

Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
Lamborn
Lampson
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBlando
Loebback
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel
E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris
Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha

NOT VOTING—19

Blackburn
Burgess
Cubin
Deal (GA)
Doggett
Ellison
Forbes
Fossella
Herger
Honda
Hulshof
Israel
LaHood
Pallone
Payne
Rush
Slaughter
Wilson (NM)
Wynn

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Two minutes remain in this vote.

□ 1304

So the concurrent resolution was agreed to.

The vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. HERGER. Mr. Speaker, on rollcall No. 237, I was unavoidably detained. Had I been present, I would have voted "yea."

REMOVAL OF NAME OF MEMBER
AS COSPONSOR OF H. RES. 992

Ms. FALLIN. Mr. Speaker, I ask unanimous consent to remove my name as a cosponsor of House Resolution 992.

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

There was no objection.

CORRECTING ENROLLMENT OF
H.R. 493

Mr. GEORGE MILLER of California. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 340) to make technical corrections in the enrollment of the bill H.R. 493.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 340

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill H.R. 493 (to prohibit discrimination on the basis of genetic information with respect to health insurance and employment) the Clerk of the House of Representatives shall make the following technical corrections:

- (1) In section 104(d)—
 - (A) in paragraph (2), strike "June 30, 2008" and insert "October 31, 2008";
 - (B) in paragraph (3), strike "October 1, 2008" and insert "July 1, 2009"; and
 - (C) in paragraph (4)—
 - (i) in subparagraph (A)(ii), strike "October 1, 2008" and insert "July 1, 2009"; and
 - (ii) in subparagraph (B)(ii)—
 - (I) strike "in 2008" and insert "in 2009"; and
 - (II) strike "July 1, 2008" and insert "July 1, 2009".
 - (2) In section 202(b)(6), strike "law enforcement" and all that follows through "and requests" and insert "law enforcement purposes as a forensic laboratory or for purposes of human remains identification, and requests".
 - (3) In section 205(b)(6), strike "law enforcement" and all that follows through "and requests" and insert "law enforcement purposes as a forensic laboratory or for purposes of human remains identification, and requests".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. GEORGE MILLER) and the gentleman from California (Mr. McKEON) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. GEORGE MILLER).

GENERAL LEAVE

Mr. GEORGE MILLER of California. Mr. Speaker, I request 5 legislative days during which Members may insert extraneous material on House Concurrent Resolution 340 into the RECORD.

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

There was no objection.

Mr. GEORGE MILLER of California. I yield myself such time as I may consume.

(Mr. GEORGE MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. GEORGE MILLER of California. This concurrent resolution makes two technical corrections to the GINA legislation just passed. First, with respect to the Department of Defense Labs, in our current bill, section 202(b)(6) and section 205(b)(6) of H.R. 493 provides an exclusion for an employer to conduct DNA analysis for law enforcement purposes as a forensic laboratory, which submits analyses to the Combined DNA Index System, known as CODIS, if the employer only uses that analysis of DNA identification markers for quality control to detect sample contamination.

However, we recently learned that the Armed Forces DNA Identification Laboratory, AFDIL, of the Armed Forces Medical Examiner System, which identifies soldiers' remains, would not be included in this exclusion because it does not submit DNA to the CODIS system.

It was not our intent to prevent the Armed Forces, AFDIL, from using DNA analysis for human remains identification. This technical change would allow them to continue their mission.

With respect to NAIC, the other change is a very minor one. Section 104 of the bill, dealing with Medigap, requires the National Association of Insurance Commissioners to modify their regulations to conform to GINA. The deadline for NAIC to make these modifications is June 30, 2008. If NAIC does not make these modifications by this timeframe, HHS would be required to make the modifications by October 1, 2008.

When this bill moved through the House last April, these deadlines were not a problem. However, with today being May 1, NAIC will not be able to meet the June deadline. Thus, the other change to this bill pushes back the NAIC and HHS deadlines until October 30, 2008, and July 1, 2009.

I reserve the balance of my time.

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

Mr. Speaker, I rise in support of House Concurrent Resolution 340. This resolution makes technical corrections to the Genetic Information Non-discrimination Act, commonly known as GINA, the act that we just passed. Specifically, this resolution will clarify the use of genetic information at forensic laboratories used by law enforcement agencies. This technical correction ensures the Department of Defense will be able to use genetic information to identify the remains of American servicemen and women.

The recent DNA identification of Staff Sergeant Matt Maupin, missing since his capture in Iraq in 2004, offers us a painful reminder of why genetic information may be needed to identify the heroic men and women who give their lives in service to this Nation.

This is a simple, yet necessary change to a bill that enjoys the support of a vast majority of this body. Adoption of this resolution will allow this legislation to move forward.

The GINA bill marks a commitment by this Congress to ensure that the law protects American workers and health care consumers from discrimination on the basis of their genetic makeup. Because that goal is so critical, I support this resolution today, and urge my colleagues to do likewise.

I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. GEORGE MILLER) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 340.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

ENSURING CONTINUED ACCESS TO STUDENT LOANS ACT OF 2008

Mr. GEORGE MILLER of California. Mr. Speaker, I move to suspend the rules and concur in the Senate amendments to the bill (H.R. 5715) to ensure continued availability of access to the Federal student loan program for students and families.

The Clerk read the title of the bill.

The text of the Senate amendments is as follows:

Senate amendments:

(1) On page 2, line 5, strike **“AND GRADUATE”**

(2) On page 7, line 11, strike “issued” and insert: “first disbursed”.

(3) On page 9, line 12, strike “issued” and insert: “first disbursed”.

(4) On page 9, line 24 through page 10 line 11 strike and insert:

“(B)(i) **EXTENUATING CIRCUMSTANCES.**—An eligible lender may determine that extenuating circumstances exist under the regulations promulgated pursuant to paragraph (1)(A) if, during the period beginning January 1, 2007, and ending December 31, 2009, an applicant for a loan under this section—

“(I) is or has been delinquent for 180 days or fewer on mortgage loan payments or on medical bill payments during such period; and

“(II) is not and has not been more than 89 days delinquent on the repayment of any other debt during such period.

“(ii) **DEFINITION OF MORTGAGE LOAN.**—In this subparagraph, the term ‘mortgage loan’ means an extension of credit to a borrower that is secured by the primary residence of the borrower.

“(iii) **RULE OF CONSTRUCTION.**—Nothing in this subparagraph shall be construed to limit an eligible lender’s authority under the regulations promulgated pursuant to paragraph (1)(A) to determine that extenuating circumstances exist.”.

(5) On page 10, after line 24 insert:

(1) in paragraph (1), by inserting after the second sentence the following: “No loan under section 428, 428B, or 428H that is made pursuant to this subsection shall be made with interest rates, origination or default fees, or other terms and conditions that are more favorable to the

borrower than the maximum interest rates, origination or default fees, or other terms and conditions applicable to that type of loan under this part.”;

(6) On page 12, line 14, strike “lenders willing to make loans” and insert: “eligible lenders willing to make loans under this part”.

(7) On page 13, after line 2 insert:

“(6) **EXPIRATION OF AUTHORITY.**—The Secretary’s authority under paragraph (4) to designate institutions of higher education for participation in the program under this subsection shall expire on June 30, 2009.

“(7) **EXPIRATION OF DESIGNATION.**—The eligibility of an institution of higher education, or borrowers from such institution, to participate in the program under this subsection pursuant to a designation of the institution by the Secretary under paragraph (4) shall expire on June 30, 2009. After such date, borrowers from an institution designated under paragraph (4) shall be eligible to participate in the program under this subsection as such program existed on the day before the date of enactment of the Ensuring Continued Access to Student Loans Act of 2008.

“(8) **PROHIBITION ON INDUCEMENTS AND MARKETING.**—Each guaranty agency or eligible lender that serves as a lender-of-last-resort under this subsection—

“(A) shall be subject to the prohibitions on inducements contained in subsection (b)(3) and the requirements of section 435(d)(5); and

“(B) shall not advertise, market, or otherwise promote loans under this subsection, except that nothing in this paragraph shall prohibit a guaranty agency from fulfilling its responsibilities under paragraph (2)(C).

“(9) **DISSEMINATION AND REPORTING.**—

“(A) **IN GENERAL.**—The Secretary shall—

“(i) broadly disseminate information regarding the availability of loans made under this subsection;

“(ii) during the period beginning July 1, 2008 and ending June 30, 2010, provide to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and Labor of the House of Representatives and make available to the public—

“(I) copies of any new or revised plans or agreements made by guaranty agencies or the Department related to the authorities under this subsection;

“(II) quarterly reports on—

“(aa) the number and amounts of loans originated or approved pursuant to this subsection by each guaranty agency and eligible lender; and

“(bb) any related payments by the Department, a guaranty agency, or an eligible lender; and

“(III) a budget estimate of the costs to the Federal Government (including subsidy and administrative costs) for each 100 dollars loaned, of loans made pursuant to this subsection between the date of enactment of the Ensuring Continued Access to Student Loans Act of 2008 and June 30, 2009, disaggregated by type of loan, compared to such costs to the Federal Government during such time period of comparable loans under this part and part D, disaggregated by part and by type of loan; and

“(iii) beginning July 1, 2010, provide to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and Labor of the House of Representatives and make available to the public—

“(I) copies of any new or revised plans or agreements made by guaranty agencies or the Department related to the authorities under this subsection; and

“(II) annual reports on—

“(aa) the number and amounts of loans originated or approved pursuant to this subsection by each guaranty agency and eligible lender; and

“(bb) any related payments by the Department, a guaranty agency, or an eligible lender.

“(B) **SEPARATE REPORTING.**—The information required to be reported under subparagraph (A)(ii)(II) shall be reported separately for loans originated or approved pursuant to paragraph (4), or payments related to such loans, for the time period in which the Secretary is authorized to make designations under paragraph (4).”.

(8) On page 13, line 12, strike “agency’s” and insert: “agencies”.

(9) On page 14, line 3, strike “adding at the end” and insert: “inserting before the matter following paragraph (5)”.

(10) On page 15, line 19, strike “loans originated” and insert: “loans first disbursed”.

(11) On page 15, line 21, after “October 1, 2003,” insert: “and before July 1, 2009,”.

(12) On page 16, line 1, after “Federal Government” insert: “(including the cost of servicing the loans purchased)”.

(13) On page 16, strike lines 5 through 23, and insert the following:

“(2) **FEDERAL REGISTER NOTICE.**—The Secretary, the Secretary of the Treasury, and the Director of the Office of Management and Budget, shall jointly publish a notice in the Federal Register prior to any purchase of loans under this section that—

“(A) establishes the terms and conditions governing the purchases authorized by paragraph (1);

“(B) includes an outline of the methodology and factors that the Secretary, the Secretary of the Treasury, and the Director of the Office of Management and Budget, will jointly consider in evaluating the price at which to purchase loans made under section 428, 428B, or 428H; and

“(C) describes how the use of such methodology and consideration of such factors used to determine purchase price will ensure that loan purchases do not result in any net cost to the Federal Government (including the cost of servicing the loans purchased).”.

(14) On page 20, after line 9 insert the following:

SEC. 10. ACADEMIC COMPETITIVENESS GRANTS.

(a) **AMENDMENTS.**—Section 401A of the Higher Education Act of 1965 (20 U.S.C. 1070a-1) is amended—

(1) by striking subsection (a) and inserting the following:

“(a) **ACADEMIC COMPETITIVENESS GRANT PROGRAM AUTHORIZED.**—The Secretary shall award grants, in the amounts specified in subsection (d)(1), to eligible students to assist the eligible students in paying their college education expenses.”;

(2) in subsection (b)—

(A) by striking “academic year” each place it appears and inserting “year”; and

(B) in paragraph (2), by striking “third or fourth” and inserting “third, fourth, or fifth”;

(3) in subsection (c)—

(A) in the matter preceding paragraph (1)—

(i) by striking “full-time”;

(ii) by striking “academic” and inserting “award”; and

(iii) by striking “is made” and inserting “is made for a grant under this section”;

(B) by striking paragraphs (1) and (2) and inserting the following:

“(1) is eligible for a Federal Pell Grant;

“(2) is enrolled or accepted for enrollment in an institution of higher education on not less than a half-time basis; and”;

(C) in paragraph (3)—

(i) by striking “academic” each place the term appears;

(ii) in subparagraph (A)—

(I) by striking the matter preceding clause (i) and inserting the following:

“(A) the first year of a program of undergraduate education at a two- or four-year degree-granting institution of higher education (including a program of not less than one year for which the institution awards a certificate)—”;