

Fortenberry	Lowey	Rothman
Fossella	Lucas	Roybal-Allard
Fox	Lungren, Daniel	Royce
Franks (AZ)	E.	Ruppersberger
Frelinghuysen	Lynch	Rush
Gallegly	Mack	Ryan (OH)
Garrett (NJ)	Mahoney (FL)	Ryan (WI)
Gerlach	Maloney (NY)	Salazar
Giffords	Manzullo	Sali
Gilchrest	Marchant	Sánchez, Linda
Gillibrand	Markey	T.
Gingrey	Marshall	Sanchez, Loretta
Gohmert	Matheson	Sarbanes
Gonzalez	Matsui	Saxton
Goode	McCarthy (CA)	Schakowsky
Goodlatte	McCarthy (NY)	Schiff
Gordon	McCaul (TX)	Schmidt
Granger	McCollum (MN)	Schwartz
Graves	McCotter	Scott (GA)
Green, Al	McDermott	Scott (VA)
Green, Gene	McGovern	Sensenbrenner
Grijalva	McHenry	Serrano
Hall (NY)	McHugh	Sessions
Hall (TX)	McIntyre	Sestak
Hare	McKeon	Shadegg
Harman	McMorris	Shays
Hastings (FL)	Rodgers	Shea-Porter
Hastings (WA)	McNerney	Sherman
Hayes	McNulty	Shimkus
Heller	Meek (FL)	Shuler
Hensarling	Melancon	Shuster
Herger	Mica	Sires
Hersteth Sandlin	Michaud	Skelton
Higgins	Miller (FL)	Slaughter
Hill	Miller (MI)	Smith (NE)
Hinche	Miller, George	Smith (NJ)
Hirono	Mitchell	Smith (TX)
Hobson	Mollohan	Smith (WA)
Hodes	Moore (KS)	Snyder
Holden	Moore (WI)	Solis
Holt	Moran (KS)	Souder
Hooley	Moran (VA)	Space
Hoyer	Murphy (CT)	Stearns
Hulshof	Murphy, Patrick	Stupak
Inglis (SC)	Murphy, Tim	Sullivan
Inlee	Murtha	Sutton
Israel	Musgrave	Tancredo
Issa	Myrick	Tanner
Jackson (IL)	Nadler	Tauscher
Jackson-Lee	Napolitano	Taylor
(TX)	Neal (MA)	Terry
Jefferson	Neugebauer	Thompson (CA)
Johnson (GA)	Nunes	Thompson (MS)
Johnson (IL)	Oberstar	Thornberry
Johnson, E. B.	Obey	Tiahrt
Johnson, Sam	Oliver	Tiberi
Jones (NC)	Ortiz	Tierney
Jones (OH)	Pallone	Towns
Jordan	Pascarella	Turner
Kagen	Pastor	Udall (CO)
Kanjorski	Payne	Udall (NM)
Keller	Pearce	Upton
Kennedy	Pelosi	Van Hollen
Kildee	Pence	Velázquez
Kilpatrick	Perlmutter	Visclosky
Kind	Peterson (MN)	Walden (OR)
King (IA)	Peterson (PA)	Walsh (NY)
King (NY)	Petri	Walz (MN)
Kingston	Pickering	Wamp
Kirk	Pitts	Wasserman
Klein (FL)	Platts	Schultz
Kline (MN)	Poe	Waters
Knollenberg	Porter	Watson
Kuhl (NY)	Price (GA)	Watt
LaHood	Price (NC)	Waxman
Lamborn	Putnam	Weiner
Lampson	Radanovich	Welch (VT)
Langevin	Rahall	Weldon (FL)
Larsen (WA)	Ramstad	Weller
Larson (CT)	Rangel	Westmoreland
Latham	Regula	Wexler
LaTourette	Rehberg	Whitfield (KY)
Latta	Reichert	Wilson (NM)
Lee	Reyes	Wilson (OH)
Levin	Reynolds	Wilson (SC)
Lewis (CA)	Richardson	Wittman (VA)
Lewis (GA)	Rodriguez	Wolf
Lewis (KY)	Rogers (AL)	Woolsey
Linder	Rogers (KY)	Wu
Lipinski	Rogers (MI)	Wynn
LoBiondo	Ros-Lehtinen	Yarmuth
Loeb	Roskam	Young (AK)
Lofgren, Zoe	Ross	Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the call). Due to a problem in the Rayburn House Office Building, the electronic voting system is partially inop-

erable. The portion of the system by which the Tally Clerk enters votes for Members on the basis of ballot cards submitted in the well is operable. That portion of the system is being used to tabulate the names of Members who have recorded their presence. Members who have submitted amber cards in the well have recorded their presence.

□ 1931

The SPEAKER pro tempore (Mrs. TAUSCHER). On this rollcall, 393 Members have recorded their presence, a quorum.

Under the rule, further proceedings under the call are dispensed with.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House her approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Texas (Mr. CONAWAY) come forward and lead the House in the Pledge of Allegiance.

Mr. CONAWAY led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

PROVIDING FOR A COMMITTEE TO NOTIFY THE PRESIDENT OF THE ASSEMBLY OF THE CONGRESS

Mr. HOYER. Madam Speaker, I send to the desk a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 913

Resolved, That a committee of two Members be appointed by the Speaker on the part of the House of Representatives to join with a committee on the part of the Senate to notify the President of the United States that a quorum of each House has assembled and Congress is ready to receive any communication that he may be pleased to make.

The resolution was agreed to.

A motion to reconsider was laid on the table.

APPOINTMENT AS MEMBERS OF COMMITTEE TO NOTIFY THE PRESIDENT, PURSUANT TO HOUSE RESOLUTION 913

The SPEAKER pro tempore. Pursuant to House Resolution 913, the Chair appoints the following Members to the committee on the part of the House to join a committee on the part of the Senate to notify the President of the United States that a quorum of each House has assembled and that Congress is ready to receive any communication that he may be pleased to make:

The gentleman from Maryland (Mr. HOYER); and

The gentleman from Ohio (Mr. BOEHNER).

TO INFORM THE SENATE THAT A QUORUM OF THE HOUSE HAS ASSEMBLED

Mr. HOYER. Madam Speaker, I send to the desk a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 914

Resolved, That the Clerk of the House inform the Senate that a quorum of the House is present and that the House is ready to proceed with business.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR THE HOUR OF MEETING OF THE HOUSE

Mr. HOYER. Madam Speaker, I send to the desk a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 915

Resolved, That unless otherwise ordered, before Monday, May 12, 2008, the hour of daily meeting of the House shall be 2 p.m. on Mondays; noon on Tuesdays; and 10 a.m. on all other days of the week; and from Monday, May 12, 2008, for the remainder of the 110th Congress, the hour of daily meeting of the House shall be noon on Mondays, 10 a.m. on Tuesdays, Wednesdays and Thursdays; and 9 a.m. on all other days of the week.

The resolution was agreed to.

A motion to reconsider was laid on the table.

MAKING IN ORDER MORNING-HOUR DEBATE

Mr. HOYER. Madam Speaker, I ask unanimous consent that the order of the House of January 4, 2007, providing for morning-hour debate be extended for the remainder of the 110th Congress, except that pursuant to House Resolution 915, the date of May 12, 2008, shall be used in lieu of May 14, 2007.

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

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON TOMORROW

Mr. HOYER. Madam Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with tomorrow.

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

There was no objection.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

DECEMBER 28, 2007.

Hon. NANCY PELOSI,
Speaker, House of Representatives,
The Capitol, Washington, DC.

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, I have the honor to transmit H.R. 1585, the "National Defense Authorization Act for Fiscal Year 2008," and a Memorandum of Disapproval thereon received from the White House on December 28, 2007, at 3:25 p.m.

With best wishes, I am

Sincerely,

LORRAINE C. MILLER,
Clerk of the House.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2008—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 110-88)

The SPEAKER pro tempore laid before the House the following veto message from the President of the United States:

MEMORANDUM OF DISAPPROVAL

I am withholding my approval of H.R. 1585, the "National Defense Authorization Act for Fiscal Year 2008," because it would imperil billions of dollars of Iraqi assets at a crucial juncture in that nation's reconstruction efforts and because it would undermine the foreign policy and commercial interests of the United States.

The economic security and successful reconstruction of Iraq have been top priorities of the United States. Section 1083 of H.R. 1585 threatens those key objectives. Immediately upon enactment, section 1083 would risk the freezing of substantial Iraqi assets in the United States—including those of the Development Fund for Iraq (DFI), the Central Bank of Iraq (CBI), and commercial entities in the United States in which Iraq has an interest. Section 1083 also would expose Iraq to new liability of at least several billion dollars by undoing judgments favorable to Iraq, by foreclosing available defenses on which Iraq is relying in pending litigation, and by creating a new Federal cause of action backed by the prospect of punitive damages to support claims that may previously have been foreclosed. This new liability, in turn, will only increase the potential for immediate entanglement of Iraqi assets in the United States. The aggregate financial impact of these provisions on Iraq would be devastating.

While my Administration objected to an earlier version of this provision in previous communications about the bill, its full impact on Iraq and on our relationship with Iraq has become apparent only in recent days. Members of my Administration are working with Members of Congress to fix this flawed provision as soon as possible after the Congress returns.

Section 1083 would establish unprecedented legal burdens on the allocation of Iraq's funds to where they are most needed. Since the fall of Saddam Hus-

sein, I have issued Executive Orders to shield from entanglement in lawsuits the assets of the DFI and the CBI. I have taken these steps both to uphold international legal obligations of the United States and to remove obstacles to the orderly reconstruction of Iraq. Section 1083 potentially would place these crucial protections of Iraq's core assets in immediate peril, by including a provision that might be misconstrued to supersede the protections I have put in place and to permit the judicial attachment of these funds. Iraq must not have its crucial reconstruction funds on judicial hold while lawyers argue and courts decide such legal assertions.

Moreover, section 1083 would permit plaintiffs to obtain liens on certain Iraqi property simply by filing a notice of pending action. Liens under section 1083 would be automatic upon filing a notice of a pending claim in a judicial district where Iraq's property is located, and they would reach property up to the amount of the judgment plaintiffs choose to demand in their complaints. Such pre-judgment liens, entered before claims are tested and cases are heard, are extraordinary and have never previously been available in suits in U.S. courts against foreign sovereigns. If permitted to become law, even for a short time, section 1083's attachment and lien provisions would impose grave—indeed, intolerable—consequences on Iraq.

Section 1083 also includes provisions that would expose Iraq to increased liability in lawsuits. Contrary to international legal norms and for the first time in U.S. history, a foreign sovereign would be liable for punitive damages under section 1083. Section 1083 removes defenses common for defendants in the United States—including *res judicata*, collateral estoppel, and statutes of limitation—upon which the Iraqi government has relied. And section 1083 would attempt to revive a \$959 million judgment against the new democratic Government of Iraq based on the misdeeds of the Saddam Hussein regime.

Exposing Iraq to such significant financial burdens would weaken the close partnership between the United States and Iraq during this critical period in Iraq's history. If Iraq's assets are frozen, even temporarily, that could reduce confidence in the Iraqi dinar and undermine the success of Iraq's monetary policy. By potentially forcing a close U.S. ally to withdraw significant funds from the U.S. financial system, section 1083 would cast doubt on whether the United States remains a safe place to invest and to hold financial assets. Iraqi entities would be deterred from engaging in commercial partnerships with U.S. businesses for fear of entangling assets in lawsuits. Section 1083 would be viewed with alarm by the international community and would invite reciprocal action against United States assets abroad.

The adjournment of the Congress has prevented my return of H.R. 1585 with-

in the meaning of Article I, section 7, clause 2 of the Constitution. Accordingly, my withholding of approval from the bill precludes its becoming law. The Pocket Veto Case, 279 U.S. 655 (1929). In addition to withholding my signature and thereby invoking my constitutional power to "pocket veto" bills during an adjournment of the Congress, I am also sending H.R. 1585 to the Clerk of the House of Representatives, along with this memorandum setting forth my objections, to avoid unnecessary litigation about the non-enactment of the bill that results from my withholding approval and to leave no doubt that the bill is being vetoed.

This legislation contains important authorities for the Department of Defense, including authority to provide certain additional pay and bonuses to servicemembers. Although I continue to have serious objections to other provisions of this bill, including section 1079 relating to intelligence matters, I urge the Congress to address the flaw in section 1083 as quickly as possible so I may sign into law the National Defense Authorization Act for Fiscal Year 2008, as modified. I also urge the Congress to ensure that any provisions affecting servicemember pay and bonuses, as well as provisions extending expiring authorities, are retroactive to January 1, 2008.

GEORGE W. BUSH.

THE WHITE HOUSE, December 28, 2007.

The SPEAKER pro tempore. The objections of the President will be spread at large upon the Journal, and the veto message and the bill will be printed as a House document.

MOTION OFFERED BY MR. HOYER

Mr. HOYER. Madam Speaker, I have a privileged motion at the desk.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. Hoyer moves that the veto message of the President, together with the accompanying bill, H.R. 1585, be referred to the Committee on Armed Services.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to refer.

There was no objection.

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

The motion was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Accordingly, the veto message and the bill will be referred to the Committee on Armed Services.

RESIGNATION AS MEMBER OF COMMITTEE ON FOREIGN AFFAIRS

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Foreign Affairs:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, December 18, 2007.

Hon. NANCY PELOSI,
Speaker of the House, House of Representatives.

DEAR SPEAKER PELOSI: This letter serves as a notice of resignation from the Foreign