

Although its forecasts do not quite go that far, according to the U.S. Energy Information Administration, electricity over the next 25 years is expected to jump by 50 percent. Now, similarly, domestic oil consumption is expected to grow about 1 percent a year with U.S. oil consumption climbing by one-third, from 21 million barrels a day to 28 million barrels a day. The U.S. addiction to oil is strong and growing.

We are not alone in our thirst for oil. Global demand for oil is also forecasted to increase by nearly 50 percent by the year 2030. The emergence of China and of India as economic powers is a leading cause of that growth. Their mushrooming demand for oil and for other forms of energy is reshaping global markets and is creating new geopolitical alliances and security concerns along the way.

These are significant increases, and we must plan now to meet this future energy demand or run the risk of undercutting the economic engine that drives the world's economy.

Because of the global nature of the energy crisis, there are no quick fixes or silver bullets to remedy this problem. However, this Congress must not sit idly by and watch the price of energy bankrupt American families. We must make finding a meaningful multilateral approach to our energy problem this year Congress' top priority. We need to do it now.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 38 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. JACKSON of Illinois) at 2 p.m.

#### PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

There are many different gifted persons assembled here in the 110th Congress, but there is one Spirit Who has called all of them to serve. There are many different committees and different concerns for the House of Representatives to address; but there is one Lord over all. There are different works; but all are centered on the one aspiration of equal justice under the law. There are different activities each day here on Capitol Hill; but there is one God and Father of all, Who is present and active in all. For to each person there is given a manifestation of the Spirit, and this is given for the

common good of the Nation. May God be praised in our diversity and in our unity now and forever.

Amen.

#### THE JOURNAL

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

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

#### PLEDGE OF ALLEGIANCE

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

Mr. SCOTT of Virginia 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.

#### 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:

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, July 22, 2008.

Hon. NANCY PELOSI,  
Speaker, House of Representatives,  
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, the Clerk received the following message from the Secretary of the Senate on July 22, 2008, at 1:03 p.m.:

That the Senate passed S. 2766.

That the Senate passed S. 3298.

With best wishes, I am

Sincerely,

LORRAINE C. MILLER,  
Clerk of the House.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken after 6:30 p.m. today.

#### LAW ENFORCEMENT CONGRESSIONAL BADGE OF BRAVERY ACT OF 2008

Mr. SCOTT of Virginia. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 2565) to establish an awards mechanism to honor exceptional acts of bravery in the line of duty by Federal law enforcement officers.

The Clerk read the title of the Senate bill.

The text of the Senate bill is as follows:

S. 2565

*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 "Law Enforcement Congressional Badge of Bravery Act of 2008".

#### SEC. 2. DEFINITIONS.

In this Act:

(1) **FEDERAL AGENCY HEAD.**—The term "Federal agency head" means the head of any executive, legislative, or judicial branch Government entity that employs Federal law enforcement officers.

(2) **FEDERAL BOARD.**—The term "Federal Board" means the Federal Law Enforcement Congressional Badge of Bravery Board established under section 103(a).

(3) **FEDERAL BOARD MEMBERS.**—The term "Federal Board members" means the members of the Federal Board appointed under section 103(c).

(4) **FEDERAL LAW ENFORCEMENT BADGE.**—The term "Federal Law Enforcement Badge" means the Federal Law Enforcement Congressional Badge of Bravery described in section 101.

(5) **FEDERAL LAW ENFORCEMENT OFFICER.**—The term "Federal law enforcement officer" means—

(A) means a Federal employee—

(i) who has statutory authority to make arrests or apprehensions;

(ii) who is authorized by the agency of the employee to carry firearms; and

(iii) whose duties are primarily—

(I) engagement in or supervision of the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law; or

(II) the protection of Federal, State, local, or foreign government officials against threats to personal safety; and

(B) includes a law enforcement officer employed by the Amtrak Police Department or Federal Reserve.

(6) **OFFICE.**—The term "Office" means the Congressional Badge of Bravery Office established under section 301(a).

(7) **STATE AND LOCAL BOARD.**—The term "State and Local Board" means the State and Local Law Enforcement Congressional Badge of Bravery Board established under section 203(a).

(8) **STATE AND LOCAL BOARD MEMBERS.**—The term "State and Local Board members" means the members of the State and Local Board appointed under section 203(c).

(9) **STATE AND LOCAL LAW ENFORCEMENT BADGE.**—The term "State and Local Law Enforcement Badge" means the State and Local Law Enforcement Congressional Badge of Bravery described in section 201.

(10) **STATE OR LOCAL AGENCY HEAD.**—The term "State or local agency head" means the head of any executive, legislative, or judicial branch entity of a State or local government that employs State or local law enforcement officers.

(11) **STATE OR LOCAL LAW ENFORCEMENT OFFICER.**—The term "State or local law enforcement officer" means an employee of a State or local government—

(A) who has statutory authority to make arrests or apprehensions;

(B) who is authorized by the agency of the employee to carry firearms; and

(C) whose duties are primarily—

(i) engagement in or supervision of the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law; or

(ii) the protection of Federal, State, local, or foreign government officials against threats to personal safety.

# **TITLE I—FEDERAL LAW ENFORCEMENT CONGRESSIONAL BADGE OF BRAVERY**

## **SEC. 101. AUTHORIZATION OF A BADGE.**

The Attorney General may award, and a Member of Congress or the Attorney General may present, in the name of Congress a Federal Law Enforcement Congressional Badge of Bravery to a Federal law enforcement officer who is cited by the Attorney General, upon the recommendation of the Federal Board, for performing an act of bravery while in the line of duty.

## **SEC. 102. NOMINATIONS.**

(a) IN GENERAL.—A Federal agency head may nominate for a Federal Law Enforcement Badge an individual—

(1) who is a Federal law enforcement officer working within the agency of the Federal agency head making the nomination; and

(2) who—

(A)(i) sustained a physical injury while—

(I) engaged in the lawful duties of the individual; and

(II) performing an act characterized as bravery by the Federal agency head making the nomination; and

(i) put the individual at personal risk when the injury described in clause (i) occurred; or

(B) while not injured, performed an act characterized as bravery by the Federal agency head making the nomination that placed the individual at risk of serious physical injury or death.

(b) CONTENTS.—A nomination under subsection (a) shall include—

(1) a written narrative, of not more than 2 pages, describing the circumstances under which the nominee performed the act of bravery described in subsection (a) and how the circumstances meet the criteria described in such subsection;

(2) the full name of the nominee;

(3) the home mailing address of the nominee;

(4) the agency in which the nominee served on the date when such nominee performed the act of bravery described in subsection (a);

(5) the occupational title and grade or rank of the nominee;

(6) the field office address of the nominee on the date when such nominee performed the act of bravery described in subsection (a); and

(7) the number of years of Government service by the nominee as of the date when such nominee performed the act of bravery described in subsection (a).

(c) SUBMISSION DEADLINE.—A Federal agency head shall submit each nomination under subsection (a) to the Office not later than February 15 of the year following the date on which the nominee performed the act of bravery described in subsection (a).

## **SEC. 103. FEDERAL LAW ENFORCEMENT CONGRESSIONAL BADGE OF BRAVERY BOARD.**

(a) ESTABLISHMENT.—There is established within the Department of Justice a Federal Law Enforcement Congressional Badge of Bravery Board.

(b) DUTIES.—The Federal Board shall do the following:

(1) Design the Federal Law Enforcement Badge with appropriate ribbons and appurtenances.

(2) Select an engraver to produce each Federal Law Enforcement Badge.

(3) Recommend recipients of the Federal Law Enforcement Badge from among those nominations timely submitted to the Office.

(4) Annually present to the Attorney General the names of Federal law enforcement

officers who the Federal Board recommends as Federal Law Enforcement Badge recipients in accordance with the criteria described in section 102(a).

(5) After approval by the Attorney General—

(A) procure the Federal Law Enforcement Badges from the engraver selected under paragraph (2);

(B) send a letter announcing the award of each Federal Law Enforcement Badge to the Federal agency head who nominated the recipient of such Federal Law Enforcement Badge;

(C) send a letter to each Member of Congress representing the congressional district where the recipient of each Federal Law Enforcement Badge resides to offer such Member an opportunity to present such Federal Law Enforcement Badge; and

(D) make or facilitate arrangements for presenting each Federal Law Enforcement Badge in accordance with section 104.

(6) Set an annual timetable for fulfilling the duties described in this subsection.

### **(c) MEMBERSHIP.—**

(1) NUMBER AND APPOINTMENT.—The Federal Board shall be composed of 7 members appointed as follows:

(A) One member jointly appointed by the majority leader and minority leader of the Senate.

(B) One member jointly appointed by the Speaker and minority leader of the House of Representatives.

(C) One member from the Department of Justice appointed by the Attorney General.

(D) Two members of the Federal Law Enforcement Officers Association appointed by the Executive Board of the Federal Law Enforcement Officers Association.

(E) Two members of the Fraternal Order of Police appointed by the Executive Board of the Fraternal Order of Police.

### **(2) LIMITATION.—Not more than—**

(A) 2 Federal Board members may be members of the Federal Law Enforcement Officers Association; and

(B) 2 Federal Board members may be members of the Fraternal Order of Police.

(3) QUALIFICATIONS.—Federal Board members shall be individuals with knowledge or expertise, whether by experience or training, in the field of Federal law enforcement.

(4) TERMS AND VACANCIES.—Each Federal Board member shall be appointed for 2 years and may be reappointed. A vacancy in the Federal Board shall not affect the powers of the Federal Board and shall be filled in the same manner as the original appointment.

### **(d) OPERATIONS.—**

(1) CHAIRPERSON.—The Chairperson of the Federal Board shall be a Federal Board member elected by a majority of the Federal Board.

(2) MEETINGS.—The Federal Board shall conduct its first meeting not later than 90 days after the appointment of a majority of Federal Board members. Thereafter, the Federal Board shall meet at the call of the Chairperson, or in the case of a vacancy of the position of Chairperson, at the call of the Attorney General.

(3) VOTING AND RULES.—A majority of Federal Board members shall constitute a quorum to conduct business, but the Federal Board may establish a lesser quorum for conducting hearings scheduled by the Federal Board. The Federal Board may establish by majority vote any other rules for the conduct of the business of the Federal Board, if such rules are not inconsistent with this title or other applicable law.

### **(e) POWERS.—**

#### **(1) HEARINGS.—**

(A) IN GENERAL.—The Federal Board may hold hearings, sit and act at times and places, take testimony, and receive evidence

as the Federal Board considers appropriate to carry out the duties of the Federal Board under this title. The Federal Board may administer oaths or affirmations to witnesses appearing before it.

(B) WITNESS EXPENSES.—Witnesses requested to appear before the Federal Board may be paid the same fees as are paid to witnesses under section 1821 of title 28, United States Code. The per diem and mileage allowances for witnesses shall be paid from funds appropriated to the Federal Board.

(2) INFORMATION FROM FEDERAL AGENCIES.—Subject to sections 552, 552a, and 552b of title 5, United States Code—

(A) the Federal Board may secure directly from any Federal department or agency information necessary to enable it to carry out this title; and

(B) upon request of the Federal Board, the head of that department or agency shall furnish the information to the Federal Board.

(3) INFORMATION TO BE KEPT CONFIDENTIAL.—The Federal Board shall not disclose any information which may compromise an ongoing law enforcement investigation or is otherwise required by law to be kept confidential.

### **(f) COMPENSATION.—**

(1) IN GENERAL.—Except as provided in paragraph (2), each Federal Board member shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which such Federal Board member is engaged in the performance of the duties of the Federal Board.

(2) PROHIBITION OF COMPENSATION FOR GOVERNMENT EMPLOYEES.—Federal Board members who serve as officers or employees of the Federal Government or a State or a local government may not receive additional pay, allowances, or benefits by reason of their service on the Federal Board.

(3) TRAVEL EXPENSES.—Each Federal Board member shall receive travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57 of title 5, United States Code.

## **SEC. 104. PRESENTATION OF FEDERAL LAW ENFORCEMENT BADGES.**

(a) PRESENTATION BY MEMBER OF CONGRESS.—A Member of Congress may present a Federal Law Enforcement Badge to any Federal Law Enforcement Badge recipient who resides in such Member's congressional district. If both a Senator and Representative choose to present a Federal Law Enforcement Badge, such Senator and Representative shall make a joint presentation.

(b) PRESENTATION BY ATTORNEY GENERAL.—If no Member of Congress chooses to present the Federal Law Enforcement Badge as described in subsection (a), the Attorney General, or a designee of the Attorney General, shall present such Federal Law Enforcement Badge.

(c) PRESENTATION ARRANGEMENTS.—The office of the Member of Congress presenting each Federal Law Enforcement Badge may make arrangements for the presentation of such Federal Law Enforcement Badge, and if a Senator and Representative choose to participate jointly as described in subsection (a), the Members shall make joint arrangements. The Federal Board shall facilitate any such presentation arrangements as requested by the congressional office presenting the Federal Law Enforcement Badge and shall make arrangements in cases not undertaken by Members of Congress.

## TITLE II—STATE AND LOCAL LAW ENFORCEMENT CONGRESSIONAL BADGE OF BRAVERY

### SEC. 201. AUTHORIZATION OF A BADGE.

The Attorney General may award, and a Member of Congress or the Attorney General may present, in the name of Congress a State and Local Law Enforcement Congressional Badge of Bravery to a State or local law enforcement officer who is cited by the Attorney General, upon the recommendation of the State and Local Board, for performing an act of bravery while in the line of duty.

### SEC. 202. NOMINATIONS.

(a) IN GENERAL.—A State or local agency head may nominate for a State and Local Law Enforcement Badge an individual—

(1) who is a State or local law enforcement officer working within the agency of the State or local agency head making the nomination; and

(2) who—

(A)(i) sustained a physical injury while—

(I) engaged in the lawful duties of the individual; and

(II) performing an act characterized as bravery by the State or local agency head making the nomination; and

(ii) put the individual at personal risk when the injury described in clause (i) occurred; or

(B) while not injured, performed an act characterized as bravery by the State or local agency head making the nomination that placed the individual at risk of serious physical injury or death.

(b) CONTENTS.—A nomination under subsection (a) shall include—

(1) a written narrative, of not more than 2 pages, describing the circumstances under which the nominee performed the act of bravery described in subsection (a) and how the circumstances meet the criteria described in such subsection;

(2) the full name of the nominee;

(3) the home mailing address of the nominee;

(4) the agency in which the nominee served on the date when such nominee performed the act of bravery described in subsection (a);

(5) the occupational title and grade or rank of the nominee;

(6) the field office address of the nominee on the date when such nominee performed the act of bravery described in subsection (a); and

(7) the number of years of government service by the nominee as of the date when such nominee performed the act of bravery described in subsection (a).

(c) SUBMISSION DEADLINE.—A State or local agency head shall submit each nomination under subsection (a) to the Office not later than February 15 of the year following the date on which the nominee performed the act of bravery described in subsection (a).

### SEC. 203. STATE AND LOCAL LAW ENFORCEMENT CONGRESSIONAL BADGE OF BRAVERY BOARD.

(a) ESTABLISHMENT.—There is established within the Department of Justice a State and Local Law Enforcement Congressional Badge of Bravery Board.

(b) DUTIES.—The State and Local Board shall do the following:

(1) Design the State and Local Law Enforcement Badge with appropriate ribbons and appurtenances.

(2) Select an engraver to produce each State and Local Law Enforcement Badge.

(3) Recommend recipients of the State and Local Law Enforcement Badge from among those nominations timely submitted to the Office.

(4) Annually present to the Attorney General the names of State or local law enforce-

ment officers who the State and Local Board recommends as State and Local Law Enforcement Badge recipients in accordance with the criteria described in section 202(a).

(5) After approval by the Attorney General—

(A) procure the State and Local Law Enforcement Badges from the engraver selected under paragraph (2);

(B) send a letter announcing the award of each State and Local Law Enforcement Badge to the State or local agency head who nominated the recipient of such State and Local Law Enforcement Badge;

(C) send a letter to each Member of Congress representing the congressional district where the recipient of each State and Local Law Enforcement Badge resides to offer such Member an opportunity to present such State and Local Law Enforcement Badge; and

(D) make or facilitate arrangements for presenting each State and Local Law Enforcement Badge in accordance with section 204.

(6) Set an annual timetable for fulfilling the duties described in this subsection.

(c) MEMBERSHIP.—

(1) NUMBER AND APPOINTMENT.—The State and Local Board shall be composed of 9 members appointed as follows:

(A) One member jointly appointed by the majority leader and minority leader of the Senate.

(B) One member jointly appointed by the Speaker and minority leader of the House of Representatives.

(C) One member from the Department of Justice appointed by the Attorney General.

(D) Two members of the Fraternal Order of Police appointed by the Executive Board of the Fraternal Order of Police.

(E) One member of the National Association of Police Organizations appointed by the Executive Board of the National Association of Police Organizations.

(F) One member of the National Organization of Black Law Enforcement Executives appointed by the Executive Board of the National Organization of Black Law Enforcement Executives.

(G) One member of the International Association of Chiefs of Police appointed by the Board of Officers of the International Association of Chiefs of Police.

(H) One member of the National Sheriffs' Association appointed by the Executive Committee of the National Sheriffs' Association.

(2) LIMITATION.—Not more than 5 State and Local Board members may be members of the Fraternal Order of Police.

(3) QUALIFICATIONS.—State and Local Board members shall be individuals with knowledge or expertise, whether by experience or training, in the field of State and local law enforcement.

(4) TERMS AND VACANCIES.—Each State and Local Board member shall be appointed for 2 years and may be reappointed. A vacancy in the State and Local Board shall not affect the powers of the State and Local Board and shall be filled in the same manner as the original appointment.

(d) OPERATIONS.—

(1) CHAIRPERSON.—The Chairperson of the State and Local Board shall be a State and Local Board member elected by a majority of the State and Local Board.

(2) MEETINGS.—The State and Local Board shall conduct its first meeting not later than 90 days after the appointment of a majority of State and Local Board members. Thereafter, the State and Local Board shall meet at the call of the Chairperson, or in the case of a vacancy of the position of Chairperson, at the call of the Attorney General.

(3) VOTING AND RULES.—A majority of State and Local Board members shall constitute a quorum to conduct business, but the State and Local Board may establish a lesser quorum for conducting hearings scheduled by the State and Local Board. The State and Local Board may establish by majority vote any other rules for the conduct of the business of the State and Local Board, if such rules are not inconsistent with this title or other applicable law.

(e) POWERS.—

(1) HEARINGS.—

(A) IN GENERAL.—The State and Local Board may hold hearings, sit and act at times and places, take testimony, and receive evidence as the State and Local Board considers appropriate to carry out the duties of the State and Local Board under this title. The State and Local Board may administer oaths or affirmations to witnesses appearing before it.

(B) WITNESS EXPENSES.—Witnesses requested to appear before the State and Local Board may be paid the same fees as are paid to witnesses under section 1821 of title 28, United States Code. The per diem and mileage allowances for witnesses shall be paid from funds appropriated to the State and Local Board.

(2) INFORMATION FROM FEDERAL AGENCIES.—Subject to sections 552, 552a, and 552b of title 5, United States Code—

(A) the State and Local Board may secure directly from any Federal department or agency information necessary to enable it to carry out this title; and

(B) upon request of the State and Local Board, the head of that department or agency shall furnish the information to the State and Local Board.

(3) INFORMATION TO BE KEPT CONFIDENTIAL.—The State and Local Board shall not disclose any information which may compromise an ongoing law enforcement investigation or is otherwise required by law to be kept confidential.

(f) COMPENSATION.—

(1) IN GENERAL.—Except as provided in paragraph (2), each State and Local Board member shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which such State and Local Board member is engaged in the performance of the duties of the State and Local Board.

(2) PROHIBITION OF COMPENSATION FOR GOVERNMENT EMPLOYEES.—State and Local Board members who serve as officers or employees of the Federal Government or a State or a local government may not receive additional pay, allowances, or benefits by reason of their service on the State and Local Board.

(3) TRAVEL EXPENSES.—Each State and Local Board member shall receive travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57 of title 5, United States Code.

### SEC. 204. PRESENTATION OF STATE AND LOCAL LAW ENFORCEMENT BADGES.

(a) PRESENTATION BY MEMBER OF CONGRESS.—A Member of Congress may present a State and Local Law Enforcement Badge to any State and Local Law Enforcement Badge recipient who resides in such Member's congressional district. If both a Senator and Representative choose to present a State and Local Law Enforcement Badge, such Senator and Representative shall make a joint presentation.

(b) PRESENTATION BY ATTORNEY GENERAL.—If no Member of Congress chooses to present the State and Local Law Enforcement Badge

as described in subsection (a), the Attorney General, or a designee of the Attorney General, shall present such State and Local Law Enforcement Badge.

(c) **PRESENTATION ARRANGEMENTS.**—The office of the Member of Congress presenting each State and Local Law Enforcement Badge may make arrangements for the presentation of such State and Local Law Enforcement Badge, and if a Senator and Representative choose to participate jointly as described in subsection (a), the Members shall make joint arrangements. The State and Local Board shall facilitate any such presentation arrangements as requested by the congressional office presenting the State and Local Law Enforcement Badge and shall make arrangements in cases not undertaken by Members of Congress.

### **TITLE III—CONGRESSIONAL BADGE OF BRAVERY OFFICE**

#### **SEC. 301. CONGRESSIONAL BADGE OF BRAVERY OFFICE.**

(a) **ESTABLISHMENT.**—There is established within the Department of Justice a Congressional Badge of Bravery Office.

(b) **DUTIES.**—The Office shall—

(1) receive nominations from Federal agency heads on behalf of the Federal Board and deliver such nominations to the Federal Board at Federal Board meetings described in section 103(d)(2);

(2) receive nominations from State or local agency heads on behalf of the State and Local Board and deliver such nominations to the State and Local Board at State and Local Board meetings described in section 203(d)(2); and

(3) provide staff support to the Federal Board and the State and Local Board to carry out the duties described in section 103(b) and section 203(b), respectively.

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

The Chair recognizes the gentleman from Virginia.

#### **GENERAL LEAVE**

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

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

There was no objection.

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

Mr. Speaker, it is my pleasure to rise in strong support of S. 2565, the Law Enforcement Congressional Badge Bravery Act of 2008.

This excellent measure establishes a formal process by which Congress will be able to recognize acts of bravery of all of our Nation's law enforcement officers who become injured in the course of their duties.

Of the more than 70 Federal law enforcement agencies, only two have an awards programs to recognize their officers. Such scant recognition for the sacrifices that these officers make is simply unacceptable.

This legislation builds on legislation the House passed in April, H.R. 4056, authored by the gentleman from Indi-

ana (Mr. **ELLSWORTH**), to accord Congressional recognition for the dangers Federal law enforcement officers face for our safety each day. H.R. 4056 would have established a meaningful and long-overdue system to honor deserving officers.

S. 2565 takes a somewhat different approach. It extends recognition for State and local law enforcement officers, as well as Federal officers, injured in the line of duty. A Member of Congress or the Attorney General would be authorized to present, on behalf of Congress, a Congressional Badge of Bravery not only to Federal officers but also to any State or local officers cited by the Attorney General based upon the recommendation of a board established by this measure.

Mr. Speaker, the men and women in law enforcement, like many hard-working public servants, must work long and often irregular hours unlike other public servants. However, law enforcement officers undertake their responsibilities with the full knowledge that they are at risk of severe injury or worse, and it is fitting that we honor these officers for whom the risk becomes the reality. S. 2565 will now accord these brave men and women formal Congressional recognition, an honor that is so much deserved.

I want to thank the gentleman from Indiana (Mr. **ELLSWORTH**) and the Senator from Delaware (Mr. **BIDEN**) for their leadership in this important legislation, and I encourage my colleagues to support it.

I reserve the balance of my time.

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

Mr. Speaker, I rise in strong support of S. 2565, the Law Enforcement Congressional Badge of Bravery Act of 2008. The House passed similar legislation earlier this year to honor the men and women of law enforcement who are injured in the line of duty.

America's law enforcement officers protect our communities from street gangs and drug dealers, investigate bank robberies and kidnappings, and apprehend violent criminals. From a simple traffic stop to a complex counterterrorism investigation, our Federal, State, and local police forces put their lives on the line every day. They don't seek fame or recognition, and when honored for their bravery and sacrifice, they will simply say, "just doing our job."

There are more than 100,000 Federal law enforcement officers and 900,000 State and local law enforcement officers employed across our nation. And each year approximately 150 of these Federal officers and 160,000 State and local officers are injured in the line of duty.

S. 2565 establishes the Congressional Badge of Bravery to honor these brave men and women. The Congressional Badge of Bravery pays tribute to law enforcement officers who demonstrate bravery in performance of their duties, face personal risk to their own safety, and were injured in the line of duty.

S. 2565 establishes a seven-member Badge of Bravery Board within the Department of Justice. The board is charged with designing the badge, recommending recipients, and coordinating the presentation of the award for Federal law enforcement officers.

S. 2565 also establishes a State and Local Law Enforcement Congressional Badge of Bravery Board within the Department to oversee the presentation of the badge to State troopers, county sheriffs, and local police officers.

America's law enforcement officers risk their lives to protect our families and keep our communities safe. Honoring these acts of bravery is the least we can do to recognize the commitment and sacrifice of those injured in the line of duty.

Mr. Speaker, I heard a Sunday morning service just yesterday, and the preacher asked his audience to imagine where we would be without mechanics and without electricians. He chose those two because, by his own admission, he was inept in those areas, as am I. If there are no mechanics or electricians, I'm out of luck, Mr. **SCOTT**, and I empathize with him on that.

I think by the same token, think where we would be in this country and in this world without law enforcement and without firefighters. These are some oftentimes professions that we may take lightly and for granted, but indeed we should not because they are indeed significant to our well-being.

I share with my friend from Virginia (Mr. **SCOTT**) in urging my colleagues to support this legislation.

Ms. **JACKSON-LEE** of Texas. Mr. Speaker, I rise today in support of S. 2565 to establish an awards mechanism to honor exceptional acts of bravery in the line of duty by Federal, State, and local law enforcement officers. This bill will provide a mechanism to honor exceptional acts of bravery in the line of duty by Federal, State, and local law enforcement officers. In sum this bill provides a mechanism to honor for their service and bravery.

There are more than 900,000 sworn law enforcement officers serving in the United States; the highest figure ever. On average, more than 56,000 law enforcement officers are assaulted each year, resulting in over 16,000 injuries with an average of 150 of those injuries sustained by Federal law enforcement officers. While members of the military receive the Purple Heart when wounded or killed, most Federal law enforcement officers receive no such commendation for their sacrifice. In fact, of the over 70 Federal agencies that employ Federal law enforcement agents, only two agencies award medals and commendations for physical injuries.

This must change. Both the military and our law enforcement officers protect the citizens of our great country every single day. If we can acknowledge the sacrifices made by the military, we can recognize those made by law enforcement.

It is time for all of our law enforcement officers to receive the recognition they deserve. This bill authorizes the Attorney General to award a Congressional Badge of Bravery to a Federal law enforcement officer who sustains a physical injury in the line of duty and to

award a State and Local Law Enforcement Congressional Badge of Bravery to a State or local law enforcement officer who is cited by the Attorney General for performing such an act of bravery while in the line of duty.

I urge my colleagues to pass this legislation and support the law enforcement community. I would also note that this bill has support from both the Federal Law Enforcement Officers Association and the Fraternal Order of Police, organizations with over 26,000 and 325,000 members, respectively. These men and women serve our country every single day, working to keep us safe from threats ranging from terrorists to petty thieves. It is our duty to see that they receive the recognition they so rightly deserve.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. SCOTT) that the House suspend the rules and pass the Senate bill, S. 2565.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

#### VESSEL HULL DESIGN PROTECTION AMENDMENTS OF 2008

Mr. SCOTT of Virginia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6531) to amend chapter 13 of title 17, United States Code (relating to the vessel hull design protection), to clarify the definitions of a hull and a deck.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6531

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

#### SECTION 1. VESSEL HULL DESIGN PROTECTION.

(a) **SHORT TITLE.**—This Act may be cited as the “Vessel Hull Design Protection Amendments of 2008”.

(b) **DESIGNS PROTECTED.**—Section 1301(a) of title 17, United States Code, is amended by striking paragraph (2) and inserting the following:

“(2) **VESSEL FEATURES.**—The design of a vessel hull, deck, or combination of a hull and deck, including a plug or mold, is subject to protection under this chapter, notwithstanding section 1302(4).”.

(c) **EXCEPTIONS.**—Section 1301(a) of title 17, United States Code, is amended by adding at the end the following:

“(3) **EXCEPTIONS.**—Department of Defense rights in a registered design under this chapter, including the right to build to such registered design, shall be determined solely by operation of section 2320 of title 10 or by the instrument under which the design was developed for the United States Government.”.

(d) **DEFINITIONS.**—Section 1301(b) of title 17, United States Code, is amended—

(1) in paragraph (2), by striking “vessel hull, including a plug or mold,” and inserting “vessel hull or deck, including a plug or mold,”;

(2) by striking paragraph (4) and inserting the following:

“(4) A ‘hull’ is the exterior frame or body of a vessel, exclusive of the deck, superstructure, masts, sails, yards, rigging, hardware, fixtures, and other attachments.”; and (3) by adding at the end the following:

“(7) A ‘deck’ is the horizontal surface of a vessel that covers the hull, including exterior cabin and cockpit surfaces, and exclusive of masts, sails, yards, rigging, hardware, fixtures, and other attachments.”.

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

The Chair recognizes the gentleman from Virginia.

#### GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, H.R. 6531, the Vessel Hull Design Protection Amendments of 2008, makes technical corrections to the 1998 Vessel Hull Design Protection Act for the purpose of clarifying Congress’ intent that the design of an original vessel hull, separate from a vessel deck, may be protected.

In 1998, the Vessel Hull Design Protection Act established sui generis intellectual property protection for original vessel hull designs. That Act sought to address the problems of copycats who make molds of popular boat designs in order to produce knock-off versions. These knock-offs obviously cut into the market of the original manufacturers who had invested substantial time and resources in designing and testing their boats. Nevertheless, some copycats—mostly operating overseas—have exploited a flaw in the language of the 1998 Act.

As defined in the Act, a protected “hull” consists of both the hull and deck of a vessel. In determining infringement, the courts have interpreted this to mean that an allegedly infringing design must be substantially similar to both the hull and the deck of the protected design taken together. This means that a vessel with a hull identical to a protected design but with a different deck is not considered an infringement. This loophole has allowed copycats to continue to take and use popular hull designs of others with impunity.

To correct the problem, H.R. 6531 explicitly extends protection to a hull, a deck, or both, as the original manufacturer chooses. If a manufacturer elects to protect just the hull, infringement will be judged based on whether the hull of the alleged infringer is substantially similar. The same applies also if only the deck is protected.

If a manufacturer elects to protect both the hull and the deck, infringe-

ment will continue to be judged on whether the combined hull and deck design is substantially similar.

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It is anticipated that the Copyright Office will promulgate regulations and a registration form that will clearly indicate that a deck, a hull, or hull-and-deck combination can be protected in one application.

H.R. 6531 also amends the 1998 Act to ensure that any vessel manufactured by or on behalf of the Department of Defense is governed by that agency’s general procurement law, notwithstanding vessel hull design protection.

Passage of H.R. 6531 will finally provide boat manufacturers with the protection that Congress intended to give them a decade ago.

And one point, Mr. Speaker, the bill does not address the problem of fashion design policy that is hurting U.S. designers. But given the complexity of developing the appropriate protection scheme for fashion designs, it would be better addressed in a more thorough manner the next Congress.

So I urge my colleagues to support this important measure this time.

I reserve the balance of my time.

Mr. COBLE. Mr. Speaker, I, too, rise in support of H.R. 6531, the Vessel Hull Design Protection Amendments Act of 2008, and urge its passage by the House. I’ll try not be too detailed, Mr. Speaker, but the subject matter invites some detail.

I understand this bill is better informed through a review of the underlying statute, the Vessel Hull Design Protection Act, which Congress passed as part of the Digital Millennium Copyright Act in 1998. Chairman HOWARD BERMAN, the distinguished gentleman from California, and I were the primary sponsors of the Digital Millennium Copyright Act of that year.

Boat manufacturers invest significant resources in the design and development of safe, structurally sound, and often high-performance boat hull designs. Including research and development costs, a boat manufacturer may invest as much as \$50,000 to produce a design from which one line of vessels can be manufactured.

When a boat hull is designed and the design engineering and tooling process is complete, the engineers then develop a boat plug from which they construct a boat mold. The manufacturer constructs a particular line of boats from this mold.

Unfortunately, those individuals intent on stealing an original boat design can simply use a finished boat hull in place of the manufacturer’s plug to develop a mold. This practice is referred to in the trade as splashing a mold. The copied mold can then be used to create a line of vessels with a hull seemingly identical to that appropriated from the design manufacturer.

Hull splashing is a problem for consumers as well as manufacturers in boat design firms. Consumers who purchase these knock-off boats are defrauded in the sense that they are not