

would see him courageously rise to the high ranking position of colonel after the humble beginnings of a young high school drop-out who was once rejected by the Army.

Col. Mize's story is a great example to all Americans who aspire to great things in the face of challenges. The Medal of Honor is the highest military decoration awarded by the United States Government. It is bestowed on a member of the United States Armed Forces who risk their life above and beyond the call of duty while engaged in an action against an enemy of the United States. Col. Mize exemplifies this. And I think it is appropriate and fitting that he be honored again by the naming of this clinic in Gadsden, Alabama.

Colonel Ola Mize earned his Medal of Honor when he was a sergeant for the U.S. Army with Company K of the 15th Infantry Regiment of the 3rd Infantry Division.

During one particular battle in the Korean war, his company was committed to the defense of an outpost in the southern region of what is now South Korea. And at the time, the Chinese were under heavy attack of the area.

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With all the company's officers dead or wounded, Mize worked to establish a defensive position while dragging wounded into the shelters made by timbers pulled from American bunkers destroyed by enemy fire. Over the next several hours, he assembled an impromptu patrol that went from bunker to bunker firing out of the open spaces in an effort to make the Chinese believe that they were still opposed by a vigorous force.

American counterattack forces reached Mize's position about noon on the 11th day of June, and after helping to resecure the outpost, Mize got permission to take his wounded men back to American lines. Upon reaching friendly territory, Mize, the regimental commander and the division commander, were all standing together. The two commanders did not recognize Mize, whose uniform at the time was in tatters, his flight jacket smoking, and his face badly swollen from burns. "Who are you," demanded the regimental commanders? "Sergeant Mize," he answered. "You're not Mize," the commander responded. "He's dead."

His Medal of Honor citation states that Sergeant Mize's valorous conduct and unflinching courage reflect lasting glory upon himself and upon the noble traditions of military service.

Several months later, informed that he would receive the Medal of Honor, Mize told the commanding officers that he didn't want it because it really should go to the entire platoon. Reluctantly, he was flown back to the United States so he could attend a ceremony in Denver, Colorado. He was decorated by President Dwight D. Eisenhower on September 7, 1954. In the

early 1960s, Ola Mize joined the Special Forces and did three tours in Vietnam. He retired as colonel in 1981.

Ola Mize is a great soldier that has served our country with bravery and class, and it is my pleasure today to offer this resolution in his honor.

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

GENERAL LEAVE

Mr. FILNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 5736.

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

There was no objection.

Mr. FILNER. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. FILNER) that the House suspend the rules and pass the bill, H.R. 5736.

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. STEARNS. 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.

MICHAEL A. MARZANO DEPARTMENT OF VETERANS AFFAIRS OUTPATIENT CLINIC

Mr. FILNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1594) to designate the Department of Veterans Affairs Outpatient Clinic in Hermitage, Pennsylvania, as the Michael A. Marzano Department of Veterans Affairs Outpatient Clinic.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1594

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

SECTION 1. DESIGNATION OF MICHAEL A. MARZANO DEPARTMENT OF VETERANS AFFAIRS OUTPATIENT CLINIC.

(a) DESIGNATION.—The Department of Veterans Affairs Outpatient Clinic in Hermitage, Pennsylvania, shall after the date of the enactment of this Act be known and designated as the "Michael A. Marzano Department of Veterans Affairs Outpatient Clinic".

(b) REFERENCES.—Any reference in any law, regulation, map, document, record, or other paper of the United States to the outpatient clinic referred to in subsection (a) shall be considered to be a reference to the Michael A. Marzano Department of Veterans Affairs Outpatient Clinic.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from

California (Mr. FILNER) and the gentleman from Florida (Mr. STEARNS) each will control 20 minutes.

The Chair recognizes the gentleman from California.

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

Mr. Speaker, this bill is to name the VA Outpatient Clinic in Hermitage, Pennsylvania, after U.S. Marine Corps Sergeant Michael A. Marzano. It was brought to us by Congressman ENGLISH and Congressman ALTMIRE from Pennsylvania.

Mr. Speaker, I rise in support of H.R. 1594, a bill to name the VA Outpatient Clinic in Hermitage, Pennsylvania, after U.S. Marine Corps Sergeant Michael A. Marzano.

A native of Greenville, Pennsylvania, Sgt. Marzano courageously overcame a wrestling injury to his knee during his senior year of high school to realize his long held aspirations of becoming a United States Marine, four years after initially being denied entry for this reason. What tenacity!

In fact when called up in 1999, having won several amateur titles, he was training as a boxer in preparation for competing in the 2000 Olympics. But he sacrificed it all for his country to serve as Marine.

I think we can all agree that it takes a special kind of courage to volunteer one's self to serve in harm's way for the good of our Nation. Well, Sgt. Marzano volunteered twice to serve as a member of our military armed forces. For his last tour, Sgt. Marzano enlisted with a Marine Reserve unit with the specific intention of serving in Iraq.

During his tour of duty in Iraq, Sgt. Marzano served in Iraq with Ohio's 3rd Battalion, 25th Regiment of the 4th Marine Division, and was a leader among his fellow Marines.

According to one of the many veterans' organizations supporting the dedication of this VA clinic in his honor, "he performed his duty with honor and heroism and was a shining example to his men, to the U.S. Marine Corps and to everyone who served and continues to serve our great country."

On May 8th of 2005, Sgt. Marzano was part of a Quick Reaction Force serving in the city of Haditha in Al-Anbar province, Iraq. Sgt. Marzano and the members of his team were tasked with protecting the rest of the force as they battled several insurgents who had overrun a local hospital. The local hospital contained many workers and patients who were held captive as insurgents used them as human shields.

Sgt. Marzano and his small group heroically kept the insurgents at bay providing the platoon the time they needed to engage the enemy and turn them back. Tragically, a suicide bomber driving in a vehicle borne with an improvised explosive device detonated in the area where Sgt. Marzano's quick reaction force was operating, killing Michael and three of his fellow service members.

Because of the valiant actions and sacrifice of Sgt. Marzano, Lance Corporal Lance Graham, Sergeant Aaron Cepeda, and Petty Officer 3rd Class Jeffrey Wiener, the Marines were able to secure the area under siege and free the Iraqis trapped inside the hospital which had been set on fire by the explosion of the IED.

No doubt, Sgt. Marzano is a true hero. His good nature, leadership-by-example and love-

of-country demeanor, as well as many other fine attributes, are missed by many who knew him both inside and outside of the Marine Corps he so dearly loved.

Sgt. Marzano's family has carried on his spirit of service by becoming actively involved in programs to benefit the men and women of our Nation's Armed Services, including the Packages From Home organization which sends care and comfort packages to American troops deployed around the globe. His mother, Margy Marzano, is known as one of its best volunteers. There is also a scholarship fund established in the name of Sgt. Marzano to assist high school athletes in the Mercer County area go to college.

Dedication of this VA outpatient clinic as the 'Michael A. Marzano Department of Veterans Affairs Outpatient Clinic' would be a fitting tribute to the brave service of Sgt. Marzano. In making the ultimate sacrifice for our country, Sgt. Marzano's remarkable heroism was displayed on behalf of our country, and we must never forget his legacy.

I thank my colleagues, Congressman ENGLISH and Congressman ALTMIRE for introducing this important legislation.

I yield such time as he may consume to the gentleman from Pennsylvania (Mr. ALTMIRE).

Mr. ALTMIRE. I thank the chairman.

This legislation designates the Veterans Affairs Outpatient Clinic at Hermitage, Pennsylvania, as the Michael A. Marzano Department of Veterans Affairs Outpatient Clinic. I was pleased to join with my friend and colleague, Congressman PHIL ENGLISH, last year in introducing this legislation, which will pay tribute to the service and sacrifice of a true Western Pennsylvania hero, Marine Corps Sergeant Michael Marzano.

A native of Greenville, Pennsylvania, Michael Marzano grew up with the dream of becoming a marine. Upon graduating from Sharon High School, Marzano applied to the U.S. Marine Corps and was initially denied entry because of a knee injury he suffered his senior year in high school. Determined to fulfill his dream, Marzano underwent surgery to correct the condition and continued to reapply to the U.S. Marine Corps until he was finally accepted 4 years later in 1999.

In December 2004, now Sergeant Marzano reiterated his commitment to the Nation by volunteering for a tour of duty in Iraq. But tragically, on May 8, 2005, after serving only 2 months in Iraq, the 28-year-old Sergeant Michael Marzano was killed by a suicide bomber while taking part in an offensive against insurgents in the city of Haditha, al Anbar province, in Iraq. He was the first soldier from Mercer County, Pennsylvania, to give his life in Operation Iraqi Freedom.

Following the incident, which also claimed the lives of three other brave American servicemembers, Sergeant Marzano's commanding officer recalled Sergeant Marzano's leadership and bravery, stating, "Many more lives were saved due to their sacrifice."

Mr. Speaker, Michael Marzano is a true American hero and was a very spe-

cial individual. By renaming this outpatient clinic, we will honor Sergeant Marzano's memory and recognize his bravery and sacrifice. Sergeant Marzano is representative of all those who have worn the uniform proudly, upheld the military's tradition of courage and faithful service, and once stood ready, if duty required, to make the ultimate sacrifice.

I thank Chairman FILNER for his willingness to bring this bill to the floor, and I especially thank my friend and colleague Congressman ENGLISH for his leadership in introducing this legislation.

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

I rise today in support of H.R. 1594, a bill to designate the Department of Veterans Affairs Outpatient Clinic in Hermitage, Pennsylvania, as the Michael A. Marzano Department of Veterans Affairs Outpatient Clinic.

I appreciate the efforts of my colleague Phil English, and obviously Congressman JASON ALTMIRE who just recently spoke, and their efforts to push this legislation. Obviously this is a very important symbolic piece of legislation, and I think it reminds us of what occurred. I will defer to Congressman ENGLISH for further comments on this legislation in a few moments.

As pointed out, Marine Sergeant Michael Marzano, a servicemember from Mercer County, Pennsylvania, was killed in action on May 7, 2005, while deployed in service to his Nation in Iraq. Reports from the field indicate his bravery and leadership while protecting a hospital, and many lives were saved due to his sacrifice. Sergeant Marzano was the first marine from Mercer County to give his life for freedom in Iraq.

Mr. Speaker, this legislation has strong bipartisan support and also support from the local and State veterans communities, as well as support from the entire Pennsylvania delegation.

As pointed out, I thank Chairman FILNER and also Ranking Member BUYER for foregoing the existing criteria to move this legislation expeditiously forward. It is right that we honor the memory and service of a warrior such as Michael Marzano by naming the Department of Veterans Affairs Outpatient Clinic in his honor.

So I urge my colleagues to support the bill, which is H.R. 1594.

Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Pennsylvania (Mr. ENGLISH).

Mr. ENGLISH of Pennsylvania. Mr. Speaker, I thank the gentleman from Florida, and I particularly want to thank the chairman and my good friend and colleague, Mr. ALTMIRE, for making the timely consideration of this legislation possible on the floor today.

I arise to ask all of my colleagues to join me in supporting H.R. 1594. It does something that I think every veterans' organization in Mercer County has

asked us to do, which is to designate the Department of Veterans Affairs Outpatient Clinic in Hermitage, Pennsylvania, as the Michael A. Marzano Outpatient Clinic.

Marine Sergeant Michael Marzano, as you have heard, was killed on Saturday, the 7th of May, 2005, while on assignment in Iraq. I arise here to ask you to support this legislation with a great deal of emotion because this man was the first soldier from Mercer County to give his life in the global war on terror.

I can't express myself on this as well as his commanding officer expressed it in a letter which I was given and which I would like to read a portion of.

"On 08 May 2005, enemy insurgents fired from positions within the local hospital attacking U.S. Marines in the city of Haditha, al Anbar province, Iraq. Patients and the medical staff were forced to remain in the hospital while enemy forces triggered this attack that included a Suicide Vehicle-Borne Improvised Explosive Device. The SVBIED exploded approximately 30 feet from the hospital patient ward, killing four Marines from 3rd Battalion, 25th Marines and igniting a fire within the hospital.

"Lance Corporal Lance Graham watched his platoon from above as he always did above his machine gun. Sergeant Michael Marzano's leadership and humor rubbed off on everyone around him. Sergeant Aaron Cepeda always welcomed new members to his platoon like they were part of his family. Finally, one Sailor who we will always call 'Marine' because he continuously acted like one, Petty Officer 3rd Class Jeffrey Wiener, all gave their lives that day. They had the job of protecting the force as the Quick Reaction Force and many more lives were saved due to their sacrifice. All four gave the rest of the platoon precious minutes that allowed the Marines to return fire immediately, resulting in the insurgents going on the defensive.

"Because the bravery of the men of Mobile Assault Platoon 7, the remainder of the force of over 70 Marines and Sailors sustained the attack and protected the hospital. The members of the 3rd Battalion, 25th Marines, will always honor and remember what they did. We remember our friends fondly. The memory of their leadership, courage, and sacrifice live on in the Marines and Sailors who served with them. Even in passing, they still continued to protect their brothers."

Signed, Captain John A. Kasparian.

Mr. Speaker, on October 16th, 2006, after a lot of work by several of us in the delegation, the veterans hospital in Butler, Pennsylvania, opened a Mercer County Outpatient Clinic in Hermitage. Almost immediately, veterans from Mercer County contacted me asking to have the new clinic named for Sergeant Marzano.

My staff confirmed their tales of Sergeant Marzano's heroism, and I requested input from my veterans' advisory panel to determine if there were

other candidates for this honor. All of the respondents, including the families of other fallen soldiers, universally agreed that Michael Marzano deserved this honor. He was the first to die in Iraq from Mercer County. He epitomizes the bravery and the dedication of all of our country's best. He deserves to be remembered, as does everyone who has given their lives in that conflict.

Sergeant Marzano's friends and family have already mourned his death. But with this legislation, we will honor his courage and present his life as a worthy example for future generations of young men and women.

Mr. Speaker, I hope my colleagues will join me in this worthy honor to this remarkable soldier.

Mr. FILNER. Mr. Speaker, I thank Congressman ENGLISH and Congressman ALTMIRE for bringing this bill and letting us know about the heroism of Sergeant Marzano.

Mr. STEARNS. Mr. Speaker, I have no further speakers at this time. I do want to thank Mr. ENGLISH for his presentation, his arduous work in getting this to the floor expeditiously, and, obviously, Chairman FILNER and Chairman BUYER for their efforts too.

Mr. Speaker, I yield back my time.

GENERAL LEAVE

Mr. FILNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 1594.

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

There was no objection.

Mr. FILNER. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. FILNER) that the House suspend the rules and pass the bill, H.R. 1594.

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. STEARNS. 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.

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FORMER VICE PRESIDENT PROTECTION ACT OF 2008

Mr. SCOTT of Virginia. Mr. Speaker, I move to suspend the rules and concur in the Senate amendments to the bill (H.R. 5938) to amend title 18, United States Code, to provide secret service protection to former Vice Presidents, and for other purposes

The Clerk read the title of the bill.

The text of the Senate amendments is as follows:

Senate amendments:

On page 2, strike lines 1 through 5, and insert the following:

TITLE I—FORMER VICE PRESIDENT PROTECTION ACT

SEC. 101. SHORT TITLE.

This title may be cited as the "Former Vice President Protection Act of 2008".

SEC. 102. SECRET SERVICE PROTECTION FOR FORMER VICE PRESIDENTS AND THEIR FAMILIES.

On page 3, strike line 1 and insert the following:

SEC. 103. EFFECTIVE DATE.

On page 3, after line 4, insert the following:

TITLE II—IDENTITY THEFT ENFORCEMENT AND RESTITUTION ACT

SEC. 201. SHORT TITLE.

This title may be cited as the "Identity Theft Enforcement and Restitution Act of 2008".

SEC. 202. CRIMINAL RESTITUTION.

Section 3663(b) of title 18, United States Code, is amended—

(1) in paragraph (4), by striking ";" and inserting a semicolon;

(2) in paragraph (5), by striking the period at the end and inserting "; and"; and

(3) by adding at the end the following:

"(6) in the case of an offense under sections 1028(a)(7) or 1028A(a) of this title, pay an amount equal to the value of the time reasonably spent by the victim in an attempt to remediate the intended or actual harm incurred by the victim from the offense.".

SEC. 203. ENSURING JURISDICTION OVER THE THEFT OF SENSITIVE IDENTITY IN- FORMATION.

Section 1030(a)(2)(C) of title 18, United States Code, is amended by striking "if the conduct involved an interstate or foreign communication".

SEC. 204. MALICIOUS SPYWARE, HACKING AND KEYLOGGERS.

(a) IN GENERAL.—Section 1030 of title 18, United States Code, is amended—

(1) in subsection (a)(5)—

(A) by striking subparagraph (B); and

(B) in subparagraph (A)—

(i) by striking "(A)(i) knowingly" and inserting "(A) knowingly";

(ii) by redesignating clauses (ii) and (iii) as subparagraphs (B) and (C), respectively; and

(iii) in subparagraph (C), as so redesignated—

(I) by inserting "and loss" after "damage"; and

(II) by striking ";" and inserting a period;

(2) in subsection (c)—

(A) in paragraph (2)(A), by striking "(a)(5)(A)(iii).";

(B) in paragraph (3)(B), by striking "(a)(5)(A)(iii).";

(C) by amending paragraph (4) to read as follows:

"(4)(A) except as provided in subparagraphs (E) and (F), a fine under this title, imprisonment for not more than 5 years, or both, in the case of—

"(i) an offense under subsection (a)(5)(B), which does not occur after a conviction for another offense under this section, if the offense caused (or, in the case of an attempted offense, would, if completed, have caused)—

"(I) loss to 1 or more persons during any 1-year period (and, for purposes of an investigation, prosecution, or other proceeding brought by the United States only, loss resulting from a related course of conduct affecting 1 or more other protected computers) aggregating at least \$5,000 in value;

"(II) the modification or impairment, or potential modification or impairment, of the medical examination, diagnosis, treatment, or care of 1 or more individuals;

"(III) physical injury to any person;

"(IV) a threat to public health or safety;

"(V) damage affecting a computer used by or for an entity of the United States Government in furtherance of the administration of justice, national defense, or national security; or

"(VI) damage affecting 10 or more protected computers during any 1-year period; or

"(ii) an attempt to commit an offense punishable under this subparagraph;

"(B) except as provided in subparagraphs (E) and (F), a fine under this title, imprisonment for not more than 10 years, or both, in the case of—

"(i) an offense under subsection (a)(5)(A), which does not occur after a conviction for another offense under this section, if the offense caused (or, in the case of an attempted offense, would, if completed, have caused) a harm provided in subclauses (I) through (VI) of subparagraph (A)(i); or

"(ii) an attempt to commit an offense punishable under this subparagraph;

"(C) except as provided in subparagraphs (E) and (F), a fine under this title, imprisonment for not more than 20 years, or both, in the case of—

"(i) an offense or an attempt to commit an offense under subparagraphs (A) or (B) of subsection (a)(5) that occurs after a conviction for another offense under this section; or

"(ii) an attempt to commit an offense punishable under this subparagraph;

"(D) a fine under this title, imprisonment for not more than 10 years, or both, in the case of—

"(i) an offense or an attempt to commit an offense under subsection (a)(5)(C) that occurs after a conviction for another offense under this section; or

"(ii) an attempt to commit an offense punishable under this subparagraph;

"(E) if the offender attempts to cause or knowingly or recklessly causes serious bodily injury from conduct in violation of subsection (a)(5)(A), a fine under this title, imprisonment for not more than 20 years, or both;

"(F) if the offender attempts to cause or knowingly or recklessly causes death from conduct in violation of subsection (a)(5)(A), a fine under this title, imprisonment for any term of years or for life, or both; or

"(G) a fine under this title, imprisonment for not more than 1 year, or both, for—

"(i) any other offense under subsection (a)(5); or

"(ii) an attempt to commit an offense punishable under this subparagraph.";

(D) by striking paragraph (5); and

(3) in subsection (g)—

(A) in the second sentence, by striking "in clauses (i), (ii), (iii), (iv), or (v) of subsection (a)(5)(B)" and inserting "in subclauses (I), (II), (III), (IV), or (V) of subsection (c)(4)(A)(i)"; and

(B) in the third sentence, by striking "subsection (a)(5)(B)(i)" and inserting "subsection (c)(4)(A)(i)(I)".

(b) CONFORMING CHANGES.—Section 2332b(g)(5)(B)(i) of title 18, United States Code, is amended by striking "1030(a)(5)(A)(i) resulting in damage as defined in 1030(a)(5)(B)(ii) through (v)" and inserting "1030(a)(5)(A) resulting in damage as defined in 1030(c)(4)(A)(i)(II) through (VI)".

SEC. 205. CYBER-EXTORTION.

Section 1030(a)(7) of title 18, United States Code, is amended to read as follows:

"(7) with intent to extort from any person any money or other thing of value, transmits in interstate or foreign commerce any communication containing any—

"(A) threat to cause damage to a protected computer;

"(B) threat to obtain information from a protected computer without authorization or in excess of authorization or to impair the confidentiality of information obtained from a protected computer without authorization or by exceeding authorized access; or

"(C) demand or request for money or other thing of value in relation to damage to a protected computer, where such damage was caused to facilitate the extortion.".