

this time. But we are catching up and legislation, like the legislation that is before us, will allow us to do so.

I want to commend the FBI for what they have been able to do thus far. With this legislation, it will give even more focus to mortgage fraud.

Also, I just want to state for the record that we have been in communication with the FBI. They are fully aware of this. I think the reason why we have an amendment, this bill has been amended, is the fact that the coordinator will serve better than just an overall task force that will create regional task forces, that will then come back to the Congress and give us some legislative ideas on how we can even pinpoint more efforts towards this particular crime.

As you know, many, many Americans, many Americans have saved up their money to be able to purchase their first home. Many of these individuals that are out there coordinating to take their money, to take their life savings, to be able to take every little thing that they have punched in for and punched out for many, many years, some of them have taken the money their loved ones left for them once they have passed on to be able to buy that first home, and for them to be taken advantage of is one of the bad things that we look at in our society.

We do know we have undesirables out there that are willing to prey on hard-working Americans. This legislation is urgent. It's right now for the moment.

I am glad we are on the floor. I want to thank the chairman of the committee, and, also, our colleagues on the other side of the aisle, for working to push this legislation to passage here in the House and hopefully through the Senate and on to the President of the United States, so that we don't have to continue to see the number of victims, especially seniors and especially first-time home buyers, fall victim to these individuals that are out there.

I ask for the Members to please support H.R. 6853, the legislation that would create a nationwide mortgage coordinator in the FBI.

□ 1430

Mr. COBLE. Mr. Speaker, I yield 3 minutes to the gentleman from Georgia (Mr. BROWN).

Mr. BROWN of Georgia. I thank the gentleman for yielding.

Mr. Speaker, I believe that people who commit fraud should be held responsible at the highest degree. I think the greatest form of fraud that we have in America and has been part of the problem that has created this financial crisis is an act passed by Congress called the Community Development Act. This has created a system that people are fraudulently giving mortgages, but it has also created a system where groups, community development organizations such as Acorn are holding financial institutions hostage. They use threats, extortion and bribes to try to get these financial institu-

tions to give loans to people who can't pay, and it has created a system in America that has caused a meltdown in our whole financial system.

If we are going to start dealing with fraud in America, we need to start dealing with the greatest source of fraud, and the Community Development Act is one of those. We need to repeal the Community Development Act. We need to stop Acorn and other types of organizations like this from threatening our financial institutions. We need to put America back on a strong financial basis. Only by repealing the Community Development Act will we do so. We have to find solutions. We can't just play around the edges as we are doing now.

We will be voting on a bill very shortly to try to bail out financial institutions in America. I am very skeptical of the bill, frankly. But we do know that there are some very inherent problems in bills that were passed by this House as well as the Senate and put into law.

We need to repeal the Community Development Act as well as other acts such as that which have created this house of cards financially that is collapsing around our ears.

Ms. SUTTON. Mr. Speaker, may I inquire how many more speakers the gentleman from North Carolina has.

Mr. COBLE. I have no more speakers, and I yield back the balance of my time.

Ms. SUTTON. I thank the distinguished gentleman from North Carolina.

Mr. Speaker, H.R. 6853 is an important bill that addresses a large problem that is facing our communities and families. I urge my colleagues to support this important legislation.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Ohio (Ms. SUTTON) that the House suspend the rules and pass the bill, H.R. 6853, as amended.

The question was taken.

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

Mr. BROWN of Georgia. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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.

#### ELDER ABUSE VICTIMS ACT OF 2008

Ms. SUTTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5352) to protect seniors in the United States from elder abuse by establishing specialized elder abuse prosecution and research programs and activities to aid victims of elder abuse, to provide training to prosecutors and other law enforcement related to elder

abuse prevention and protection, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5352

*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 "Elder Abuse Victims Act of 2008".

#### TITLE I—ELDER ABUSE VICTIMS

#### SEC. 101. ANALYSIS, REPORT, AND RECOMMENDATIONS RELATED TO ELDER JUSTICE PROGRAMS.

(a) IN GENERAL.—Subject to the availability of appropriations to carry out this section, the Attorney General, in consultation with the Secretary of Health and Human Services, shall carry out the following:

(1) STUDY.—Conduct a study of laws and practices relating to elder abuse, neglect, and exploitation, which shall include—

(A) a comprehensive description of State laws and practices relating to elder abuse, neglect, and exploitation;

(B) a comprehensive analysis of the effectiveness of such State laws and practices; and

(C) an examination of State laws and practices relating to specific elder abuse, neglect, and exploitation issues, including—

(i) the definition of—

(I) "elder";

(II) "abuse";

(III) "neglect";

(IV) "exploitation"; and

(V) such related terms the Attorney General determines to be appropriate;

(ii) mandatory reporting laws, with respect to—

(I) who is a mandated reporter;

(II) to whom must they report and within what time frame; and

(III) any consequences for not reporting;

(iii) evidentiary, procedural, sentencing, choice of remedies, and data retention issues relating to pursuing cases relating to elder abuse, neglect, and exploitation;

(iv) laws requiring reporting of all nursing home deaths to the county coroner or to some other individual or entity;

(v) fiduciary laws, including guardianship and power of attorney laws;

(vi) laws that permit or encourage banks and bank employees to prevent and report suspected elder abuse, neglect, and exploitation;

(vii) laws relating to fraud and related activities in connection with mail, telemarketing, or the Internet;

(viii) laws that may impede research on elder abuse, neglect, and exploitation;

(ix) practices relating to the enforcement of laws relating to elder abuse, neglect, and exploitation; and

(x) practices relating to other aspects of elder justice.

(2) DEVELOPMENT OF PLAN.—Develop objectives, priorities, policies, and a long-term plan for elder justice programs and activities relating to—

(A) prevention and detection of elder abuse, neglect, and exploitation;

(B) intervention and treatment for victims of elder abuse, neglect, and exploitation;

(C) training, evaluation, and research related to elder justice programs and activities; and

(D) improvement of the elder justice system in the United States.

(3) REPORT.—Not later than 2 years after the date of enactment of this Act, submit to the chairman and ranking member of the Special Committee on Aging of the Senate,

and the Speaker and minority leader of the House of Representatives, and the Secretary of Health and Human Services, and make available to the States, a report that contains—

(A) the findings of the study conducted under paragraph (1);

(B) a description of the objectives, priorities, policies, and a long-term plan developed under paragraph (2); and

(C) a list, description, and analysis of the best practices used by States to develop, implement, maintain, and improve elder justice systems, based on such findings.

(b) GAO RECOMMENDATIONS.—Not later than one year after the date of the enactment of this Act, the Comptroller General shall report to Congress any recommendations with respect to any Federal legislation, regulations, or programs determined by the Comptroller General to be necessary to improve elder justice in the United States.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section \$6,000,000 for each of the fiscal years 2009 through 2015.

#### SEC. 102. VICTIM ADVOCACY GRANTS.

(a) GRANTS AUTHORIZED.—The Attorney General, after consultation with the Secretary of Health and Human Services, may award grants to eligible entities to study the special needs of victims of elder abuse, neglect, and exploitation.

(b) AUTHORIZED ACTIVITIES.—Funds awarded pursuant to subsection (a) shall be used for pilot programs that—

(1) develop programs for and provide training to health care, social, and protective services providers, law enforcement, fiduciaries (including guardians), judges and court personnel, and victim advocates; and

(2) examine special approaches designed to meet the needs of victims of elder abuse, neglect, and exploitation.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section \$3,000,000 for each of the fiscal years 2009 through 2015.

#### SEC. 103. SUPPORTING LOCAL PROSECUTORS AND COURTS IN ELDER JUSTICE MATTERS.

(a) GRANTS AUTHORIZED.—Subject to the availability of appropriations under this section, the Attorney General, after consultation with the Secretary of Health and Human Services, shall award grants to eligible entities to provide training, technical assistance, policy development, multidisciplinary coordination, and other types of support to local prosecutors and courts handling elder justice-related cases, including—

(1) funding specially designated elder justice positions or units in local prosecutors' offices and local courts; and

(2) funding the creation of a Center for the Prosecution of Elder Abuse, Neglect, and Exploitation to advise and support local prosecutors and courts nationwide in the pursuit of cases involving elder abuse, neglect, and exploitation.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section \$6,000,000 for each of the fiscal years 2009 through 2015.

#### SEC. 104. SUPPORTING STATE PROSECUTORS AND COURTS IN ELDER JUSTICE MATTERS.

(a) IN GENERAL.—Subject to the availability of appropriations under this section, the Attorney General, after consultation with the Secretary of Health and Human Services, shall award grants to eligible entities to provide training, technical assistance, multidisciplinary coordination, policy development, and other types of support to State prosecutors and courts, employees of State Attorneys General, and Medicaid Fraud Con-

trol Units handling elder justice-related matters.

(b) CREATING SPECIALIZED POSITIONS.—Grants under this section may be made for—

(1) the establishment of specially designated elder justice positions or units in State prosecutors' offices and State courts; and

(2) the creation of a position to coordinate elder justice-related cases, training, technical assistance, and policy development for State prosecutors and courts.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section \$6,000,000 for each of the fiscal years 2009 through 2015.

#### SEC. 105. SUPPORTING LAW ENFORCEMENT IN ELDER JUSTICE MATTERS.

(a) IN GENERAL.—Subject to the availability of appropriations under this section, the Attorney General, after consultation with the Secretary of Health and Human Services, the Postmaster General, and the Chief Postal Inspector for the United States Postal Inspection Service, shall award grants to eligible entities to provide training, technical assistance, multidisciplinary coordination, policy development, and other types of support to police, sheriffs, detectives, public safety officers, corrections personnel, and other first responders who handle elder justice-related matters, to fund specially designated elder justice positions or units designed to support first responders in elder justice matters.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section \$8,000,000 for each of the fiscal years 2009 through 2015.

#### SEC. 106. EVALUATIONS.

(a) GRANTS UNDER THIS TITLE.—

(1) IN GENERAL.—In carrying out the grant programs under this title, the Attorney General shall—

(A) require each recipient of a grant to use a portion of the funds made available through the grant to conduct a validated evaluation of the effectiveness of the activities carried out through the grant by such recipient; or

(B) as the Attorney General considers appropriate, use a portion of the funds available under this title for a grant program under this title to provide assistance to an eligible entity to conduct a validated evaluation of the effectiveness of the activities carried out through such grant program by each of the grant recipients.

(2) APPLICATIONS.—

(A) SUBMISSION.—To be eligible to receive a grant under this title, an entity shall submit an application to the Attorney General at such time, in such manner, and containing such information as the Attorney General may require, which shall include—

(i) a proposal for the evaluation required in accordance with paragraph (1)(A); and

(ii) the amount of assistance under paragraph (1)(B) the entity is requesting, if any.

(B) REVIEW AND ASSISTANCE.—

(i) IN GENERAL.—An employee of the Department of Justice, after consultation with an employee of the Department of Health and Human Services with expertise in evaluation methodology, shall review each application described in subparagraph (A) and determine whether the methodology described in the proposal under subparagraph (A)(i) is adequate to gather meaningful information.

(ii) DENIAL.—If the reviewing employee determines the methodology described in such proposal is inadequate, the reviewing employee shall recommend that the Attorney General deny the application for the grant, or make recommendations for how the application should be amended.

(iii) NOTICE TO APPLICANT.—If the Attorney General denies the application on the basis

of such proposal, the Attorney General shall inform the applicant of the reasons the application was denied, and offer assistance to the applicant in modifying the proposal.

(b) OTHER GRANTS.—Subject to the availability of appropriations under this section, the Attorney General shall award grants to appropriate entities to conduct validated evaluations of grant activities that are funded by Federal funds not provided under this title, or other funds, to reduce elder abuse, neglect, and exploitation.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section \$7,000,000 for each of the fiscal years 2009 through 2015.

#### SEC. 107. DEFINITIONS.

In this title:

(1) ELDER.—The term “elder” means an individual age 60 or older.

(2) ELDER JUSTICE.—The term “elder justice” means—

(A) from a societal perspective, efforts to—

(i) prevent, detect, treat, intervene in, and prosecute elder abuse, neglect, and exploitation; and

(ii) protect elders with diminished capacity while maximizing their autonomy; and

(B) from an individual perspective, the recognition of an elder's rights, including the right to be free of abuse, neglect, and exploitation.

(3) ELIGIBLE ENTITIES.—The term “eligible entity” means a State or local government agency, Indian tribe or tribal organization, or any other public or nonprofit private entity that is engaged in and has expertise in issues relating to elder justice or a field necessary to promote elder justice efforts.

### TITLE II—ELDER SERVE VICTIM GRANT PROGRAMS

#### SEC. 201. ESTABLISHMENT OF ELDER SERVE VICTIM GRANT PROGRAMS.

(a) ESTABLISHMENT.—The Attorney General, acting through the Director of the Office of Victims of Crime of the Department of Justice (in this section referred to as the “Director”), shall, subject to appropriations, carry out a three-year grant program to be known as the Elder Serve Victim grant program (in this section referred to as the “Program”) to provide grants to eligible entities to establish programs to facilitate and coordinate programs described in subsection (e) for victims of elder abuse.

(b) ELIGIBILITY REQUIREMENTS FOR GRANTEES.—To be eligible to receive a grant under the Program, an entity must meet the following criteria:

(1) ELIGIBLE CRIME VICTIM ASSISTANCE PROGRAM.—The entity is a crime victim assistance program receiving a grant under the Victims of Crime Act of 1984 (42 U.S.C. 1401 et seq.) for the period described in subsection (c)(2) with respect to the grant sought under this section.

(2) COORDINATION WITH LOCAL COMMUNITY BASED AGENCIES AND SERVICES.—The entity shall demonstrate to the satisfaction of the Director that such entity has a record of community coordination or established contacts with other county and local services that serve elderly individuals.

(3) ABILITY TO CREATE ECRT ON TIMELY BASIS.—The entity shall demonstrate to the satisfaction of the Director the ability of the entity to create, not later than 6 months after receiving such grant, an Emergency Crisis Response Team program described in subsection (e)(1) and the programs described in subsection (e)(2).

For purposes of meeting the criteria described in paragraph (2), for each year an entity receives a grant under this section the entity shall provide a record of community

coordination or established contacts described in such paragraph through memoranda of understanding, contracts, subcontracts, and other such documentation.

(C) ADMINISTRATIVE PROVISIONS.—

(1) CONSULTATION.—Each program established pursuant to this section shall be developed and carried out in consultation with the following entities, as appropriate:

(A) Relevant Federal, State, and local public and private agencies and entities, relating to elder abuse, neglect, and exploitation and other crimes against elderly individuals.

(B) Local law enforcement including police, sheriffs, detectives, public safety officers, corrections personnel, prosecutors, medical examiners, investigators, and coroners.

(C) Long term care and nursing facilities.

(2) GRANT PERIOD.—Grants under the Program shall be issued for a three-year period.

(3) LOCATIONS.—The Program shall be carried out in six geographically and demographically diverse locations, taking into account—

(A) the number of elderly individuals residing in or near an area; and

(B) the difficulty of access to immediate short-term housing and health services for victims of elder abuse.

(d) PERSONNEL.—In providing care and services, each program established pursuant to this section may employ a staff to assist in creating an Emergency Crisis Response Teams under subsection (e)(1).

(e) USE OF GRANTS.—

(1) EMERGENCY CRISIS RESPONSE TEAM.—Each entity that receives a grant under this section shall use such grant to establish an Emergency Crisis Response Team program by not later than the date that is six months after the entity receives the grant. Under such program the following shall apply:

(A) Such program shall include immediate, short-term emergency services, including shelter, care services, food, clothing, transportation to medical or legal appointment as appropriate, and any other life-services deemed necessary by the entity for victims of elder abuse.

(B) Such program shall provide services to victims of elder abuse, including those who have been referred to the program through the adult protective services agency of the local law enforcement or any other relevant law enforcement or referral agency.

(C) A victim of elder abuse may not receive short-term housing under the program for more than 30 consecutive days.

(D) The entity that established the program shall enter into arrangements with the relevant local law enforcement agencies so that the program receives quarterly reports from such agencies on elder abuse.

(2) ADDITIONAL SERVICES REQUIRED TO BE PROVIDED.—Not later than one year after the date an entity receives a grant under this section, such entity shall have established the following programs (and community collaborations to support such programs):

(A) COUNSELING.—A program that provides counseling and assistance for victims of elder abuse accessing health care, educational, pension, or other benefits for which seniors may be eligible under Federal or applicable State law.

(B) MENTAL HEALTH SCREENING.—A program that provides mental health screenings for victims of elder abuse to identify and seek assistance for potential mental health disorders such as depression or substance abuse.

(C) EMERGENCY LEGAL ADVOCACY.—A program that provides legal advocacy for victims of elder abuse and, as appropriate, their families.

(D) JOB PLACEMENT ASSISTANCE.—A program that provides job placement assistance

and information on employment, training, or volunteer opportunities for victims of elder abuse.

(E) BEREAVEMENT COUNSELING.—A program that provides bereavement counseling for families of victims of elder abuse.

(F) OTHER SERVICES.—A program that provides such other care, services, and assistance as the entity considers appropriate for purposes of the program.

(f) TECHNICAL ASSISTANCE.—The Director shall enter into contracts with private entities with experience in elder abuse coordination or victim services to provide such technical assistance to grantees under this section as the entity determines appropriate.

(g) REPORTS TO CONGRESS.—Not later than 12 months after the commencement of the Program, and annually thereafter, the entity shall submit a report to the Chairman and Ranking Member of the Committee on the Judiciary of the House of Representatives, and the Chairman and Ranking Member of the Special Committee on Aging of the Senate. Each report shall include the following:

(1) A description and assessment of the implementation of the Program.

(2) An assessment of the effectiveness of the Program in providing care and services to seniors, including a comparative assessment of effectiveness for each of the locations designated under subsection (c)(3) for the Program.

(3) An assessment of the effectiveness of the coordination for programs described in subsection (e) in contributing toward the effectiveness of the Program.

(4) Such recommendations as the entity considers appropriate for modifications of the Program in order to better provide care and services to seniors.

(h) DEFINITIONS.—For purposes of this section:

(1) ELDER ABUSE.—The term “elder abuse” means any type of violence or abuse, whether mental or physical, inflicted upon an elderly individual, and any type of criminal financial exploitation of an elderly individual.

(2) ELDERLY INDIVIDUAL.—The term “elderly individual” means an individual who is age 60 or older.

(i) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the Department of Justice to carry out this section \$3,000,000 for each of the fiscal years 2009 through 2011.

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

The Chair recognizes the gentlewoman from Ohio.

GENERAL LEAVE

Ms. SUTTON. 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 the bill under consideration.

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

There was no objection.

Ms. SUTTON. I yield myself such time as I may consume.

Mr. Speaker, it is estimated that each year perhaps as many as 5 million elders are abused, neglected and exploited. And the incidence of elder abuse is likely to only get worse in coming years as 76 million baby boomers reach retirement age.

The legal protections against elder abuse vary significantly from State to

State, and the National Center on Elder Abuse has estimated that only one in six cases even gets reported. H.R. 5352, the Elder Abuse Victims Act of 2008, is sponsored by the gentleman from Pennsylvania (Mr. SESTAK).

H.R. 5352 will help provide training, technical assistance and other support to State and local law enforcement officials to help them catch and prosecute those who prey on elders. This bill will authorize funding for specialized elder justice police officers and units, as well as for special elder justice positions and units within State and local prosecutors' offices and courts.

It will also help provide other services to elders who are victimized. In addition to training for health care, social, and protective service providers, it establishes an Elder Serve Victim Grant Program with regional emergency crisis response teams. These teams will provide short term emergency service to elder victims, including shelter, care, food, clothing, transportation to legal or medical appointments, and other life services as warranted.

Finally, it asks the Attorney General and the GAO to examine State and Federal laws and recommend ways to more effectively address this outrageous and growing problem.

In addition to Congressman SESTAK, I also want to commend the gentleman from Illinois, RAHM EMANUEL, and the gentleman from New York, PETER KING, and the distinguished gentleman from Kentucky (Mr. YARMUTH) for their leadership in making this a bipartisan initiative. I urge 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 support of H.R. 5352, the Elder Abuse Victims Act of 2008. I wish to thank my colleagues on the other side of the aisle for having worked with the Judiciary Committee Republicans to address our concern with this bill. I am pleased that we now have legislation before us that enjoys bipartisan support.

Elder abuse is a serious problem facing our older Americans. Adults over the age of 50 account for 12 percent of our Nation's murder victims and 7 percent of other serious and violent crime victims, and our eldest seniors, those over 80 years of age, are abused and neglected at two to three times the proportion of all other senior citizens.

With the population of people aged 85 or older expected to double by 8.9 million by the year 2030, the problem is inevitably sure to grow. H.R. 5352, the Elder Abuse Victims Act, seeks to curb these acts of abuse against the elderly. The bill authorizes grants to State and local law enforcement, prosecutors, and courts to aid in the investigation and prosecution of elder abuse.

The bill directs the Justice Department to complete a study of State laws and practices relating to elder abuse,

neglect and exploitation. The bill also directs the Department to develop a long-term plan addressing the prevention and detection of elder abuse, intervention and treatment of victims, and training and evaluation of elder abuse programs. The National Institute of Justice within the Department has been studying elder justice issues for several years and issued a preliminary report on the subject in 2006. It is fitting that the National Institute of Justice continue its work and undertake the study directed by this legislation.

During the Judiciary Committee markup of H.R. 5352, we expanded the scope of these grants to include identity theft, mail fraud, and telemarketing fraud as additional types of victimization for elder abuse grants. The bill now also authorizes the Department of Justice to award grants for electronic monitoring of older Americans. These funds will support monitoring programs offered by local law enforcement agencies and first responders to locate missing elderly.

These changes, among others, have improved H.R. 5352 and will assist States with protecting our senior citizens and prosecuting elder abuse.

I urge my colleagues to support the bill.

I reserve the balance of my time.

Ms. SUTTON. Mr. Speaker, I am the last speaker on my side, so I reserve the balance of my time to close.

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

Ms. SUTTON. Mr. Speaker, H.R. 5352, the Elder Abuse Victims Act, is a good bill. Our seniors deserve to know that we are doing everything we can to protect them from abuse. I urge my colleagues to support the bill.

Mr. YARMUTH. Mr. Speaker, I rise in support of Elder Abuse Victims Act of 2008, which includes the ElderServe Act, which I introduced last May to protect our Nation's senior citizens from abuse through better coordination of services.

In my hometown of Louisville, for over half a century, we've seen first-hand as ElderServe Inc, a local non-profit, has facilitated the coordination necessary for thousands and thousands of seniors to have peace in their golden years.

One of the many areas that ElderServe has excelled in providing emergency services to seniors who experience physical or psychological abuse and neglect—problems that afflict more than two million victims nationwide.

Experts estimate that only 20 percent of all cases of elder abuse are reported. Still 70 percent of the caseload at Adult Protective Services comes from victims over the age of 65. These instances of abuse and neglect know no boundaries, affecting men and women across all racial, social, socio-economic, and geographic divides. And with the country's 76 million baby boomers approaching retirement age, the problems will only intensify if we don't create a network equipped to respond.

The ElderServe Act will create Emergency Crisis Response Teams, or ECRT's, that foster community collaboration between existing services and consolidating services for elder abuse victims. In most communities, victims of

elder abuse have great difficulty navigating services and aid. But in Louisville, ECRT's have been incredibly successful in bringing various entities together to provide immediate help and services to elder abuse victims. The approach ensures that elder abuse victims no longer fall through the cracks and are given the housing, healthcare, and follow up they need. For those who cannot go to law enforcement, law enforcement will come to them.

The ElderServe Act authorizes the creation of pilot programs that will coordinate local law enforcement, short-term housing placements, bereavement services, adult protective services, legal advocacy services, job placement assistance, health care, and other services.

If the program is infused with same passion and care as we have seen in Louisville; if we provide necessary resources, we will have created a reliable place that a senior can turn to, anywhere in the Nation, to recover from and also to prevent elder abuse.

America's seniors spent decades working, contributing, and raising families in our communities. Yet each day thousands are assaulted or neglected, with nowhere to turn but an overtaxed, under-coordinated system. For many they receive help too late or not at all. Many give up waiting for help, and others never seek assistance in the first place. The ElderServe Act can change all that. I, therefore, strongly urge my colleagues to join me in supporting Elder Abuse Victims Act and working to eliminate elder abuse forever.

Ms. JACKSON-LEE of Texas. Mr. Speaker. I rise today in strong support of H.R. 5352, the "Elder Abuse Victims Act of 2008". This bill addresses health and safety issues for elders. This bill will protect the most vulnerable members of our society: the elderly.

I strongly support this bill and have authored an amendment that was accepted in Committee. I will discuss more about my amendment later. I urge my colleagues to support this bill.

Each year in the United States, between one-half million to five million elders are abused, neglected or exploited. Experts agree that most cases are never reported. Data collected on the problem is minimal, and there has been no comprehensive national approach to solving the many problems. In fact, the House has held only one hearing on elder abuse, over 16 years ago, in 1991. These problems likely will increase in the next 30 years, as 76 million baby boomers approach retirement.

H.R. 5352 establishes a national Elder Justice Coordinating Council and Advisory Board on Elder Abuse, Neglect, and Exploitation. Its purpose is to protect seniors in the United States from elder abuse by establishing specialized elder abuse prosecution and research programs and providing training for law enforcement and prosecutors.

My amendment, which was included at the Committee, allows a voluntary electronic monitoring pilot program to assist with the elderly when they are reported missing. Specifically, my amendment allows the Attorney General, in consultation with the Secretary of Health and Human Services, to issue grants to states and local government to carry out pilot programs to provide voluntary electronic monitoring services to elderly individuals to assist in the location of such individuals when they are reported missing. This amendment helps elderly people. I urge my colleagues to support this bill.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Ohio (Ms. SUTTON) that the House suspend the rules and pass the bill, H.R. 5352, 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. BROWN of Georgia. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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.

#### COMMEMORATING THE 50TH ANNIVERSARY OF THE AZOREAN REFUGEE ACT OF 1958

Ms. SUTTON. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1438) commemorating the 50th anniversary of the Azorean Refugee Act of 1958 and celebrating the extensive contributions of Portuguese-American communities to the United States.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

#### H. RES. 1438

Whereas from September 27, 1957, until October 24, 1958, a series of violent eruptions and earthquakes that amounted to a natural calamity destroyed the economic infrastructure in Faial Island, Portugal, and impacted all of the 9 islands in the Azores archipelago;

Whereas most of Faial Island's 25,000 people lost their livelihoods in the midst of fumes, smoke, lava, and constant earthquakes, and had no choice but to escape to other islands in the Azores;

Whereas the United States offered a helping hand to the distressed people of the Azores by introducing and passing the Azorean Refugee Act, spearheaded by Senators John Pastore of Rhode Island and John F. Kennedy of Massachusetts, which became Public Law 85-892;

Whereas the Azorean Refugee Act made 1,500 special nonquota immigrant visas available to the destitute victims of the Capelinhos Volcano in the Azores, and was extended until 1962 to allow the entry of an even greater number of refugees;

Whereas the eruption of the Capelinhos Volcano led to a wave of Portuguese immigration that brought more than 175,000 Azoreans to the United States between 1960 and 1980;

Whereas according to the United States Census from the year 2000, there were 1,176,615 Portuguese-Americans in the United States, and the vast majority of these were of Azorean descent;

Whereas major communities of Portuguese-Americans of Azorean descent can be found in southeastern New England; the areas around San Francisco, San Diego, and the San Joaquin Valley, California; Hawaii; and the New Jersey/New York metropolitan area;

Whereas these recent immigrants have built on the work initiated by earlier arrivals, and through their remarkable work