilty for a crime they didn't do.

Mr. GILCHREST. Has there been an appeal filed on behalf of the defendants?

Mr. POE. Yes. There has been an appeal. Both of these cases are on appeal, and they are in custody while these cases are on appeal.

Mr. GILCHREST. And it is also under appeal to determine whether or not the sentencing guidelines that we passed in the House applied in this case?

Mr. POE. The indictment on its face is being challenged because in the indictment it alleges the deadly weapon or the brandishing of a firearm, which requires an additional 10 years. That is also contested on appeal, whether it applies to peace officers or not.

Mr. GILCHREST. Was it the intent of this Congress that that particular statute be applied to a peace officer or a border agent in defense of the country, the border or his own life?

Mr. POE. In my opinion, absolutely not. It applies to other cases where a firearm is used, such as in a robbery. It doesn't apply to border agents who are required to use and possess a firearm while they are on duty. And so it is not, in my opinion, the intent of Congress. And, of course, that will be litigated on appeal as well.

Mr. GILCHREST. I thank the gentleman for answering the questions.

I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. POE).

The amendment was agreed to.

AMENDMENT OFFERED BY MRS. DRAKE

Mrs. DRAKE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mrs. DRAKE:

At the end of the bill (before the short title), insert the following:

TITLE VII—ADDITIONAL GENERAL PROVISIONS

SEC. 701. None of the funds made available in this Act may be used in contravention of section 642(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373(a)).

Mrs. DRAKE. Mr. Chairman, I introduced an amendment today that merely reinforces current Federal law and provides a penalty for jurisdictions that choose not to follow this law.

My amendment would prohibit funds from being made available to States and localities that do not abide by section 642(a) of the Illegal Immigration Reform and Immigration Responsibility Act of 1996. Simply put, Congress will not distribute funds to any jurisdiction that is a sanctuary city.

Mr. Chairman, I yield time to the gentleman from Florida (Mr. WELDON).

Mr. WELDON of Florida. I thank the gentlelady for yielding, and I want to commend her on a very thoughtful amendment. As I understand it, the majority is going to be willing to accept it.

I had two amendments that dealt with this very same issue that specifically dealt with the SCAAP program and the COPS program, denying funds to any of the sanctuary city or sanctuary community jurisdictions.

As I understand it, her language covers both of those things, and I am going to be looking forward to working with the gentlelady in the years ahead to make sure that these sanctuary cities do not have access to these funds.

Mrs. DRAKE. Mr. Chairman, I yield back.

Mr. MOLLOHAN. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman from West Virginia is recognized for 5 minutes.

Mr. MOLLOHAN. Mr. Chairman, we have no objection to this amendment. We're going to accept this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Virginia (Mrs. DRAKE).

The amendment was agreed to.

AMENDMENT OFFERED BY MRS. CAPITO

Mrs. CAPITO. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mrs. CAPITO:

At the end of the bill (before the short title), insert the following:

TITLE VII—ADDITIONAL GENERAL PROVISIONS

SEC. 701. None of the funds made available in this Act may be used in contravention of section 402(e)(1) of the Illegal Immigration

Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note).

Mrs. CAPITO. Mr. Chairman, I rise today to offer an amendment to help prevent aliens who lack authorization to work legally from taking Federal jobs.

In the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, Congress responded to the problem of document verification when hiring folks by establishing three pilot programs for employment eligibility verification. Private employers in selected States could volunteer to participate in these programs.

Under a program called the Basic Pilot Program, Social Security numbers and Alien Identification Numbers of new hires are checked against Social Security Administration and Department of Homeland Security records. This weeds out fraudulent numbers and assures that new hires are legally eligible to work.

A 2001 report on the Basic Pilot Program found 96 percent of employers found it to be an effective tool.

In 2003, Congress extended the Basic Pilot Program for another 5 years and made it available to employers nationwide.

The 1996 law stipulates that each department of the Federal Government must participate in the Basic Pilot Program. Incredibly, the Departments of Commerce, Justice and State, are currently not participating.

My amendment basically says, because I hear from constituents all the time who are angry about those working who do not have legal verification. What message does it send when Federal agencies do not abide by the Federal laws?

There's no excuse for having any illegal aliens taking Federal jobs. We have a Basic Pilot Program to stop this from happening. We have a law on the books that requires Federal agencies, including Commerce, Justice and State, to use it for employment verification.

My amendment provides that no funds in this appropriation bill shall be spent in contravention of the Illegal Immigration Reform and Immigrant Responsibility Act.

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

Mr. MOLLOHAN. I move to strike the last word.

The CHAIRMAN. The gentleman from West Virginia is recognized for 5 minutes.

Mr. MOLLOHAN. Mr. Chairman, we are willing to accept the gentlelady's amendment.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from West Virginia (Mrs. CAPITO).

The amendment was agreed to.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

An amendment by Mrs. CAPITO of West Virginia.

An amendment by Mr. ETHERIDGE of North Carolina.

Amendment No. 9 by Mr. SESSIONS of Texas.

An amendment by Mr. INSLEE of Washington.

An amendment by Mr. POE of Texas.

An amendment by Mr. REICHERT of Washington.

An amendment by Mr. HINCHEY of New York.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MRS. CAPITO

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from West Virginia (Mrs. CAPITO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 243, noes 186, not voting 8, as follows:

[Roll No. 727]

AYES—243

Aderholt	Costello	Hall (NY)
Alexander	Crenshaw	Hall (TX)
Allen	Cuellar	Hare
Altamire	Davis (AL)	Hastert
Arcuri	Davis (KY)	Hastings (WA)
Bachmann	Davis, David	Hayes
Bachus	Davis, Lincoln	Heller
Baker	Davis, Tom	Hensarling
Barrett (SC)	Deal (GA)	Herger
Barrow	DeFazio	Higgins
Bartlett (MD)	Delahunt	Hobson
Barton (TX)	Dent	Hodes
Bean	Diaz-Balart, L.	Hoekstra
Bilbray	Diaz-Balart, M.	Holden
Bilirakis	Doggett	Hulshof
Bishop (UT)	Donnelly	Hunter
Blackburn	Doolittle	Issa
Blunt	Drake	Jefferson
Boehner	Dreier	Jindal
Bonner	Duncan	Johnson (GA)
Bono	Ellison	Jones (NC)
Boozman	Ellsworth	Jordan
Boren	Emerson	Keller
Boswell	English (PA)	Kind
Boucher	Everett	King (IA)
Boustany	Fallin	King (NY)
Boysa (KS)	Feeney	Kingston
Brady (TX)	Ferguson	Kirk
Braley (IA)	Flake	Kline (MN)
Brown (GA)	Forbes	Knollenberg
Brown (SC)	Fortenberry	Kuhl (NY)
Brown-Waite, Ginny	Fortuño	Lamborn
Buchanan	Fossella	Lampson
Burgess	Franks (AZ)	LaTourette
Burton (IN)	Gallegly	Lewis (KY)
Buyer	Garrett (NJ)	Linder
Calvert	Gerlach	LoBiondo
Camp (MI)	Giffords	Loebsack
Campbell (CA)	Gilchrest	Lowey
Cannon	Gillibrand	Lucas
Cantor	Gillmor	Lungren, Daniel
Capito	Gingrey	E. Filner
Carney	Gohmert	Lynch
Castle	Goode	Mack
Chabot	Goodlatte	Mahoney (FL)
Coble	Granger	Maloney (NY)
Cole (OK)	Graves	Manzullo
Conaway	Green, Al	Marchant
Costa	Gutierrez	McCarthy (CA)

McCaull (TX)	Pomeroy	Slaughter
McCotter	Porter	Smith (NE)
McCrary	Price (GA)	Smith (NJ)
McHenry	Pryce (OH)	Smith (TX)
McHugh	Putnam	Souder
McKeon	Radanovich	Space
McMorris	Ramstad	Stearns
Rodgers	Regula	Sullivan
McNerney	Rehberg	Tancredo
Melancon	Reichert	Tanner
Mica	Renzi	Taylor
Miller (FL)	Reynolds	Terry
Miller (MI)	Rogers (AL)	Tiahaht
Miller, Gary	Rogers (KY)	Tiberi
Mitchell	Rogers (MI)	Turner
Moran (KS)	Ros-Lehtinen	Upton
Murphy, Tim	Roskam	Walberg
Musgrave	Royce	Walden (OR)
Myrick	Rush	Wamp
Nadler	Sali	Waters
Neugebauer	Saxton	Welch (VT)
Norton	Schmidt	Weldon (FL)
Nunes	Scott (GA)	Weller
Paul	Sensenbrenner	Westmoreland
Pearce	Sessions	Whitfield
Pence	Sestak	Wicker
Peterson (PA)	Shays	Wilson (NM)
Petri	Shimkus	Wilson (OH)
Pickering	Shuler	Wilson (SC)
Pitts	Shuster	Wolf
Platts	Simpson	Wynn
Poe	Skelton	Young (FL)

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Abercrombie	Hastings (FL)	Ortiz
Ackerman	Herseth Sandlin	Pallone
Akin	Hill	Pascrill
Andrews	Hinchey	Pastor
Baca	Hinojosa	Payne
Baird	Hirono	Perlmutter
Baldwin	Holt	Peterson (MN)
Becerra	Honda	Price (NC)
Berkley	Hooley	Rahall
Berman	Hoyer	Rangel
Berry	Inglis (SC)	Reyes
Biggert	Inslee	Rodriguez
Bishop (GA)	Israel	Rohrabacher
Bishop (NY)	Jackson (IL)	Ross
Blumenauer	Jackson-Lee	Rothman
Bordallo	(TX)	Royal-Allard
Boyd (FL)	Johnson (IL)	Ruppertsberger
Brady (PA)	Johnson, E. B.	Ryan (OH)
Brown, Corrine	Johnson, Sam	Ryan (WI)
Brown, Corrine	Jones (OH)	Salazar
Butterfield	Kagen	Sánchez, Linda T.
Capps	Kanjorski	Sanchez, Loretta
Capuano	Kaptur	Sarbanes
Cardoza	Kucinich	Serrano
Carnahan	Langevin	Shadegg
Carnahan	Lantos	Shea-Porter
Carson	Kildee	Sherman
Carson	Kilpatrick	Sires
Carter	Klein (FL)	Smith (WA)
Carter	Klopfenstein, Zoe	Snyder
Castor	Markley	Solis
Castor	Matheson	Spratt
Chandler	Matsui	Tauscher
Christensen	McCarthy (NY)	Thompson (CA)
Christensen	DeGette	Thompson (MS)
Clay	McCormick (MN)	Thompson (MS)
Clay	DeLauro	Thornberry
Clay	Dicks	Tierney
Dicks	McDermott	Towns
Dingell	McGovern	Udall (CO)
Dingell	McIntyre	Udall (NM)
Doyle	Meek (FL)	Van Hollen
Doyle	Mollohan	Walsh (NY)
Eshoo	Etheridge	Walz (MN)
Eshoo	Mollohan	Wasserman
Emanuel	Meeks (NY)	Schultz
Emanuel	Meeks (NY)	Watson
Engel	Miller (NC)	Watson
Engel	Miller, George	Watt
Engel	Velázquez	Visclosky
LoBiondo	Etheridge	Wexler
Loebsack	Mollohan	Wexler
Loebsack	Moore (KS)	Woolsey
Lowey	Moore (WI)	Wu
Faleomavaega	Moore (WI)	Yarmuth

Fattah	Moran (VA)	Abercrombie	Blackburn	Cannon
Fattah	Moran (VA)	Ackerman	Blumenauer	Cantor
Filner	Murphy (CT)	Akin	Blunt	Capito
Frank (MA)	Murphy, Patrick	Akin	Bonner	Cappo
Frank (MA)	Murphy, Patrick	Akin	Bonner	Capuano
Frank (MA)	Murphy, Patrick	Akin	Bonner	Cardoza
Frank (MA)	Murphy, Patrick	Akin	Bonner	Carmahan
Frank (MA)	Murphy, Patrick	Akin	Bonner	Carney
Frank (MA)	Murphy, Patrick	Akin	Bonner	Carson
Frank (MA)	Murphy, Patrick	Akin	Bonner	Carter
Frank (MA)	Murphy, Patrick	Akin	Bonner	Castle
Frank (MA)	Murphy, Patrick	Akin	Bonner	Castor
Frank (MA)	Murphy, Patrick	Akin	Bonner	Chabot
Frank (MA)	Murphy, Patrick	Akin	Bonner	Chandler
Frank (MA)	Murphy, Patrick	Akin	Bonner	Christensen
Frank (MA)	Murphy, Patrick	Akin	Bonner	Clay
Frank (MA)	Murphy, Patrick	Akin	Bonner	Cleaver
Frank (MA)	Murphy, Patrick	Akin	Bonner	Clyburn
Frank (MA)	Murphy, Patrick	Akin	Bonner	Cole (OK)
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Frank (MA)	Murphy, Patrick	Akin	Bonner	Costello
Frank (MA)	Murphy, Patrick	Akin	Bonner	Crowley
Frank (MA)	Murphy, Patrick	Akin	Bonner	

Dicks	Kingston	Putnam	Wilson (SC)	Wu	Yarmuth	Davis (KY)	Jones (NC)	Peterson (MN)
Doggett	Kirk	Radanovich	Wolf	Wynn	Young (FL)	Davis, David	Jordan	Peterson (PA)
Donnelly	Klein (FL)	Ramstad			NOES—34	Davis, Lincoln	Kagen	Petri
Doolittle	Kline (MN)	Rangel				Davis, Tom	Kanjorski	Pickering
Doyle	Knollenberg	Regula	Becerra	Hoyer	Ryan (OH)	Deal (GA)	Kaptur	Pitts
Drake	Kuhl (NY)	Rehberg	Butterfield	Jackson (IL)	Sánchez, Linda	Defazio	Keller	Platts
Dreier	Lamborn	Reichert	Clay	Jones (OH)	T.	DeGette	Kennedy	Poe
Duncan	Lampson	Renzi	Cleaver	Kilpatrick	Sanchez, Loretta	Delahunt	Kildee	Pomeroy
Edwards	Langevin	Reyes	Clyburn	Kucinich	Smith (WA)	Dent	King (IA)	Price (GA)
Ehlers	Lantos	Reynolds	Conyers	Larsen (WA)	Solis	Diaz-Balart, L.	King (NY)	Price (NC)
Ellison	Larson (CT)	Rodriguez	Dingell	Lee	Stark	Diaz-Balart, M.	Kingston	Pryce (OH)
Ellsworth	Latham	Rogers (AL)	Frelinghuysen	Grijalva	Lewis (CA)	Dicks	Kirk	Putnam
Emanuel	LaTourette	Rogers (KY)	Rogers (AL)	Hastings (FL)	Mollohan	Dingell	Klein (FL)	Radanovich
Emerson	Levin	Rogers (MI)	Holt	Holt	Olver	Doggett	Kline (MN)	Ramstad
Engel	Lewis (KY)	Rohrabacher	Honda	Rahall	Woolsey	Donnelly	Knollenberg	Rangel
English (PA)	Linder	Ros-Lehtinen				Doolittle	Kuhl (NY)	Regula
Eshoo	Lipinski	Roskam				Doyle	Lamborn	Rehberg
Etheridge	LoBiondo	Ross	Clarke	LaHood	Walsh (NY)	Drake	Lampson	Reichert
Everett	Loebssack	Rothman	Cubin	Marshall	Young (AK)	Dreier	Langevin	Renzi
Faleomavaega	Lofgren, Zoe	Royal-Allard	Davis, Jo Ann	Michaud		Duncan	Lantos	Reyes
Fallin	Lowey	Royce				Edwards	Larsen (WA)	Reynolds
Farr	Lucas	Ruppersberger				Ehlers	Larson (CT)	Rodriguez
Fattah	Lungren, Daniel					Ellison	Latham	Rogers (AL)
Feeney	E.	Ryan (WI)				Ellsworth	LaTourette	Rogers (KY)
Ferguson	Lynch	Rush				Emanuel	Levin	Rogers (MI)
Filner	Mack	Salazar				Emerson	Lewis (KY)	Rohrabacher
Flake	Mahoney (FL)	Sali				Engel	Linder	Ros-Lehtinen
Forbes	Maloney (NY)	Sarbanes				English (PA)	Lipinski	Roskam
Fortenberry	Manzullo	Saxton				Eshoo	LoBiondo	Ross
Fortuño	Marchant	Schakowsky				Etheridge	Loebssack	Rothman
Fossella	Markey	Schiff				Everett	Lofgren, Zoe	Royal-Allard
Foxx	Matheson	Schmidt				Faleomavaega	Lowey	Royce
Frank (MA)	Matsui	Schwartz				Fallin	Lucas	Ruppersberger
Franks (AZ)	McCarthy (CA)	Scott (GA)				Farr	Lungren, Daniel	Rush
Gallegly	McCarthy (NY)	Scott (VA)				Fattah	E.	Ryan (WI)
Garrett (NJ)	McCaul (TX)	Sensenbrenner				Feeney	Lynch	Salazar
Gerlach	McCullom (MN)	Serrano				Ferguson	Mack	Sali
Giffords	McCotter	Sessions				Flake	Mahoney (FL)	Sarbanes
Gilcrest	McCrary	Sestak				Forbes	Maloney (NY)	Saxton
Gillibrand	McDermott	Shadegg				Fortenberry	Manzullo	Schakowsky
Gillmor	McGovern	Shays				Fortuño	Marchant	Schiff
Gingrey	McHenry	Shea-Porter				Fossella	Markey	Schmidt
Gohmert	McHugh	Sherman				Foxx	Matheson	Schwartz
Gonzalez	McIntyre	Shimkus				Franks (AZ)	Matsui	Scott (GA)
Goode	McKeon	Shuler				Gallegly	McCarthy (CA)	Scott (VA)
Goodlatte	McMorris	Shuster				Garrett (NJ)	McCarthy (NY)	Sensenbrenner
Gordon	Rodgers	Simpson				Gerlach	McCaul (TX)	Serrano
Granger	McNerney	Sires				Giffords	McCullom (MN)	Sessions
Graves	McNulty	Skelton				Gillibrand	McCotter	Sestak
Green, Al	Meek (FL)	Slaughter				Gillmor	McCrary	Shadegg
Green, Gene	Meeks (NY)	Smith (NE)				Gingrey	McDermott	Shays
Gutierrez	Melancon	Smith (NJ)				Gohmert	McGovern	Shea-Porter
Hall (NY)	Mica	Smith (TX)				Gonzalez	McHenry	Sherman
Hall (TX)	Miller (FL)	Snyder				Goode	McHugh	Shimkus
Hare	Miller (MI)	Souder				Goodlatte	McIntyre	Slaughter
Harman	Miller (NC)	Space				Gordon	McKeon	Shuster
Hastert	Miller, Gary	Spratt				Granger	McMorris	Simpson
Hastings (WA)	Miller, George	Stearns				Graves	Rodgers	Sires
Hayes	Mitchell	Stearns				Green, Al	McNerney	Skelton
Heller	Moore (KS)	Stupak				Green, Gene	McNulty	Slaughter
Hensarling	Moore (WI)	Sullivan				Grijalva	Meek (FL)	Smith (NE)
Herger	Moran (KS)	Sutton				Gutierrez	Meeks (NY)	Smith (NJ)
Herseth Sandlin	Moran (VA)	Tancredo				Hall (NY)	Melancon	Smith (TX)
Higgins	Murphy (CT)	Tanner				Hall (TX)	Mica	Smith (WA)
Hill	Murphy, Patrick	Tauscher				Hare	Miller (FL)	Snyder
Hinchey	Murphy, Tim	Taylor				Harman	Miller (MI)	Souder
Hinojosa	Murtha	Terry				Hastert	Miller (NC)	Space
Hirono	Musgrave	Thompson (CA)				Miller, Gary	Shuster	Tancredo
Hobson	Myrick	Thompson (MS)				Miller, George	Shulier	Tanner
Hodes	Nadler	Thornberry				Mitchell	Stupak	Tauscher
Hoekstra	Napolitano	Tiabrt				Moore (KS)	Sullivan	Taylor
Holden	Neal (MA)	Tiberi				Moore (WI)	Sutton	Terry
Hooley	Neugebauer	Tierney				Moran (KS)	Tancredo	Thompson (CA)
Hulshof	Norton	Towns				Moran (VA)	Tanner	Thompson (MS)
Hunter	Nunes	Turner				Murphy (CT)	Tauscher	Thornberry
Inglis (SC)	Oberstar	Udall (CO)				Shay	McCarthy	Tiberti
Insllee	Obey	Udall (NM)				Hill	McMorris	Tierney
Israel	Ortiz	Upton				Murphy, Patrick	McPhee	Tierney
Issa	Pallone	Van Hollen				Hinckley	McPhee	Tierney
Jackson-Lee (TX)	Pascrell	Walberg				Hinojosa	McPhee	Tierney
Jefferson	Pastor	Walden (OR)				Hare	Miller (FL)	Tierney
Jindal	Paul	Watson				Harman	Miller (MI)	Tierney
Johnson (GA)	Payne	Watson				Hastert	Miller (NC)	Tierney
Johnson (IL)	Pearce	Wasserman				Miller, Gary	Shuster	Tierney
Johnson, E. B.	Pence	Schultz				Mitchell	Stupak	Tierney
Johnson, Sam	Perlmutter	Bartlett (MD)				Moore (KS)	Sullivan	Tierney
Jones (NC)	Peterson (MN)	Watson				Moore (WI)	Sutton	Tierney
Jordan	Peterson (PA)	Watson				Moran (KS)	Tancredo	Tiberti
Kagen	Pickering	Welch (VT)				Moran (VA)	Tanner	Tiberti
Kanjorski	Pitts	Weldon (FL)				Murphy (CT)	Tauscher	Tiberti
Kaptur	Platts	Weller				Shay	McCarthy	Tierney
Keller	Poe	Westmoreland				Hill	McMorris	Tierney
Kennedy	Pomeroy	Wexler				Murphy, Patrick	McPhee	Tierney
Kildee	Porter	Whitfield				Hinckley	McPhee	Tierney
Kind	Price (GA)	Wicker				Hinojosa	McPhee	Tierney
King (IA)	Price (NC)	Wilson (NM)				Hare	Miller (FL)	Tierney
King (NY)	Pryce (OH)	Wilson (OH)				Harman	Miller (MI)	Tierney
						Hastert	Miller (NC)	Tierney
						Miller, Gary	Shuster	Tierney
						Mitchell	Stupak	Tierney
						Moore (KS)	Sullivan	Tierney
						Moore (WI)	Sutton	Tierney
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						Moran (VA)	Tanner	Tiberti
						Murphy (CT)	Tauscher	Tiberti
						Shay	McCarthy	Tierney
						Hill	McMorris	Tierney
						Murphy, Patrick	McPhee	Tierney
						Hinckley	McPhee	Tierney
						Hinojosa	McPhee	Tierney
						Hare	Miller (FL)	Tierney
						Harman	Miller (MI)	Tierney
						Hastert	Miller (NC)	Tierney
						Miller, Gary	Shuster	Tierney
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						Moran (VA)	Tanner	Tiberti
						Murphy (CT)	Tauscher	Tiberti
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						Hill	McMorris	Tierney
						Murphy, Patrick	McPhee	Tierney
						Hinckley	McPhee	Tierney
						Hinojosa	McPhee	Tierney
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						Harman	Miller (MI)	Tierney
						Hastert	Miller (NC)	Tierney
						Miller, Gary	Shuster	Tierney
						Mitchell	Stupak	Tierney
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						Moore (WI)	Sutton	Tierney
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						Moran (VA)	Tanner	Tiberti
						Murphy (CT)	Tauscher	Tiberti
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						Hill	McMorris	Tierney
						Murphy, Patrick	McPhee	Tierney
						Hinckley	McPhee	Tierney
						Hinojosa	McPhee	Tierney
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						Harman	Miller (MI)	Tierney
						Hastert	Miller (NC)	Tierney
						Miller, Gary	Shuster	Tierney
						Mitchell	Stupak	Tierney
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						Moore (WI)	Sutton	Tierney
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						Moran (VA)	Tanner	Tiberti
						Murphy (CT)	Tauscher	Tiberti
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						Hill	McMorris	Tierney
						Murphy, Patrick	McPhee	Tierney
						Hinckley	McPhee	Tierney
						Hinojosa	McPhee	Tierney
						Hare	Miller (FL)	Tierney
						Harman	Miller (MI)	Tierney
						Hastert	Miller (NC)	Tierney
						Miller, Gary	Shuster	Tierney
						Mitchell	Stupak	Tierney
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						Moore (WI)	Sutton	Tierney
						Moran (KS)	Tancredo	Tiberti
						Moran (VA)	Tanner	Tiberti
						Murphy (CT)	Tauscher	Tiberti
						Shay	McCarthy	Tierney
						Hill	McMorris	Tierney
						Murphy, Patrick	McPhee	Tierney
						Hinckley	McPhee	Tierney
						Hinojosa	McPhee	Tierney
						Hare	Miller (FL)	Tierney
						Harman	Miller (MI)	Tierney
						Hastert	Miller (NC)	Tierney
						Miller, Gary	Shuster	Tierney
						Mitchell	Stupak	Tierney
						Moore (KS)	Sullivan	Tierney
						Moore (WI)	Sutton	Tierney
						Moran (KS)	Tancredo	Tiberti
						Moran (VA)	Tanner	Tiberti
						Murphy (CT)	Tauscher	Tiberti
						Shay	McCarthy	Tierney
						Hill	McMorris	Tierney
						Murphy, Patrick	McPhee	Tierney
						Hinckley	McPhee	Tierney
						Hinojosa	McPhee	Tierney
						Hare	Miller (FL)	Tierney
						Harman	Miller (MI)	Tierney
						Hastert	Miller (NC)	Tierney
						Miller, Gary	Shuster	Tierney
						Mitchell	Stupak	Tierney
						Moore (KS)	Sullivan	Tierney
						Moore (WI)	Sutton	Tierney
						Moran (KS)	Tancredo	Tiberti
						Moran (VA)	Tanner	Tiberti
						Murphy (CT)	Tauscher	Tiberti

Waters	Weller	Wilson (SC)	Moore (KS)	Renzi	Solis	Shadegg	Stearns	Walsh (NY)
Watson	Westmoreland	Wolf	Moore (WI)	Rodriguez	Sutton	Shays	Stupak	Wamp
Watt	Wexler	Wu	Moran (VA)	Rohrabacher	Tancredo	Shimkus	Sullivan	Wasserman
Waxman	Whitfield	Wynn	Murphy (CT)	Rothman	Tauscher	Shuler	Tanner	Schultz
Weiner	Wicker	Yarmuth	Murtha	Royal-Allard	Thompson (CA)	Shuster	Taylor	Weldon (FL)
Welch (VT)	Wilson (NM)	Young (FL)	Nadler	Royce	Tierney	Simpson	Terry	Weller
Weldon (FL)	Wilson (OH)		Napolitano	Ruppersberger	Towns	Skelton	Thompson (MS)	Westmoreland
NOES—25								
Becerra	Hoyer	Rahall	Oberstar	Sánchez, Linda	Ryan (OH)	Udall (CO)	Smith (NE)	Thornberry
Cleaver	Jackson (IL)	Ryan (OH)	Obey	T.	Udall (NM)	Van Hollen	Smith (NJ)	Whitfield
Clyburn	Jones (OH)	Sánchez, Linda	Olver	Sanchez, Loretta	Velázquez	Velázquez	Smith (TX)	Tiberti
Filner	Kilpatrick	T.	Pallone	Sarbanes	Walz (MN)	Watson	Smith (WA)	Turner
Frank (MA)	Kucinich	Sanchez, Loretta	Pascrell	Schakowsky	Watson	Watt	Snyder	Upton
Frelinghuysen	Lee	Solis	Pastor	Schiff	Waxman	Weiner	Souder	Visclosky
Gilchrest	Lewis (CA)	Stark	Paul	Scott (GA)	Welch (VT)	Space	Walberg	Wolf
Hastings (FL)	Lewis (GA)	Woolsey	Payne	Scott (VA)	Wexler	Spratt	Walden (OR)	Young (FL)
Honda	Mollohan		Perlmutter	Serrano	Woolsey			
NOT VOTING—7								
Clarke	LaHood	Young (AK)	Porter	Shea-Porter	Sherman	Wu	Bachus	Davis, Jo Ann
Cubin	Marshall		Price (NC)	Woolsey	Wires	Wynn	Boucher	LaHood
Davis, Jo Ann	Michaud		Rangel		Slaughter	Yarmuth	Clarke	Marshall
			Rehberg				Cubin	Michaud

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised 1 minute remains in the vote.

□ 2248

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. HINCHEY

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. HINCHEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 165, noes 262, not voting 10, as follows:

[Roll No. 733]

AYES—165

Abercrombie	Doggett	Jackson-Lee	Camp (MI)	Heller	Pearce	Platts	Poe	Reynolds
Ackerman	Doyle	(TX)	Cannon	Hensarling	Pence	Peterson (PA)	Pomeroy	Rogers (AL)
Allen	Ellison	Johnson (GA)	Cantor	Herger	Peterson (PA)	Petri	Price (GA)	Rogers (KY)
Andrews	Emanuel	Johnson (IL)	Capito	Herseth Sandlin	Petri	Pickering	Pryce (OH)	Rogers (MI)
Baird	Engel	Johnson, E. B.	Cardoza	Hill	Pitts	Putnam	Rodman	Rosen
Baldwin	Eshoo	Jones (OH)	Carney	Hinojosa	Rodman	Radanovich	Rahall	Rahall
Bartlett (MD)	Farr	Kanjorski	Carter	Hobson	Rahall	Ramstad	Regula	Rodgers
Becerra	Fattah	Kaptur	Castle	Hoekstra	Reichert	Renes	Reichert	Rodgers (AL)
Berkley	Filner	Kennedy	Castor	Holden	Renes	Rodman	Rodgers (MI)	Rosen
Berman	Flake	Kildee	Chabot	Hulshof	Rodman	Rodman	Rodman	Rosen
Bishop (GA)	Frank (MA)	Kilpatrick	Chandler	Hunter	Rodman	Rodman	Rodman	Rosen
Bishop (NY)	Garrett (NJ)	Kind	Clyburn	Inglis (SC)	Rodman	Rodman	Rodman	Rosen
Blumenauer	Giffords	Kucinich	Coble	Issa	Rodman	Rodman	Rodman	Rosen
Brady (PA)	Gilchrest	LaLangevin	Cole (OK)	Jefferson	Rodman	Rodman	Rodman	Rosen
Broun (GA)	Gonzalez	Lantos	Conaway	Jindal	Rodman	Rodman	Rodman	Rosen
Campbell (CA)	Green, Al	Larson (CT)	Cooper	Johnson, Sam	Rodman	Rodman	Rodman	Rosen
Capps	Grijalva	LaTourette	Costa	Jones (NC)	Rodman	Rodman	Rodman	Rosen
Capuano	Gutierrez	Lee	Costello	Jordan	Rodman	Rodman	Rodman	Rosen
Carnahan	Hare	Lewis (GA)	Cramer	Kagen	Rodman	Rodman	Rodman	Rosen
Carson	Harman	Loebssack	Crenshaw	Keller	Rodman	Rodman	Rodman	Rosen
Christensen	Hastings (FL)	Lofgren, Zoe	Cuellar	King (IA)	Rodman	Rodman	Rodman	Rosen
Clay	Higgins	Lowey	Culberson	King (NY)	Rodman	Rodman	Rodman	Rosen
Cleaver	Hinchey	Maloney (NY)	Cummings	Kingston	Rodman	Rodman	Rodman	Rosen
Cohen	Hinchey	Markey	Davis (AL)	Kirk	Rodman	Rodman	Rodman	Rosen
Conyers	Hirono	Matsui	Davis (KY)	Klein (FL)	Rodman	Rodman	Rodman	Rosen
Courtney	Hodes	McCarthy (NY)	Davis, David	Kline (MN)	Rodman	Rodman	Rodman	Rosen
Crowley	Holt	McCullom (MN)	Davis, Lincoln	Knollenberg	Rodman	Rodman	Rodman	Rosen
Davis (CA)	Honda	McDermott	Davis, Tom	Kuhl (NY)	Rodman	Rodman	Rodman	Rosen
Davis (IL)	Hooley	McGovern	Deal (GA)	Lamborn	Rodman	Rodman	Rodman	Rosen
DeFazio	Hoyer	McNulty	Dent	Lampson	Rodman	Rodman	Rodman	Rosen
DeGette	Inslee	Melancon	Diaz-Balart, L.	Larsen (WA)	Rodman	Rodman	Rodman	Rosen
Delahunt	Israel	Miller, George	Diaz-Balart, M.	Latham	Rodman	Rodman	Rodman	Rosen
DeLauro	Jackson (IL)	Mitchell	Dicks	Levin	Rodman	Rodman	Rodman	Rosen

NOES—262

NOT VOTING—10

Bachus Davis, Jo Ann Stark

Boucher LaHood Young (AK)

Clarke Marshall

Cubin Michaud

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised 1 minute remains on the vote.

□ 2252

Mr. GUTIERREZ changed his vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. MOLLOHAN. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. ALTMIRE) having assumed the chair, Mr. SNYDER, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 3093) making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2008, and for other purposes, had come to no resolution thereon.

CONFERENCE REPORT ON H.R. 1, IMPLEMENTING RECOMMENDATIONS OF THE 9/11 COMMISSION ACT OF 2007

Mr. THOMPSON of Mississippi submitted the following conference report and statement on the bill (H.R. 1) to provide for the implementation of the recommendations of the National Commission on Terrorist Attacks Upon the United States:

CONFERENCE REPORT (H. REPT. 110-259)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 1), to provide for the implementation of the recommendation of the National Commission on Terrorist Attacks Upon the United States, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Implementing Recommendations of the 9/11 Commission Act of 2007”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.