

But one of the most memorable aspects of this was the commissioning of 10 of the junior college graduates to receive their second lieutenancy in the United States Army Reserve. After two more years of college, they will be able to go into the active duty of our country or be full-time active members of the National Guard or Reserve.

What I speak about today very briefly is, of the 10, half of those newly commissioned second lieutenants at Wentworth Military Academy were from American Samoa, outstanding students, good soldiers, fine young Americans. I think that it should be brought to this body's attention that they are doing their best and their part in the national security of our Nation, and I must say I'm very proud of them.

Mr. ISSA. Mr. Speaker, I would inquire of the gentlelady if she has additional speakers.

Ms. WATSON. We continue to reserve. There's no more speakers, Mr. Speaker.

Mr. ISSA. Mr. Speaker, I'll close by urging support for this noncontroversial bill but also reminding my colleagues that there are many things undone in the way of righting the wrongs to Asian Americans and in thanking Asian Americans for what they have done for our country for 150-plus years.

So with that, I would yield back the balance of my time and urge passage.

Ms. WATSON. Mr. Speaker, on behalf of the over 14 million Asian and Pacific Islander Americans and the entire population of America for that matter, let us demonstrate our full support of this year's celebration of Asian Pacific American Heritage Month by passing H. Res. 1153 without reservation.

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, I rise to honor Asian Pacific American Heritage Month and to pay tribute to the many achievements and honor the countless unique contributions to the United States made by Asian Pacific Americans across our Nation.

May 7, 1843 marked the first arrival of Japanese immigrants to the United States and May 10, 1869 signaled the completion of the transcontinental railroad which is greatly credited to the labor of the Chinese immigrants. Therefore, it is appropriate that during this month we recognize the contributions and sacrifices made by Asian Pacific Americans.

Today, there are over 14 million Asian Pacific Americans living in the United States, representing 5 percent of the population. The rich history associated with the Asian Pacific American has left a lasting imprint on our country.

Over the years, the Asian Pacific American communities have made significant contributions to Texas's diverse culture. In my district, Dallas, TX, I am privileged to have the largest Asian American Chamber in the United States with more than 1,200 members. I believe that we all can learn from those who come from different backgrounds and cultures, and I can truly say that I have learned a great deal from my Asian Pacific friends and constituents.

I would also like to offer my deepest condolence to the families and friends of those who perished from recent tragedies in China and Myanmar.

Mr. Speaker, I am proud to support this resolution and the Asian Pacific American communities in North Texas and across the United States.

Ms. WATSON. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. WATSON) that the House suspend the rules and agree to the resolution, H. Res. 1153, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. ISSA. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

#### RECOGNIZING THE 100TH ANNIVERSARY OF THE FOUNDING OF THE CONGRESSIONAL CLUB

Ms. WATSON. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1026) recognizing the 100th anniversary of the founding of the Congressional Club.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

##### H. RES. 1026

Whereas the Congressional Club was organized in 1908 by 25 women who were influential in Washington's official life and who wanted to establish a nonsectarian and non-political group that would promote friendship and cordiality in public life, and founded the Club to bring the wives of Members of Congress together in a hospitable and compatible environment in the Nation's Capital;

Whereas the Congressional Club was officially established in 1908 by a unanimous vote in both the House and Senate and is the only club in the world to be founded by an act of Congress;

Whereas the resolution establishing the Congressional Club was signed by President Theodore Roosevelt on May 30, 1908;

Whereas the Congressional Club's founding was secured by womanly wiles and feminine determination in the passage of the enacting resolution unanimously on May 28, 1908, in order to overcome the opposition of Representative John Sharp Williams of Mississippi, who opposed all women's organizations;

Whereas when Representative Williams was called out of the chamber by Mrs. Williams, the good-mannered representative obliged and withdrew his opposition and request for a recorded vote, saying, "upon this particular bill there will not be a roll call, because it would cause a great deal of domestic unhappiness in Washington if there were";

Whereas the first Congressional Clubhouse was at 1432 K Street Northwest in Washington, DC, and opened on December 11, 1908, with a reception for President-elect and Mrs. William Taft, but after Mrs. John B. Henderson of Missouri donated land on the corner of

New Hampshire Avenue and U Street, the cornerstone of the current Clubhouse was laid at that location on May 21, 1914;

Whereas the Congressional Clubhouse was built by George Totten in the Beaux Arts style and is listed on the National Register of Historic Places, and its mortgage was paid for by the sales of the Club's cookbook and burned by Mrs. Bess Truman in a silver bowl on the 40th Anniversary of the Club's founding;

Whereas the Congressional Club has remained a good neighbor on the U Street corridor for over 90 years, encouraging the revitalization of the area throughout the time of socioeconomic challenges, and leading the way in upkeep and maintenance of historic property;

Whereas the Congressional Club honors and supports the people of its neighborhood by inviting the local police and fire departments to the Clubhouse for lunch and delivering trays of Member-made cookies and candies to them during the holidays, by hosting an annual Senior Citizens Appreciation Day luncheon for residents of a neighborhood nursing home, and by hosting an annual holiday brunch for neighborhood children each December which includes a festive meal, gifts, and a visit from Santa;

Whereas the Congressional Club hosts the annual First Lady's Luncheon every spring since 1912 to honor our First Lady, and donates tens of thousands of dollars to charities in the name of the First Lady annually;

Whereas the Congressional Club has chosen among its many charitable recipients mentoring programs, United National Indian Tribal Youth, literacy programs, the White House library, youth dance troupes, domestic shelters, and child care centers;

Whereas the Congressional Club members, upon the suggestion of Mrs. Eleanor Roosevelt, are encouraged to become discussion leaders on national security in their home States, from the trials of World War II to the threats of terrorism;

Whereas the Congressional Club extends the hand of friendship and goodwill globally by hosting an annual diplomatic reception to entertain the spouses of ambassadors to the United States;

Whereas the Congressional Club is solely supported by membership dues and the sale of cookbooks, and has never received any Federal funding;

Whereas the 14 editions of the Congressional Club cookbook, first published in 1928, reflect the life and times of the United States with recipes and signatures of Members of Congress, First Ladies, Ambassadors, and members of the Club;

Whereas the Congressional Club membership has expanded to include spouses and daughters of Representatives, Senators, Supreme Court Justices, and Cabinet members, and has included 7 members who became First Lady: Mrs. Florence Harding, Mrs. Lou Hoover, Mrs. Bess Truman, Mrs. Jacqueline Kennedy, Mrs. Patricia Nixon, Mrs. Betty Ford, and Mrs. Barbara Bush;

Whereas several members of the Congressional Club have been elected to Congress, among whom are Past President Mrs. Lindy Boggs, Mrs. Jo Ann Emerson, Mrs. Lois Capps, Mrs. Mary Bono, and Past President Mrs. Doris Matsui;

Whereas leading figures in politics, the arts, and the media have visited the Clubhouse for the past 100 years;

Whereas the Congressional Club is home to the First Lady's gown display, a museum with replica inaugural and ball gowns of the First Ladies from Mrs. Mary Todd Lincoln to Mrs. Laura Bush;

Whereas the Congressional Club is charged with receiving the Presidential couple, honoring the Vice-President and spouse, the

Speaker of the House of Representatives and spouse, and the Chief Justice and spouse, and for the orientation of spouses of new Members of Congress; and

Whereas the Congressional Club will celebrate its 100-year anniversary with festivities and ceremonies during 2008 that include the ringing of the official bells of the United States Congress, a Founder's Day program, a birthday cake at the First Lady's Luncheon, an anniversary postage stamp and cancellation stamp, a 100-year pin/pendant designed by Past President Lois Breau, and invitations to President and Mrs. Bush, Speaker and Mr. Pelosi, Chief Justice and Mrs. Roberts to visit and celebrate 100 years of public service, civility, and growth at the Congressional Club: Now, therefore, be it

*Resolved*, That the House of Representatives—

(1) recognizes the 100th anniversary of the founding of the Congressional Club;

(2) acknowledges the contribution of political spouses to public life in America and around the world through the Congressional Club for the past 100 years;

(3) honors the past and present membership of the Congressional Club;

(4) encourages all Americans to strive for greater friendship, civility, and generosity in order to heighten public service, elevate the culture, and enrich humanity; and

(5) encourages all Americans to seek out opportunities to give financially and to volunteer to assist charitable organizations in their own communities.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. WATSON) and the gentleman from California (Mr. ISSA) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Ms. WATSON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

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

There was no objection.

Ms. WATSON. Mr. Speaker, the House Committee on Oversight and Government Reform presents for consideration H. Res. 1026, which recognizes the 100th anniversary of the founding of the Congressional Club. The measure was introduced by Representative SANFORD BISHOP from the State of Georgia on March 6, 2008, and I, along with over 75 of my colleagues, are proud to be cosponsors of this bill.

H. Res. 1026 was taken up and approved by the Committee on Oversight and Government Reform as of April 9, 2008, which brings us up to today's consideration of the resolution.

Originally established on May 20, 1908, for the purpose of providing a non-partisan social setting for the spouses of Members of the House and the Senate, the Congressional Club continues to serve its initial purpose, although the breadth and activities of the club have greatly expanded over the past century, to include such annual events as the First Lady's Luncheon and Founders Day.

I yield now to Mr. SANFORD BISHOP for as much time as he may consume.

Mr. BISHOP of Georgia. I thank the gentlelady for yielding.

Mr. Speaker, I rise today along with Representatives TODD TIAHRT, JEFF MILLER, DORIS MATSUI, JO ANN EMERSON, JOHN TANNER and 76 other cosponsors of H. Res. 1026 to commemorate the Congressional Club on its 100th anniversary.

The Congressional Club was established in 1908 "to promote sociability among its members, create a common meeting place, and further a personal acquaintance among the women of the Congressional circle." In the early 20th century, Members of Congress actually had little time for making friends outside of Congress and/or government. It largely fell upon the wives to forge acquaintances in the Nation's capital, since many of them led solitary lives while away from their home States.

In 1914, the club moved into a Beaux Arts-style mansion located on the corner of New Hampshire Avenue and U Street, Northwest, here in Washington, D.C., where it continues to be the meeting place to this day. It has maintained its mission of serving as a place for spouses of Members of both the House and the Senate to develop non-partisan, bipartisan, I might say, friendships. In addition, its membership has been broadened to include both female and male spouses as more women have been elected to Congress over the last century.

The club also counts among its members spouses of Supreme Court Justices and the President's Cabinet, as well as former First Ladies. It has been a center for service since its founding, providing aid to our Nation's soldiers; supporting local police and fire departments; hosting receptions for senior citizens, the disadvantaged, young people and spouses of ambassadors. It is entirely self-supporting from membership dues and the sale of the Congressional Club cookbook, which includes recipes and signatures of Members of Congress, First Ladies, Ambassadors, as well as members of the club.

It's interesting to note that 100 years ago this May it took the charm of a determined wife of a Member of Congress to get the Federal legislation incorporating the club approved by the House of Representatives. The House minority leader, John Sharp Williams of Mississippi, had opposed the bill and was using parliamentary procedures to delay and to defeat the bill.

History has it that when Mrs. Williams, his spouse, who favored the club, heard about her husband's opposition, she invited him to lunch the day that the measure was to be considered on the House floor. After lunch, he withdrew his opposition and his request for a recorded vote, saying that, "It is the opinion of the gentleman from Mississippi that there will not be a roll call because it would cause a great deal of unhappiness in Washington."

As the proud spouse of the current president of the Congressional Club, Vivian Creighton Bishop, I'm pleased to be the sponsor of this resolution commemorating the club on reaching this important milestone.

I want to commend a number of people for their outstanding work in bringing this resolution to the floor: Richard Henkle on Congressman TIAHRT's staff; Doug Thompson on Congressman TANNER's staff; Denise Wilson on the House Oversight and Government Reform Committee; and Jonathan Halpern on my staff. I also would like to thank Vicki Tiahart, Susie Skelton and Lydia de La Vina De Foley for their excellent efforts in support of the club and, of course, in support of this resolution.

Mr. Speaker, I again thank my colleagues who are cosponsors for their extraordinary support of this resolution, and I urge its immediate adoption.

□ 1400

Mr. ISSA. Mr. Speaker, I, too, rise in support of this resolution. I certainly believe that 100 years of the attempts by spouses to have this body work together in a better, more collegial fashion is noteworthy.

Today, though, as we honor the work of our spouses, and particularly those who would say that if, in fact, you don't do what I'd like you to do, it could cause a great deal of domestic unhappiness—I believe was the line—in Washington, we should take note that this body is not operating in a collegial fashion. This body has, in fact, broken down. The concept of bipartisan behavior, including the long tradition of a motion to recommit, a long tradition of amendments and opportunities for ideas to be exchanged on and off the dais, has broken down.

So I do think it's important that we turn to recognizing an effort made 100 years ago at a time in which Members of Congress—House, Senate, Republican, Democrat—went to dinner together in each other's homes. Their children played together. They, in fact, lived here in Washington.

Living here in Washington has become sort of a term for misconduct. The idea that you would come and that you would work with 434 of your colleagues to make a better America, that you would walk across the Capitol and work with 100 Senators to make a better America seems to have fallen out of favor.

Today, unfortunately, we spend a lot of time meeting in our conferences on a partisan basis. In those conferences we ask, well, how can we beat them? How can we beat them now? How can we beat them in the election? We should be asking, how do we work together for a better government and a better America?

So I hope that the efforts of this club, which have been long, hard, and successful in many, many ways certainly in bringing our spouses together, certainly in activities for the community, will be a starting point today for us looking across the aisle and asking, why is it that we're afraid to have dinner together? Why is it that our meetings are Republicans with Republicans and Democrats with Democrats? We need to work together.

We have big problems in America today; some of them are obvious to Americans. We talk of the war and we talk of gas prices, we even talk of the Pelosi premium. Well, I believe it's a Pelosi premium, but it's a premium built on years of other people's mistakes and other people's watches.

Today, I use the opportunity given to me to talk about this important bipartisan resolution to say, let's solve gas and oil problems on a bipartisan basis. Let's deal with the challenges we face in Iraq and Afghanistan on a bipartisan basis. Let's deal with the immigration reform challenge on a bipartisan basis. Most of all, let's make sure that America's next 100 years is 100 years of success in competing worldwide. We can do this if we do it on a bipartisan basis. One hundred years ago, mostly women worked tirelessly to form an organization to help us do just that. Let's commit ourselves to doing just that today.

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

Ms. WATSON. Mr. Speaker, for its rich history and ongoing traditions, I hope that we can come together as a body representing Americans far and wide, and in good humor, and following the procedures of this House, that we join together in recognizing the 100th anniversary of the Congressional Club. They do stand for bipartisanship. They do stand for working together. We, indeed, can eat together as fellows, friends, partners in making policy. And so let's use the example of this Congressional Club by agreeing to pass H. Res. 1026.

Mr. Speaker, I would like to yield the remaining time to the man from Missouri, the Honorable IKE SKELTON.

Mr. SKELTON. I certainly thank the gentlelady from California for her addition and leadership on this bill, as well as my friend from Georgia (Mr. BISHOP) for sponsoring it.

It's with a great deal of understanding as well as a bit of nostalgia that I speak in favor of this resolution.

I know full well of the bipartisanship of which my friends from California speak. I know full well of the work that this Congressional Club has done over, now that I've witnessed, nearly 32 years. I know of the friendships, both Democrat and Republican, that have been formed and have been forged together that will last a lifetime. I know, and I hope this body will fully recognize the fact that this Congressional Club has set forth the real standard on understanding one another in this body in the full spirit of bipartisanship.

It was my late wife, Susie, who had the honor to serve as the Treasurer of this Congressional Club in 1983 and 1984, and again as President of the Club in 1987 and 1988. And it should be of note that our colleague from California, DORIS MATSUI, served as an officer in the Club simultaneously with my late wife, Susie.

It is an excellent resolution for an excellent organization. I hope the next 100 years will see the same effort in

friendship and bipartisanship reign as it has in the past.

Mr. GINGREY. Mr. Speaker, I rise today in support of H. Res. 1026, recognizing the 100th anniversary of the founding of the Congressional Club. Founded by an act of Congress in 1908 and signed into law by President Theodore Roosevelt, the Congressional Club has been a home away from home for spouses of Members of Congress, fostering friendships across party and geographical lines.

The Congressional clubhouse was constructed in 1914, and since that time the club has been a vital and influential member of the U-Street corridor community, encouraging revitalization of the area by hosting programs with inner-city children, planning appreciation days at local nursing homes with senior citizens, and honoring the District's fire and police departments.

Mr. Speaker, the generosity of the Congressional Club members extends well beyond the District of Columbia. Club members have raised funds for the purchase of two evacuation planes for wounded soldiers, and donate tens of thousands of dollars to charity on an annual basis.

As a member of the Congressional Club now for several years, my wife Billie Gingrey has seen first-hand how the club has been a good friend and neighbor to the Washington, DC, community. I encourage all Members to join me today in recognizing the 100th anniversary of the Congressional Club, and to thank its members for their work and contributions to the community.

Mr. MILLER of Florida. Mr. Speaker, I rise to today in support of House Resolution 1026, recognizing the 100th anniversary of the Congressional Club. One hundred years ago, the Congressional Club was founded to promote friendship among the spouses of Members of Congress. While keeping true to its purpose, the club throughout the years has become much more. Not only does this distinctive club build relationships between the two political parties, but it also organizes charity events and diplomatic receptions. Every spring since 1912, the spouses gather to host a luncheon in honor of our First Lady, and they donate tens of thousands of dollars to charities in her name. Many of the club's charitable recipients include mentoring programs, literacy programs, the White House library, youth dance troupes, domestic shelters, and child care centers.

Fulfilling their own mission to encourage all Americans to strive for greater friendship, civility, and generosity in order to heighten public service, elevate the culture, and enrich humanity; the spouses extend their hands globally in friendship and goodwill by hosting an annual diplomatic reception to entertain the spouses of Ambassadors to the United States. The Congressional Club encourages all Americans to seek out opportunities to give support and to volunteer to assist charitable organizations in their own communities.

I am proud and honored that my wife, Vicki Miller, is the incoming president of the Congressional Club next year. She follows in the footsteps of admirable Presidents including Mrs. Vivian Bishop, Mrs. Lindy Boggs, Mrs. JO ANN EMERSON, Mrs. LOIS CAPPS, Mrs. MARY BONO MACK, and Ms. DORIS MATSUI. I know Vicki is looking forward to carrying on the friendships and bipartisan traditions of the club.

Mr. Speaker, today I would like to congratulate the Congressional Club on its 100th anniversary and to recognize these spouses in their efforts to promote the greater good both here at home and abroad. May God bless them and may the Congressional Club continue in their friendship and charitable efforts for many years to come.

Mr. TANCREDO. Mr. Speaker, I rise in support of H. Res. 1026, recognizing the 100th anniversary of the founding of the Congressional Club.

As the resolution states, the club was "organized in 1908 by 25 women who were influential in Washington's official life and who wanted to establish a nonsectarian and nonpolitical group that would promote friendship and cordiality in public life."

Congressional spouses are active in the group, which is one of Washington's oldest and most venerable social clubs.

The Congressional Club has hosted the annual First Lady's luncheon for nearly a century, and makes numerous charitable donations in the name of the First Lady each year. The club also plays host to the spouses of foreign ambassadors serving here in the U.S.

For 100 years, the Congressional Club has contributed its time and efforts to numerous charitable causes, improved the cultural atmosphere in Washington, and extended a hand of friendship to the foreign diplomatic corps of countless nations.

The club deserves our recognition today, and I am proud to be a cosponsor of this resolution.

Mr. BACHUS. Mr. Speaker, I rise to support H. Res. 1026, a resolution recognizing the 100th Anniversary of the founding of the Congressional Club.

From its very start, the Congressional Club has helped the spouses of Members to come together on a nonpartisan basis to form friendships and perform public service.

The role of the Congressional Club is as essential now as it was when the club was formed in 1908. Back then, Members and spouses often had to spend a long time traveling to Washington. Once here, spouses in particular faced the challenge of developing acquaintances and friendships in a new city and finding ways to share their talents to benefit the community and their country.

The club provided a refreshing nonpolitical atmosphere for friendships and charitable activities, a hallmark that continues to this day. Its headquarters at New Hampshire Avenue and U Street is listed on the National Registry of Historic Places and serves as an architectural anchor for the neighborhood.

Today, the Congressional Club continues to be a haven of civility and culture where the spouses of Members can meet outside of a political world that sometimes can be all-consuming and far too partisan. It is a testament to the positive things that happen in this town when creative and talented people get together for the sole purpose of serving the public good.

The Congressional Club has provided charitable support to literacy programs, domestic shelters, child care and seniors citizens, the White House library and United National Indian Tribal Youth. It brightens the holidays every December by delivering cookies to our local police and fire departments and hosting luncheons for nursing home residents and neighborhood children.

One of its best-known events is the First Ladies luncheon, which funds charitable activities. My wife Linda was chair of the First Ladies luncheon in 2007, so I well appreciate the tremendous amount of planning and organization that goes into making this such an anticipated and successful event.

The vital role that the Congressional Club plays in the life of the Capitol Hill community and this city at large is evident by the fact that it is the only club in the Nation founded by an act of Congress.

With its tradition of civility and service, the Congressional Club remains as important to the life of the U.S. Congress as it was when it was founded 100 years ago. I extend my sincere commendations to all of its members, past and present, and wish the club all the best on this memorable centennial.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. WATSON) that the House suspend the rules and agree to the resolution, H. Res. 1026.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. ISSA. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

## FEDERAL ELECTRONIC EQUIPMENT DONATION ACT OF 2008

Ms. WATSON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 752) to direct Federal agencies to donate excess and surplus Federal electronic equipment, including computers, computer components, printers, and fax machines, to qualifying small towns, counties, schools, nonprofit organizations, and libraries, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 752

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

### SECTION 1. SHORT TITLE.

This Act may be cited as the "Federal Electronic Equipment Donation Act of 2008".

### SEC. 2. REQUIREMENT TO TRANSFER USEFUL FEDERAL ELECTRONIC EQUIPMENT TO EDUCATIONAL RECIPIENTS.

(a) TRANSFER OF EQUIPMENT TO EDUCATIONAL ENTITIES.—

(1) IN GENERAL.—Each Federal agency shall identify useful Federal electronic equipment that the agency has determined is excess to its needs and—

(A) report such equipment to the Administrator of General Services for processing for transfer to an educational recipient in accordance with section 549 of title 40, United States Code;

(B) transfer such equipment directly to an educational recipient, through an arrange-

ment made by the Administrator of General Services under subsection (b); or

(C) report such equipment to the Administrator of General Services as excess property if transfer under subparagraph (A) or (B) is not practicable.

(2) MANAGEMENT OF NONTRANSFERABLE EQUIPMENT.—For equipment reported under paragraph (1)(C), the Administrator of General Services shall manage the equipment in accordance with subchapters II and III of title 40, United States Code.

(3) EXCEPTION.—Equipment transferred pursuant to section 11(i) of the Stevenson-Wylder Technology Innovation Act of 1980 (15 U.S.C. 3710(i)) is neither transferred pursuant to this Act nor subject to this Act's requirements.

(b) ADVANCE REPORTING OF EQUIPMENT TO GSA.—Each Federal agency shall report to the Administrator of General Services the availability of useful Federal electronic equipment as far as possible in advance of the date the equipment is expected to become excess to its needs, so that the Administrator may attempt to arrange for the direct transfer from the donating agency to educational recipients.

(c) USE OF NONPROFIT REFURBISHERS.—In transferring any equipment pursuant to this Act, at the request of the educational recipient and if appropriate, if the equipment is not classroom-usable, the transferring agency shall convey the equipment initially to a nonprofit refurbisher for upgrade before transfer to the educational recipient.

(d) REMOVAL OF DATA BEFORE TRANSFER.—In transferring any equipment pursuant to this Act, the transferring agency shall remove data from the equipment prior to transfer to the educational recipient according to accepted sanitization procedures. To the maximum extent practicable, the transferring agency shall remove data using a means that does not remove, disable, destroy, or otherwise render unusable the equipment or components.

(e) PREFERENCE.—In transferring any equipment pursuant to this Act, the transferring agency shall give the highest preference to educational recipients located in an enterprise community or empowerment zone designated under section 1391 or 1400 of the Internal Revenue Code of 1986, a qualifying small town, or a qualifying county.

(f) LOW COST.—Any transfer made pursuant to this Act shall be made at the lowest cost to the educational recipient permitted by law.

(g) TITLE.—Title of ownership of equipment transferred pursuant to this Act shall transfer to the educational recipient receiving the equipment.

(h) NOTICE OF AVAILABILITY OF EQUIPMENT.—The Administrator of General Services shall provide notice of the anticipated availability of useful Federal electronic equipment to educational recipients by all practicable means, including newspapers, community announcements, and the Internet.

(i) FACILITATION BY REGIONAL FEDERAL EXECUTIVE BOARDS.—The regional Federal Executive Boards (as that term is used in part 960 of title 5, Code of Federal Regulations) shall help facilitate the transfer of useful Federal electronic equipment from the agencies they represent to educational recipients under this Act.

### SEC. 3. RULEMAKING.

The Administrator of General Services shall prescribe rules and procedures to carry out this Act.

### SEC. 4. EFFECT ON OTHER LAWS.

This Act supersedes Executive Order No. 12999 of April 17, 1996.

### SEC. 5. RULE OF CONSTRUCTION.

This Act may not be construed to create any right or benefit, substantive or proce-

dural, enforceable at law by a party against the United States or its agencies, officers, or employees.

### SEC. 6. DEFINITIONS.

In this Act:

(1) The term "Federal agency" means an Executive department or an Executive agency (as such terms are defined in chapter 1 of title 5, United States Code).

(2) The term "educational recipient" means a school or a community-based educational organization.

(3) The term "school" includes a pre-kindergarten program (as that term is used in the Elementary and Secondary Education Act of 1965), an elementary school, a secondary school, and a local educational agency (as those terms are defined in section 9101 of that Act.)

(4) The term "community based educational organization" means a nonprofit entity that qualifies as a nonprofit educational institution or organization for purposes of section 501(c)(3) of the Internal Revenue Code of 1986 and—

(A) is engaged in collaborative projects, the primary focus of which is education, with schools, qualifying small towns, qualifying counties, or libraries; or

(B) provides use of computers and Internet access to members of the community at no charge.

(5) The term "qualifying small town" means a political subdivision with a population of not more than 24,999 individuals where 20 percent or more of the residents earn less than the poverty threshold (as defined by the Bureau of the Census).

(6) The term "qualifying county" means a county where 20 percent or more of the residents earn less than the poverty threshold (as defined by the Bureau of the Census).

(7) The term "useful Federal electronic equipment"—

(A) means—

(i) computers and related peripheral tools (such as computer printers, modems, routers, and servers), including telecommunications and research equipment;

(ii) fax machines; and

(iii) any other electronic equipment determined by a Federal agency to be potentially useful to an educational recipient; and

(B) includes computer software, where the transfer of a license is permitted.

(8) The term "classroom-usable", with respect to useful Federal electronic equipment, means such equipment that does not require an upgrade of hardware or software in order to be used by an educational recipient without being first transferred under section 2(c) to a nonprofit refurbisher for such an upgrade.

(9) The term "nonprofit refurbisher" means an organization that—

(A) is exempt from income taxes under section 501(c) of the Internal Revenue Code of 1986; and

(B) upgrades useful Federal electronic equipment that is not yet classroom-usable at no cost or low cost to the ultimate educational recipient.

### SEC. 7. PREFERENCE IN DONATION OF PERSONAL PROPERTY THROUGH STATE AGENCIES.

Section 549(e)(3)(B) of title 40, United States Code, is amended—

(1) by striking "The state plan" and inserting the following:

"(i) IN GENERAL.—The state plan"; and

(2) by adding at the end the following new clause:

"(ii) PREFERENCE.—The state plan of operation shall require the state agency to give the highest preference for electronic equipment to eligible institutions (as described in subsection (c)(3)) that are located in an enterprise community or empowerment zone