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No. 95

## House of Representatives

The House met at 10:30 a.m. and was called to order by the Speaker pro tempore (Ms. JACKSON-LEE of Texas).

### DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
June 23, 2009.

I hereby appoint the Honorable SHEILA JACKSON-LEE to act as Speaker pro tempore on this day.

NANCY PELOSI,  
Speaker of the House of Representatives.

### MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 6, 2009, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 30 minutes and each Member, other than the majority and minority leaders and the minority whip, limited to 5 minutes.

### CELEBRATING THE 150TH ANNIVERSARY OF ALLEGHANY COUNTY, NORTH CAROLINA

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from North Carolina (Ms. FOXX) for 5 minutes.

Ms. FOXX. Madam Speaker, I rise today to celebrate the 105th anniversary of Alleghany County, North Carolina. Alleghany County was created by an act of the North Carolina legislature in 1859. The county sits astride the Appalachian Mountains and the North Carolina High Country and boasts some of the most beautiful mountain scenery in North Carolina.

Since its creation in 1859, Alleghany County has been called home by countless hard-working North Carolinians, from farmers to small business owners who know the value of a hard day's work.

One of Alleghany's most notable native sons, Robert Doughton, served here in the House of Representatives for 42 years, from 1911 to 1953. Congressman Doughton was chairman of the House Ways and Means Committee for 18 of his 42 years in Congress. He also played a decisive role in creating the Blue Ridge Parkway, which we all know as one of the most beautiful scenic roads in America.

Today, Alleghany hosts the 6,000 acre Doughton Park named in his honor and known for its excellent wildlife viewing. The Blue Ridge Parkway itself also cuts a scenic path through Alleghany County, just a stone's throw from the county seat, the town of Sparta.

Alleghany County is a place of unique beauty and character, right off the beaten path. From the pristine waters of the New River to the distinct sounds of its local Blue Grass musical heritage, it is a one-of-a-kind place found only in the great State of North Carolina. The people here are friendly and welcoming, good-natured and full of common sense. I am proud to represent them in Congress and proud to join them in celebrating the 105th anniversary of this fine county.

### CONTROLLING RUNAWAY FEDERAL SPENDING

Madam Speaker, I would also like to speak briefly this morning about the runaway Federal spending that we are seeing occurring in this Congress.

Here are the facts on spending from this year:

A \$2 trillion deficit for FY 2009;

The second tranche of the TARP allowed to be spent, \$350 billion;

The stimulus package, H.R. 1, \$787 billion, but over \$1 trillion with debt costs;

The omnibus appropriations bill, \$409 billion.

President Obama's budget increased total spending to \$4 trillion in 2009, or 28 percent of GDP, the highest Federal spending as a percentage of GDP since World War II. Federal spending is out of control.

Republicans in the last week or so have offered many, many amendments, most of which were designed to cut Federal spending. However, the Democrats don't want to hear those amendments. They say they would take too much time. Apparently, the Democrats can't spend the people's money fast enough.

Republicans believe Congress has the time to practice fiscal discipline. Republicans are going to stand up for the American people and fight runaway Federal spending.

### TRUE FACTS ON THE STATE OF HEALTH CARE IN AMERICA

Madam Speaker, the other issue that needs to be addressed is the misleading comments made almost every day on this floor about the uninsured in this country. We hear over and over and over again a figure that 47 million Americans don't have health care. That is not true.

First of all, the number of people who are uninsured in this country is only 45.7 million: 9½ million of them are illegal aliens; 12 million of them are eligible for public programs, but they choose not to participate; 7.3 million have incomes of \$84,000 a year and choose not to purchase insurance; and those only temporarily uninsured, 9.1 million. That brings us to 7.8 million who are American citizens, lower income and long-term uninsured.

We have to continue to correct the misleading numbers given on this floor every day by our colleagues across the aisle, and we are going to continue to do that.

This symbol represents the time of day during the House proceedings, e.g.,  1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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### THE ECONOMIC CASE FOR HEALTH CARE REFORM

The SPEAKER pro tempore. The Chair recognizes the gentleman from Virginia (Mr. CONNOLLY) for 5 minutes.

Mr. CONNOLLY of Virginia. Madam Speaker, I rise today to highlight the economic need for health care reform. Indeed, as my friend from North Carolina just indicated, there are a lot of misleading statistics on health care. In fact, we just heard a few from her.

We have heard a great deal about the human costs of failing to reform health care. Forty-six million Americans lack health care insurance. A child without insurance, for example, is 5 times more likely to die of appendicitis than a child that has access to health care insurance.

The loss of any life is truly incalculable. However, there are those who would rather avoid talking about that child. They prefer to discuss the dollars and cents of health care. For those who worry only about the cost of reform, I would like to discuss the tremendous economic cost of doing nothing.

We know the cost of doing nothing. Without reform, small businesses will pay \$2.4 trillion in health care for their employees over the next decade. Reforming the system and controlling costs could save those small businesses \$800 billion by 2018 and save 168,000 jobs, unless we do nothing.

Currently, 46 million Americans lack health insurance. We know the economic costs of that. In 2008, Federal, State and local governments paid \$442.9 billion to reimburse the uncompensated costs for visits to health clinics and hospitals by the uninsured. That places a tax burden on every American of \$627 a year, Madam Speaker. If we continue doing nothing, the tax burden in inflation-adjusted dollars will nearly triple by 2030.

As health insurance costs continue to rise, and they will, and as more Americans find themselves unable to afford insurance, and they will, those reimbursement costs will, of course, skyrocket. We know the cost of doing nothing, and we cannot afford that cost.

Americans have the most expensive health care system in the world. True, the quality of care at the highest levels is second to none. However, the dramatically rising costs each year render more and more people unable to access that quality care.

As chairman of Fairfax County, Virginia, Board of Supervisors, one the primary concerns I heard from county retirees was the rapidly rising cost of health care. Senior citizens and those on fixed incomes were especially concerned that the ever-growing premiums were forcing them to choose between health care and other necessities. Private industry is also feeling that pinch. Companies such as IBM have begun to eliminate retiree health care benefits altogether, precisely because of rising health care costs.

In 1960, health care costs in the United States were 5 percent of our

Gross Domestic Product. Today, they represent 18 percent, and if we do nothing, the costs will rise to a staggering 34 percent of our entire GDP by 2040. Madam Speaker, our children will be paying seven times more for health care costs than we paid in 1960. That level of cost increase is unconscionable and unsustainable.

Workers currently receiving employer-provided health insurance are increasingly faced with two devastating scenarios; either the level of care they receive is reduced to counter the costs, or their health care costs rise each year, far outpacing their rise in wages. For many workers, they see both in a double whammy of paying more for less. This is evident in the growth in the average employer-sponsored health insurance family deductible. In just 7 years year, Madam Speaker, from 1999 to 2006, the average deductible grew 50 percent. For firms with less than 50 employees, the deductible increased from roughly \$1,300 in 1999 to over \$2,000 in 2006.

Currently 43 percent of those smaller firms offer their employees health care coverage. As costs continue to rise, this number will shrink and more Americans will find themselves uninsured and unable to afford affordable options. If we can continue to do nothing, government spending on health care will suffer equally. Spending on Medicare and Medicaid, currently 6 percent of GDP, will rise if we do nothing to 15 percent by 2040.

Studies have shown that slowing the cost growth in health care by 1.5 percentage points a year will result in dramatic decreases in the Federal budget deficit. By 2030, Federal deficits would be 3 percent of GDP smaller than it otherwise would have been, saving us hundreds of billions of dollars a year, something my friend from North Carolina just indicated she was concerned about. If we do nothing, we condemn our future to rapidly increasing budget deficits and a dearth of funding available for other essential government functions.

Madam Speaker, I support comprehensive health care reform.

### RECESS

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

Accordingly (at 10 o'clock and 41 minutes a.m.), the House stood in recess until noon.

□ 1200

### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. CARNAHAN) at noon.

### PRAYER

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

Lord, the summer solstice has already passed. So quietly and relentlessly daylight grows shorter. The full expression of family joy on a weekend holiday or a brief summer vacation is abruptly ended with the news of a Metro train crash. The bright light is suddenly dimmed when the cloud of fragile life passes by.

Lord, we lift up in prayer all those who died or were injured in yesterday's tragedy here in Northeast Washington. Be with their families, neighbors and friends.

As You restore confidence and peace to the fragile systems of routine in our workaday world, Lord, we bless You and praise You for all of the good days and the good times we try to hold onto as best we can, because they carry us through the times that are not so good.

Lord of the ages, it is You who hold all together and oversee the seasons of everyone's life, even as summer days grow shorter. Both 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 Texas (Mr. POE) come forward and lead the House in the Pledge of Allegiance.

Mr. POE of Texas 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.

### MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 1777. An act to make technical corrections to the Higher Education Act of 1965, and for other purposes.

### H.R. 2967 STOPS LOOPHOLE ABUSE

(Mrs. KIRKPATRICK of Arizona asked and was given permission to address the House for 1 minute.)

Mrs. KIRKPATRICK of Arizona. Mr. Speaker, I rise in support of H.R. 2967, a bill I introduced to save 324 jobs in my district and save American taxpayers billions of dollars.

Kraft paper companies have abused a loophole in the alternative fuels mixture tax credit to claim billions of dollars of subsidies with no benefit to the taxpayer. Their gimmicks have not encouraged alternative fuel use, and they

are actually costing us jobs in recycled paper mills which should be growing our economy.

These mills, like the Catalyst paper mill in Snowflake, Arizona, cannot compete against rivals who claim Federal subsidies. Catalyst has been forced to let go more than a quarter of its workers, and is at risk of shutting down entirely.

This Congress has a duty to restore fiscal responsibility and help keep folks at work. This bill will help save jobs and eliminate waste. I urge my colleagues to give it their support.

#### THE SONS AND DAUGHTERS OF IRAN

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Mr. Speaker, the turmoil continues in Iran with the little man from the desert, President Mahmud Ahmadinejad, claiming victory in the apparent fraudulent presidential elections.

Leave it to the students of Iran to continue to protest, in spite of the government's shooting of students and others who risk their lives for the human right to peaceably assemble and freedom of speech.

Backed by the government-controlled press and the religious leaders, Ahmadinejad is trying to quell the hundreds of thousands who say his claim to the imperial throne of the presidency is a fraud.

The sons of liberty and the daughters of democracy in Iran who wish to exercise the right of free speech and freedom to assemble should resolve this drama peaceably in order to ensure their human rights. And I hope our American policy would be morally and verbally supportive, as stated by President Kennedy years ago when he said, "Let every Nation know, whether it wishes us well or ill, that we will pay any price, bear any burden, meet any hardship, support any friend, oppose any foe, in order to ensure the survival and the success of liberty."

And that's just the way it is.

#### 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, June 22, 2009.

Hon. NANCY PELOSI,  
The Speaker, The Capitol, 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, I have the honor to transmit a sealed envelope received from the White House on Monday, June 22, 2009 at 5:29 p.m., and said to contain a message from the President whereby he submits a copy of a notice filed earlier with the Federal Register continuing

the emergency with respect to the Western Balkans first declared in Executive Order 13219 of June 26, 2001.

With best wishes, I am  
Sincerely,

LORRAINE C. MILLER,  
Clerk of the House.

#### CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO THE WESTERN BALKANS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 111-51)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the Western Balkans emergency is to continue in effect beyond June 26, 2009.

The crisis constituted by the actions of persons engaged in, or assisting, sponsoring, or supporting (i) extremist violence in the Republic of Macedonia and elsewhere in the Western Balkans region, or (ii) acts obstructing implementation of the Dayton Accords in Bosnia or United Nations Security Council Resolution 1244 of June 10, 1999, in Kosovo, that led to the declaration of a national emergency on June 26, 2001, in Executive Order 13219, and to amendment of that order in Executive Order 13304 of May 28, 2003, has not been resolved. The acts of extremist violence and obstructionist activity outlined in Executive Order 13219, as amended, are hostile to U.S. interests and pose a continuing unusual and extraordinary threat to the national security and foreign policy of the United States. For these reasons, I have determined that it is necessary to continue the national emergency declared with respect to the Western Balkans and maintain in force the sanctions to respond to this threat.

BARACK OBAMA.  
THE WHITE HOUSE, June 22, 2009.

#### 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 incurs objection under clause 6 of rule XX.

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

#### VETERANS' COMPENSATION COST-OF-LIVING ADJUSTMENT ACT OF 2009

Mr. FILNER. Mr. Speaker, I move to suspend the rules and pass the bill (S. 407) to increase, effective as of December 1, 2009, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 407

*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 "Veterans' Compensation Cost-of-Living Adjustment Act of 2009".

#### SEC. 2. INCREASE IN RATES OF DISABILITY COMPENSATION AND DEPENDENCY AND INDEMNITY COMPENSATION.

(a) RATE ADJUSTMENT.—Effective on December 1, 2009, the Secretary of Veterans Affairs shall increase, in accordance with subsection (c), the dollar amounts in effect on November 30, 2009, for the payment of disability compensation and dependency and indemnity compensation under the provisions specified in subsection (b).

(b) AMOUNTS TO BE INCREASED.—The dollar amounts to be increased pursuant to subsection (a) are the following:

(1) WARTIME DISABILITY COMPENSATION.—Each of the dollar amounts under section 1114 of title 38, United States Code.

(2) ADDITIONAL COMPENSATION FOR DEPENDENTS.—Each of the dollar amounts under section 1115(1) of such title.

(3) CLOTHING ALLOWANCE.—The dollar amount under section 1162 of such title.

(4) DEPENDENCY AND INDEMNITY COMPENSATION TO SURVIVING SPOUSE.—Each of the dollar amounts under subsections (a) through (d) of section 1311 of such title.

(5) DEPENDENCY AND INDEMNITY COMPENSATION TO CHILDREN.—Each of the dollar amounts under sections 1313(a) and 1314 of such title.

(c) DETERMINATION OF INCREASE.—

(1) PERCENTAGE.—Except as provided in paragraph (2), each dollar amount described in subsection (b) shall be increased by the same percentage as the percentage by which benefit amounts payable under title II of the Social Security Act (42 U.S.C. 401 et seq.) are increased effective December 1, 2009, as a result of a determination under section 215(i) of such Act (42 U.S.C. 415(i)).

(2) ROUNDING.—Each dollar amount increased under paragraph (1), if not a whole dollar amount, shall be rounded to the next lower whole dollar amount.

(d) SPECIAL RULE.—The Secretary of Veterans Affairs may adjust administratively, consistent with the increases made under subsection (a), the rates of disability compensation payable to persons under section 10 of Public Law 85-857 (72 Stat. 1263) who have not received compensation under chapter 11 of title 38, United States Code.

(e) PUBLICATION OF ADJUSTED RATES.—The Secretary of Veterans Affairs shall publish in the Federal Register the amounts specified in subsection (b), as increased under subsection (a), not later than the date on which the matters specified in section 215(i)(2)(D) of

the Social Security Act (42 U.S.C. 415(i)(2)(D)) are required to be published by reason of a determination made under section 215(i) of such Act during fiscal year 2010.

**SEC. 3. CODIFICATION OF 2008 COST-OF-LIVING ADJUSTMENT IN RATES OF DISABILITY COMPENSATION AND DEPENDENCY AND INDEMNITY COMPENSATION.**

(a) VETERANS' DISABILITY COMPENSATION.—Section 1114 of title 38, United States Code, is amended—

(1) in subsection (a), by striking “\$117” and inserting “\$123”;

(2) in subsection (b), by striking “\$230” and inserting “\$243”;

(3) in subsection (c), by striking “\$356” and inserting “\$376”;

(4) in subsection (d), by striking “\$512” and inserting “\$541”;

(5) in subsection (e), by striking “\$728” and inserting “\$770”;

(6) in subsection (f), by striking “\$921” and inserting “\$974”;

(7) in subsection (g), by striking “\$1,161” and inserting “\$1,228”;

(8) in subsection (h), by striking “\$1,349” and inserting “\$1,427”;

(9) in subsection (i), by striking “\$1,517” and inserting “\$1,604”;

(10) in subsection (j), by striking “\$2,527” and inserting “\$2,673”;

(11) in subsection (k)—

(A) by striking “\$91” both places it appears and inserting “\$96”; and

(B) by striking “\$3,145” and “\$4,412” and inserting “\$3,327” and “\$4,667”, respectively;

(12) in subsection (l), by striking “\$3,145” and inserting “\$3,327”;

(13) in subsection (m), by striking “\$3,470” and inserting “\$3,671”;

(14) in subsection (n), by striking “\$3,948” and inserting “\$4,176”;

(15) in subsections (o) and (p), by striking “\$4,412” each place it appears and inserting “\$4,667”;

(16) in subsection (r), by striking “\$1,893” and “\$2,820” and inserting “\$2,002” and “\$2,983”, respectively; and

(17) in subsection (s), by striking “\$2,829” and inserting “\$2,993”.

(b) ADDITIONAL COMPENSATION FOR DEPENDENTS.—Section 1115(1) of such title is amended—

(1) in subparagraph (A), by striking “\$142” and inserting “\$150”;

(2) in subparagraph (B), by striking “\$245” and “\$71” and inserting “\$259” and “\$75”, respectively;

(3) in subparagraph (C), by striking “\$96” and “\$71” and inserting “\$101” and “\$75”, respectively;

(4) in subparagraph (D), by striking “\$114” and inserting “\$120”;

(5) in subparagraph (E), by striking “\$271” and inserting “\$286”;

(6) in subparagraph (F), by striking “\$227” and inserting “\$240”.

(c) CLOTHING ALLOWANCE FOR CERTAIN DISABLED VETERANS.—Section 1162 of such title is amended by striking “\$677” and inserting “\$716”.

(d) DEPENDENCY AND INDEMNITY COMPENSATION FOR SURVIVING SPOUSES.—

(1) NEW LAW DIC.—Section 1311(a) of such title is amended—

(A) in paragraph (1), by striking “\$1,091” and inserting “\$1,154”;

(B) in paragraph (2), by striking “\$233” and inserting “\$246”.

(2) OLD LAW DIC.—The table in paragraph (3) of such section is amended to read as follows:

“Pay grade	Month-ly rate	Pay grade	Month-ly rate
E-1 .....	\$1,154	W-4 .....	\$1,380
E-2 .....	\$1,154	O-1 .....	\$1,219
E-3 .....	\$1,154	O-2 .....	\$1,260
E-4 .....	\$1,154	O-3 .....	\$1,347
E-5 .....	\$1,154	O-4 .....	\$1,427
E-6 .....	\$1,154	O-5 .....	\$1,571
E-7 .....	\$1,194	O-6 .....	\$1,771
E-8 .....	\$1,260	O-7 .....	\$1,912
E-9 .....	\$1,314	O-8 .....	\$2,100
W-1 .....	\$1,219	O-9 .....	\$2,246
W-2 .....	\$1,267	O-10 .....	\$2,463
W-3 .....	\$1,305		

<sup>1</sup>If the veteran served as sergeant major of the Army, senior enlisted advisor of the Navy, chief master sergeant of the Air Force, sergeant major of the Marine Corps, or master chief petty officer of the Coast Guard, at the applicable time designated by section 1302 of this title, the surviving spouse's rate shall be \$1,419.

<sup>2</sup>If the veteran served as Chairman or Vice-Chairman of the Joint Chiefs of Staff, Chief of Staff of the Army, Chief of Naval Operations, Chief of Staff of the Air Force, Commandant of the Marine Corps, or Commandant of the Coast Guard, at the applicable time designated by section 1302 of this title, the surviving spouse's rate shall be \$2,643.”

(3) ADDITIONAL DIC FOR CHILDREN OR DISABILITY.—Section 1311 of such title is amended—

(A) in subsection (b), by striking “\$271” and inserting “\$286”;

(B) in subsection (c), by striking “\$271” and inserting “\$286”; and

(C) in subsection (d), by striking “\$128” and inserting “\$135”.

(e) DEPENDENCY AND INDEMNITY COMPENSATION FOR CHILDREN.—

(1) DIC WHEN NO SURVIVING SPOUSE.—Section 1313(a) of such title is amended—

(A) in paragraph (1), by striking “\$462” and inserting “\$488”;

(B) in paragraph (2), by striking “\$663” and inserting “\$701”;

(C) in paragraph (3), by striking “\$865” and inserting “\$915”;

(D) in paragraph (4), by striking “\$865” and “\$165” and inserting “\$915” and “\$174”, respectively.

(2) SUPPLEMENTAL DIC FOR CERTAIN CHILDREN.—Section 1314 of such title is amended—

(A) in subsection (a), by striking “\$271” and inserting “\$286”;

(B) in subsection (b), by striking “\$462” and inserting “\$488”; and

(C) in subsection (c), by striking “\$230” and inserting “\$243”.

(f) DEPENDENCY AND INDEMNITY COMPENSATION PAYABLE TO PARENTS.—Section 1315 is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking “\$163” and inserting “\$569”;

(B) in paragraph (3), by striking “\$4,038” and inserting “\$13,456”;

(2) in subsection (c)—

(A) in paragraph (1), by striking “\$115” and inserting “\$412”;

(B) in paragraph (3), by striking “\$4,038” and inserting “\$13,456”;

(3) in subsection (d)—

(A) in paragraph (1), by striking “\$109” and inserting “\$387”;

(B) in paragraph (3), by striking “\$5,430” and inserting “\$18,087”;

(4) in subsection (g), by striking “\$85” and inserting “\$308”.

(g) EFFECTIVE DATE.—The amendments made by this section shall take effect on December 1, 2008.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. FILNER) and the gentleman from Arkansas (Mr. BOOZMAN) each will control 20 minutes.

The Chair recognizes the gentleman from California.

Mr. FILNER. Mr. Speaker, this is the last week before the July 4 break, and we have a series of bills to suitably commemorate July 4 with bills that will really aid our veterans who have made July 4 possible.

I rise in support of the Veterans' Compensation Cost-of-Living Adjustment Act of 2009, S. 407, which is a companion to the House bill, H.R. 1533, which was introduced by one of our new members on the Committee on Veterans' Affairs and sure to be one of our body's most productive members, Mrs. KIRKPATRICK of Arizona. I thank the gentlelady for her leadership on this important bill.

The House leadership demonstrated its commitment to our Nation's veterans, their families, and their survivors by getting this bill to the floor, after reporting from the Committee on Veterans' Affairs, and by getting this companion bill, sponsored by Senator AKAKA, to the floor shortly after receipt in the House.

As it has done every year since 1976, Congress, with the passage of this measure, directs the Secretary of Veterans' Affairs to increase the rates of basic compensation for disabled veterans and the rates of dependency and indemnity compensation, DIC, to their survivors and dependents along with other benefits in order to keep pace with the rising cost of living.

This disability COLA would become effective on December 1 of this year and will be equal to that provided on an annual basis to Social Security recipients. Last year, the COLA was set at 5.8 percent, an increase we all agree was direly needed, as the financial crush of the recession closed in on many of our disabled veterans' households.

While it is likely to be a lesser percentage of an increase this year, the measure will now move to the President's desk for his signature. Enactment ensures that veterans get a matching increase to the Social Security COLA on that date.

Mr. Speaker, this bill will benefit each of the nearly 3 million disabled veterans and their survivors, whether they are from the World War I era through the current conflicts in Iraq and Afghanistan.

We would be derelict in our duty if we failed to guarantee that those who sacrificed so much for this country receive benefits and services that keep pace with their needs. We fund the war; let's make sure that we fund the warrior and his or her families and their survivors.

I urge my colleagues to support passage of the Veterans' Compensation Cost-of-Living Adjustment Act, S. 407, without delay.

I reserve the balance of my time.

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

I agree with the chairman in the sense that this is the perfect time of the year to bring these bills forward. These are excellent bills that will help our veterans, and I rise in strong support of S. 407, the Veterans' Compensation Cost-of-Living Act of 2009.

I would like to thank my House colleagues, Mr. HALL of New York, chairman of the Disability Assistance and Memorial Affairs Subcommittee, and the gentleman from Colorado (Mr. LAMBORN), the ranking Republican on the subcommittee, as well as the House bill's sponsor, Mrs. KIRKPATRICK of Arizona, for their leadership on H.R. 1533 which passed on March 30, 2009.

Mr. Speaker, S. 407 would increase effective as of December 1, 2009, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans. The COLA adjustment includes veterans' disability compensation, additional compensation for dependents, clothing allowance dependency, and indemnity compensation to surviving spouses and children.

Mr. Speaker, this is an important annual authorization which provides much-needed assistance to our Nation's veterans, and I encourage all of my colleagues to support the bill.

□ 1215

Again, Mr. Speaker, I would like to thank the Subcommittee on Disability Assistance and Memorial Affairs Chairman John Hall and Ranking Member Doug Lamborn on these issues. I would also like to thank Committee Chairman Bob Filner and Ranking Member Steve Buyer for moving this bill forward for consideration.

I urge my colleagues to support S. 407 and 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 S. 407.

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

There was no objection.

Mr. FALEOMAVAEGA. Mr. Speaker, I rise today in strong support of S. 407; with all good intended purpose, this bill will increase the rates of compensation for veterans with service-connected disabilities and rates of dependency indemnity compensation, DIC, for the survivors of certain disabled veterans. It will also increase of the Cost of Living Allowance, COLA. At this time, I would like to thank my good friend Senator DANIEL AKAKA, Chairman of the Senate Veterans Affairs Committee and majority ranking members for introducing this bill as well as the Committee Minority Member Senator RICHARD BURR who is the original cosponsor, so are Committee Members JOHN D. ROCKEFELLER IV, PATTY MURRAY, BERNARD SANDERS, SHERRON BROWN, JIM WEBB, JON TESTER, MARK BEGICH, ROLAND

BURRIS, ARLEN SPECTER, JOHNNY ISAKSON, ROGER F. WICKER, MIKE JOHANNIS, LINDSEY GRAHAM, Senators FRANK R. LAUTENBERG, BLANCHE LINCOLN, and OLYMPIA J. SNOWE.

Mr. Speaker, this very important legislation could not have come at a time then it is most critical to address the needs of service-connected disabled veterans and survivors during these challenging economic times in our country. The testimonies offered by Bradley G. Mayes, Director, Compensation and Pension Service, Veterans Benefits Administration, Department of Veteran Affairs, etc., in the April 29, 2009 Committee hearing have further substantiated this measure and all voted in favor without dissent.

This measure will also mandate an increase in the Cost of Living Allowance, COLA, for our disabled veterans and survivors.

Mr. Speaker, it is very important that we take care of our veterans. According to VA, as set forth in its fiscal year 2010 budget, the department will provide disability compensation to 3,154,217 veterans with service-connected disabilities in fiscal year 2010. I am pleased with the undivided attention we give to this legislation which underscores how much we appreciate our veterans' selfless military service to protect our country and the freedom and liberty we enjoy.

Again, I thank Senator DANIEL AKAKA and his Veterans Committee for this legislation and strongly urge my colleagues for their full support.

Mr. FILNER. I urge my colleagues to unanimously support S. 407.

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, S. 407.

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. BOOZMAN. 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.

#### WEB SITE INCLUSION OF VA SCHOLARSHIPS

Mr. FILNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1172) to direct the Secretary of Veterans Affairs to include on the Internet website of the Department of Veterans Affairs a list of organizations that provide scholarships to veterans and their survivors, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1172

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

#### **SECTION 1. PAT TILLMAN VETERANS' SCHOLARSHIP INITIATIVE.**

*(a) AVAILABILITY OF SCHOLARSHIP INFORMATION.—By not later than June 1, 2010, the Secretary of Veterans Affairs shall include on the Internet website of the Department of Veterans Affairs—*

*(1) a list of organizations that provide scholarships to veterans and their survivors and, for each such organization, a link to the Internet website of the organization;*

*(2) a statement that the information described in paragraph (1) is not an all-inclusive list of scholarships available to veterans and their survivors; and*

*(3) a statement that the Secretary has not verified the information available on the Internet websites of the organizations referred to in paragraph (1) and that the Secretary does not endorse any offer made by any sponsor of any such the website.*

*(b) MAINTENANCE OF SCHOLARSHIP INFORMATION.—The Secretary of Veterans Affairs shall make reasonable efforts to notify schools and other appropriate entities of the opportunity to be included on the Internet website of the Department of Veterans Affairs pursuant to subsection (a).*

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. FILNER) and the gentleman from Arkansas (Mr. BOOZMAN) 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.

I thank the Speaker and also I thank my distinguished colleague from Arkansas, Congressman BOOZMAN, for introducing this bill, H.R. 1172, and for his bipartisan leadership working as the ranking member of the Subcommittee on Economic Opportunity with Chair STEPHANIE HERSETH SANDLIN of South Dakota. That committee is, I think, a model of bipartisan cooperation and we thank the gentleman from Arkansas for his efforts in that regard.

As many veterans service organizations have testified to our committee, the lack of program awareness continues to be a major barrier preventing veterans from accessing the benefits they have earned. The same is also true for non-VA related education assistance such as grants and scholarships. This legislation provides a common-sense solution to provide useful scholarship information to our Nation's veterans and their dependents. Providing a list of all available scholarships on the VA Web site will allow veteran advocates to reach a larger population and simplify the search for veterans and their families.

I am confident our Internet savvy veterans will come to rely on this tool to obtain up-to-date information on how to supplement their education benefits administered by the VA. Again I thank Congressman BOOZMAN for introducing this bill. I urge all my colleagues to join us.

I reserve the balance of my time.

Mr. BOOZMAN. Mr. Speaker, I rise in support of H.R. 1172, as amended, a bill to direct the Secretary of Veterans Affairs to include on the Internet Web site of the Department of Veterans Affairs a list of organizations that provide scholarships to veterans and their survivors.

Mr. Speaker, the goal of this bill, H.R. 1172, is to provide a place on the VA Web site that lists as many sources

of scholarships for veterans as reasonable possible.

Beginning with the World War II GI Bill, the Department of Veterans Affairs has administered education programs designed to provide a wide range of education and training opportunities to veterans. Over the years, that mission expanded to include veterans, dependents, and survivors.

Since World War II, the number of degree-granting institutions and non-degree-training schools has significantly increased. According to the U.S. Department of Education, there are about 4,314 degree-granting institutions and about 2,222 nondegree-training entities that qualify for title IV education assistance programs.

Each of these may also offer non-Federal financial aid directly or indirectly to veterans through association with organizations such as foundations, but it is the very expansion of these sources that makes it imperative to assist veterans in accessing scholarship information.

With the proliferation of schools, the rapidly increasing cost of education and training, and the sources of potential financial assistance for veterans, there is a need for a centralized source of financial assistance where a veteran can find links to at least some of the aid available. For example, an Internet search for "veterans scholarships" yielded 8,570 sources of information. Mr. Speaker, I believe that the VA should also include sources of financial assistance for dependents and survivors if providers of such financial aid notify VA about the availability of such assistance.

During the legislative hearing on H.R. 1172, VA expressed some concerns about the bill. In response to their concerns, in cooperation with Chairwoman HERSETH SANDLIN of the Subcommittee on Economic Opportunity, the committee amended the bill to better define the bill's objectives and to include appropriate limitations on VA's role in providing scholarship information to veterans. I appreciate the opportunity to work in bipartisan cooperation in making these changes. The substitute states that VA shall make reasonable efforts to notify schools and appropriate entities, such as foundations, of the opportunity to be linked by the VA Web site as a provider of scholarships for veterans.

The bill, as amended, also requires VA to include statements on its Web site noting that VA does not endorse or guarantee any assistance offered by an entity included on the Web site, nor should the individual consider the list to be all inclusive.

Finally, the amended bill sets an effective date of June 1, 2010, to enable VA to concentrate on getting the new post-9/11 GI Bill up and running, which is so important before adding to their workload. I believe this bill's provisions will help veterans identify scholarships intended for their use.

I urge my colleagues to support the bill.

Mr. Speaker, I reserve the balance of my time.

Mr. FILNER. I would like to recognize the gentlelady from South Dakota (Ms. HERSETH SANDLIN) for as much time as she may consume, but I also want to thank her for her incredible leadership as Chair of the Subcommittee on Economic Opportunity. Lots of bills have come forward from this committee and will continue to do so, and we thank her for her leadership.

Ms. HERSETH SANDLIN. I thank the gentleman, the distinguished chairman of the Veterans' Affairs Committee, for yielding and for his kind words in support of the work of the Subcommittee on Economic Opportunity.

I rise today in strong support of H.R. 1172, as amended. I would like to thank the chairman, Mr. FILNER, Ranking Member BUYER, and the sponsor of the bill, subcommittee ranking member, Mr. BOOZMAN, for their leadership and bipartisan support of this bill, which the full committee passed on June 10.

As Mr. BOOZMAN discussed, this legislation directs the Secretary of the VA to include a list of organizations that provide scholarships to veterans and their survivors on its official Web site. This list will help increase the educational opportunities available to veterans and their survivors by providing an easy-to-find portal to this information.

A key part of the VA's responsibility to our veterans is properly managing and providing the educational benefits our veterans have earned through their service. Legislation such as H.R. 1172 helps fulfill this responsibility and will give veterans and their survivors easier access to college scholarships for which they are eligible.

As Chair of the Economic Opportunity Subcommittee, I am extremely pleased to work with Ranking Member BOOZMAN in a bipartisan manner to improve educational benefits for veterans. We have held a series of important hearings on the post-9/11 GI bill, as well as other educational assistance programs, such as the Vocational Rehabilitation and Education Service. I appreciate Mr. BOOZMAN's efforts and cooperation on this important oversight, and I am pleased to support his bill today.

I urge all of my colleagues to support this legislation.

Mr. BOOZMAN. Mr. Speaker, I would like to again extend my thanks to the Subcommittee on Economic Opportunity chairwoman, STEPHANIE HERSETH SANDLIN, for her assistance on this bill, and also for her leadership in so many ways. STEPHANIE has done a tremendous job.

Again, I would also like to thank the full committee chairman, BOB FILNER, the ranking member, STEVE BUYER, and the committee staff on both sides that have worked very hard on this.

Mr. Speaker, I ask all of my colleagues to support H.R. 1172, as amended, and urge its immediate passage.

With that, having no further speakers, 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. 1172, as amended.

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

There was no objection.

Mr. FILNER. Mr. Speaker, I urge my colleagues to support H.R. 1172, and 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. 1172, 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. BOOZMAN. 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.

#### VETERANS HEALTH CARE BUDGET REFORM AND TRANSPARENCY ACT OF 2009

Mr. FILNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1016) to amend title 38, United States Code, to provide advance appropriations authority for certain medical care accounts of the Department of Veterans Affairs, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

#### H.R. 1016

*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 "Veterans Health Care Budget Reform and Transparency Act of 2009".*

#### SEC. 2. SENSE OF CONGRESS.

*It is the sense of Congress that the provision of health care services to veterans could be more effectively and efficiently planned and managed if funding was provided for the management and provision of such services in the form of advance appropriations.*

#### SEC. 3. PRESIDENTS' BUDGET SUBMISSIONS.

*Section 1105(a) of title 31, United States Code, is amended by adding at the end the following new paragraph:*

*"(36) information on estimates of appropriations for the fiscal year following the fiscal year for which the budget is submitted for the following accounts of the Department of Veterans Affairs:*

*"(A) Medical Services.*

*"(B) Medical Support and Compliance.*

*"(C) Medical Facilities.*

*"(D) Information Technology Systems.*

*"(E) Medical and Prosthetic Research."*



**SEC. 4. ADVANCE APPROPRIATIONS FOR CERTAIN ACCOUNTS OF THE DEPARTMENT OF VETERANS AFFAIRS.**

(a) ADVANCE APPROPRIATIONS FOR CERTAIN ACCOUNTS.—

(1) IN GENERAL.—Chapter 1 of title 38, United States Code, is amended by inserting after section 116 the following new section:

**“§ 117. Advance appropriations for certain accounts**

“(a) IN GENERAL.—For each fiscal year, beginning with fiscal year 2011, discretionary new budget authority provided in an appropriations Act for the appropriations accounts of the Department specified in subsection (c) shall—

“(1) be made available for that fiscal year; and

“(2) include, for each such appropriations account, advance discretionary new budget authority that first becomes available for the first fiscal year after the budget year.

“(b) ESTIMATES REQUIRED.—The Secretary shall include in documents submitted to Congress in support of the President’s budget submitted pursuant to section 1105 of title 31, United States Code, detailed estimates of the funds necessary for the accounts of the Department specified in subsection (c) for the fiscal year following the fiscal year for which the budget is submitted.

“(c) ACCOUNTS SPECIFIED.—The accounts specified in this subsection are the following accounts of the Department of Veterans Affairs:

“(1) Medical Services.

“(2) Medical Support and Compliance.

“(3) Medical Facilities.

“(4) Information Technology Systems.

“(5) Medical and Prosthetic Research.

“(d) ANNUAL REPORT.—Not later than July 31 of each year, the Secretary shall submit to Congress an annual report on the sufficiency of the Department’s resources for the next fiscal year beginning after the date of the submittal of the report for the provision of medical care. Such report shall also include estimates of the workload and demand data for that fiscal year.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 116 the following new item:

“117. Advance appropriations for certain accounts.”.

**SEC. 5. COMPTROLLER GENERAL STUDY ON ADEQUACY AND ACCURACY OF BASELINE MODEL PROJECTIONS OF THE DEPARTMENT OF VETERANS AFFAIRS FOR HEALTH CARE EXPENDITURES.**

(a) STUDY OF ADEQUACY AND ACCURACY OF BASELINE MODEL PROJECTIONS.—The Comptroller General shall conduct a study of the adequacy and accuracy of the budget projections made by the Enrollee Health Care Projection Model (in this section referred to as the “Model”), its equivalent, or other methodologies utilized for the purpose of estimating and projecting health care expenditures of the Department of Veterans Affairs with respect to the fiscal year involved and the subsequent four fiscal years.

(b) REPORTS.—

(1) IN GENERAL.—Not later than the date of each year in 2011, 2012, and 2013, on which the President submits the budget request for the next fiscal year under section 1105 of title 31, United States Code, the Comptroller General shall submit to the appropriate committees of Congress and to the Secretary of Veterans Affairs a report.

(2) ELEMENTS.—Each report under this paragraph shall include, for the fiscal year concerning the year for which the budget is submitted, the following:

(A) A statement whether the amount requested in the budget of the President for expenditures of the Department for health care in such fiscal year is consistent with anticipated expenditures of the Department for health care

in such fiscal year as determined utilizing the Model.

(B) The basis for such statement.

(C) Such additional information as the Comptroller General determines appropriate.

(3) AVAILABILITY TO THE PUBLIC.—Each report submitted under this subsection shall be made available to the public by the Comptroller General.

(4) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term “appropriate committees of Congress” means—

(A) the Committees on Veterans’ Affairs, Appropriations, and the Budget of the Senate; and

(B) the Committees on Veterans’ Affairs, Appropriations, and the Budget of the House of Representatives.

**SEC. 6. REPORT TO CONGRESS.**

Not later than 90 days after the date of the enactment of this Act, the Secretary of Veterans Affairs, shall submit to the Committees on Veterans’ Affairs, Appropriations, and the Budget of the Senate and House of Representatives a report on the requirements of this Act and the amendments made by this Act. Such report shall include—

(1) the Secretary’s plans for improving the capability of the Department of Veterans Affairs to better and more accurately estimate future health care costs and demands; and

(2) a description of impediments, statutory or otherwise, to providing future year estimates and advance appropriations for the Medical Services, Medical Support and Compliance, Medical Facilities, Information Technology Systems, and Medical and Prosthetic Research accounts of the Department.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. FILNER) and the gentleman from Arkansas (Mr. BOOZMAN) 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 is undoubtedly one of the most significant bills that this Congress will pass in this or any other session. The Veterans Health Care Budget Reform and Transparency Act was introduced in February, and this bipartisan measure is a response to years of chronic underfunding of the VA medical care system.

During the last two decades, the VA budget has been in place at the start of the fiscal year barely four times. We all know that this delay in providing vital funding puts the provision of health care to veterans at a risk and hampers the VA’s ability to plan its health care expenditures, hire needed health care professionals, and plan needed construction.

In an unprecedented step, nine veterans groups formed the Partnership for Veterans Health Care Budget Reform. These groups, including The American Legion, AMVETS, Blinded Veterans Association, Disabled American Veterans, Jewish War Veterans, Military Order of the Purple Heart, Paralyzed Veterans of America, Veterans of Foreign Wars, and the Vietnam Veterans of America, formed to advocate for a VA health care budget that is sufficient, timely, and predictable.

These groups put forward the idea that resources for VA health care should be provided through advanced

appropriations so that when the fiscal year starts on October 1, the VA will know what its budget is a year in advance. That is what will happen when H.R. 1016 passes. It will ensure the VA can best plan and utilize taxpayer dollars to provide veterans with the health care they have earned and deserved. It provides the framework with which we can realize advanced appropriations for VA medical care accounts.

As part of the annual budget submission, the President will be required to submit a request for certain VA accounts for the fiscal year following the fiscal year for which the budget is submitted. As part of the administration’s FY 2011 budget, the President will include budget estimates for VA medical care, information technology, and medical and prosthetic research accounts for FY 2012. The VA will be required to provide detailed estimates in the budget documents it submits annually to Congress.

Each July, the VA will be required to report to Congress if it has the resources it needs for the upcoming fiscal year in order for the Congress to address any funding imbalances. This will help to safeguard against the VA facing budget shortfalls such as it did just a few years ago.

H.R. 1016 provides the framework for advanced appropriations, and we look to our colleagues on the Appropriations Committee to provide the dollars. I want to express our thanks to our colleague, CHET EDWARDS, who chairs the Military Construction/VA Subcommittee, for providing advanced funding for the VA medical care accounts for 2011, providing for an 8 percent increase for fiscal year 2011 above the historic fiscal year 2010 levels.

□ 1230

I want to thank also Chairman OBEY for supporting advanced appropriations and Chairman SPRATT of the Budget Committee for including advanced appropriations language in his budget resolution.

All of us, working together, have succeeded in providing veterans with their top legislative priority. They spoke and we listened. I ask the rest of the House to join us in support of this bill, H.R. 1016, which passed unanimously from the Veterans’ Affairs Committee last week.

Mr. Speaker, I reserve the balance of my time.

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

Mr. Speaker, I rise in strong support of H.R. 1016, as amended, a bill that would authorize appropriations for several veterans health care accounts a year in advance beginning with fiscal year 2011. I also thank Chairman FILNER for bringing this bill forward and trying to solve a problem that we’ve had in the past.

The goal of the bill is to provide an increased level of fiscal certainty regarding operations of the VA hospital

system. By funding the accounts for medical services, medical support and compliance, medical facilities, information technology systems, and medical and prosthetic research, the Department of Veterans Affairs should be able to manage its health care personnel needs in day-to-day operations. I would note that the last three accounts that I mentioned were included in the bill by an amendment offered by the ranking member, Mr. BUYER, and adopted by the full committee. Adding these accounts has improved the bill by providing more complete medical funding needs.

Advanced funding alone will not solve the VA's ability to provide quality medical care. Without accurate predictive data, advanced appropriations will not necessarily provide the right amount of funding the VA needs to operate its health care system. Therefore, the bill also contains provisions that require a combination of reports and analysis to determine the quality of the data VA will be using in its financial model to determine funding needs.

Mr. Speaker, this bill, while not a perfect solution, is a very reasonable way to allow the advanced funding concept to be tested in practice, and I urge all of my colleagues to support H.R. 1016, as amended.

Mr. Speaker, I reserve the balance of my time.

Mr. FILNER. Mr. Speaker, I would like to yield 5 minutes to the gentlewoman from Illinois (Mrs. HALVORSON). She is a new member of our committee and of this Congress, but she has added a dynamic element to our deliberations, and we thank her for her commitment to veterans.

Mrs. HALVORSON. Mr. Speaker, I rise in support of H.R. 1016, the Veterans Health Care Budget Reform and Transparency Act of 2009, which was introduced under the leadership of the chairman of the Committee on Veterans' Affairs, Mr. FILNER. I want to thank Mr. FILNER and the Subcommittee on Health Care chairman, Mr. MICHAUD, for their great leadership on this issue.

The Veterans Affairs health care system includes 153 medical centers with a facility in each State, Puerto Rico, and the District of Columbia. Almost 5.5 million people received care in the VA health care facilities in 2008, and VA's outpatient clinics registered over 60 million visits. This is one of the largest health care providers in the country.

However, in fiscal year 2009, for only the third time in the past 20 years, VA received its budget prior to the start of the new fiscal year. It isn't reasonable to expect that one of the largest, fastest-growing health care providers in the country can operate in the most efficient and effective manner if they don't know what their budgets will be.

The current budget process continues to hamper and threaten VA health care delivery. When VA does not receive its funding in a timely manner, it is forced to ration its care. So much-needed

medical staff cannot be hired, equipment cannot be procured, waiting times increase, and the quality of care suffers.

H.R. 1016 will solve many of these problems and fund the VA 1 year in advance. It will allow the VA to spend money more efficiently while at the same time providing better and more comprehensive care for our veterans. H.R. 1016 will make sure that the VA has the resources that it needs in a timely manner so that it can provide quality care without having to question what funds will be available next month.

I am here today in an attempt to serve our veterans' best interest and to fight to make sure they receive the best care possible. To that end, I stand in favor of H.R. 1016 and strongly urge my colleagues to vote "yes."

I thank the chairman for yielding.

Mr. BOOZMAN. Mr. Speaker, I continue to reserve the balance of my time.

Mr. FILNER. Mr. Speaker, I would yield 3 minutes to another new Member from New Mexico (Mr. TEAGUE). He's also on a committee that has half of our committee's new members. They have added a real element of dynamism. We thank Mr. TEAGUE for his commitment to veterans also.

Mr. TEAGUE. Mr. Speaker, I rise today in support of H.R. 1016, the Veterans Health Care Budget Reform and Transparency Act of 2009. I would like to thank the distinguished gentleman from California, BOB FILNER, for introducing this bill. I'm happy to be a co-sponsor of this legislation. It is through his leadership, as chairman of the Committee on Veterans' Affairs, that we will finally be able to make advanced appropriations of the VA's health budget a reality.

I simply do not believe that it is right that we have lapsed in our care for our veterans when they have never lapsed in the defense of our country. I do not think that it's right that out of the last 22 budgets that we have passed for the VA, 19 of them have been late. Our veterans served their country and provided us with the security that we often take for granted, and we owe them quality health care.

Without a predictable and on-time funding source, it is difficult or impossible for the VA to provide our veterans with the high level of health care and services that they deserve. That is why I led 50 Members of Congress to demand a provision allowing for advanced appropriations in the fiscal year 2010 budget, and we were fortunate enough to convince the budget conference committee to support it.

As a result of allowing for advanced appropriation in the budget, tomorrow the Appropriations Committee will hold a hearing on the Military Construction and VA spending bill that contains \$48.2 billion in advanced appropriations for the VA for fiscal year 2011. This represents a 15 percent increase over fiscal year 2009 levels and a

step in the right direction for veterans health care.

Many people have compared advanced appropriations to a family budget. A family needs to know how much their income is before they know what they can spend. I think that about sums up why we need this bill. I think it's about common sense and being responsible. As a businessman, I never tried to make a purchase without knowing what my budget was going to be. I had to plan ahead and have a road map for all of the company's finances. Because the VA is a direct provider of services, they need to have the same ability to plan ahead. It's about delivering a quality product.

I urge my colleagues to take this giant step in improving the VA's ability to deliver quality health care services to our Nation's veterans.

Mr. BOOZMAN. Mr. Speaker, I continue to reserve the balance of my time.

Mr. FILNER. Mr. Speaker, Mr. HARE of Illinois came to us as the successor of a legendary member of our committee, Mr. Lane Evans, who worked so hard for veterans during his whole career, and our thoughts are with him as he faces his disease. Mr. HARE was on our committee. He had to go off this year, but we miss him greatly, and he's one of the strongest leaders for veterans in our Nation. I yield to him such time as he may consume.

Mr. HARE. Mr. Speaker, I rise in strong support of H.R. 1016, the Veterans Health Care Budget Reform and Transparency Act of 2009, and let me thank Chairman BOB FILNER for introducing this important legislation.

In the 110th Congress, we gave the VA its largest funding increase in 77 years, and we did it on time. But, sadly, punctual VA funding has not always been the case. The VA received its annual funding for health care programs late in the last 19 of 22 years.

This record of tardiness is deplorable. With the ongoing wars in Iraq and Afghanistan, the time to fix this broken system is now. Late funding is more than a missed deadline. It is a veteran with posttraumatic stress disorder who cannot access a treatment he or she needs. It is an injured hero who must wait for a prosthetic. It is a VA in disarray at a time when our wounded warriors are counting now more than ever on the department's services. That's why in the last Congress, I introduced the Assured Funding for Veterans Health Care Act. This bill would have replaced the annual appropriated discretionary funding for veterans health care with permanent direct spending authority.

Like the bill I introduced, advanced appropriations is the means to that end. That end is ensuring veterans receive the best possible care from a VA that has access to timely, sufficient, and predictable resources. The legislation that we're considering today will do just that. It will allow the VA to effectively budget and manage its health



care programs and services, meaning it can hire the appropriate number of doctors, nurses, clinicians, and support staff to meet the demand for high-quality care for our veterans. Anything less is unacceptable.

I'd also like to acknowledge and commend Chairman DAVID OBEY and Chairman EDWARDS for their strong proactive leadership in putting in an advanced appropriation for VA health care in the fiscal year 2010 Military Construction and Veterans Affairs Appropriations bill.

I enthusiastically support H.R. 1016, and I once again want to thank Chairman FILNER for drafting a bill that would ensure the VA has sufficient, timely, and predictable funding.

Mr. Speaker, I urge all of my colleagues to support this legislation.

Mr. BOOZMAN. Mr. Speaker, again I would ask that my colleagues vote for this bill. I appreciate Mr. FILNER's hard work on the bill. I think it's a great step in the right direction. And then also I would like to thank Ranking Member BUYER for offering a good amendment that I think helped the bill also.

So with that I urge adoption of the bill.

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. 1016, as amended.

The SPEAKER pro tempore (Mr. KLEIN of Florida). Is there objection to the request of the gentleman from California?

There was no objection.

Mr. FILNER. Mr. Speaker, I think as we approach the July 4 holiday, this is an appropriate way to say thank you to our Nation's veterans. As I said earlier, this is one of the most significant steps, if not a revolutionary step, taken for veterans in the budgeting process. This will assure that one of the largest health systems in the world, if not the largest, will have, in fact, funding available on time and in the need that is required for our Nation's veterans.

So I urge my colleagues to unanimously support this bill, H.R. 1016, as amended.

Mr. BUYER. Mr. Speaker, I rise in opposition to H.R. 1016, as amended, a bill to amend title 38, United States Code, to provide advance appropriations authority for certain medical care accounts of the Department of Veterans Affairs, VA, and for other purposes.

In my view, it is premature for the House of Representatives to consider this legislation.

The bill was not considered by the Subcommittee on Health, to which it was referred, nor was there a full Committee legislative hearing, so the Administration has not provided its official analysis.

On April 29, 2009, we did hold a full Committee oversight hearing on the future funding of VHA. At this hearing, concerns were raised

about not including the "Information Technology Systems" and the "Medical and Prosthetic Research Accounts" in an advance appropriations bill.

The Secretary of Veterans Affairs, the Honorable Eric K. Shinseki, testified that information technology is very much integrated into the medical care activities and should be included so that VA is not hindered in its ability to provide health care services and operate new facilities.

Additionally, the Congressional Research Service, CRS, testified that funding information technology under a separate, annual appropriation could create a situation where VA would not be able to purchase computer software even though it had procured medical equipment that is reliant on such software.

CRS noted potential difficulty for VA in procuring the necessary IT infrastructure for the opening of new clinics, as well as difficulties that could arise in VA research due to a mismatch between accounts.

I was pleased that during the Committee markup, my amendment was adopted to include the IT, and medical and prosthetic research accounts to address these issues.

However, the Government Accountability Office, GAO, also expressed reservations about its possible role in an advance appropriations proposal. In a written response of June 17, 2009, to one of my hearing questions, GAO made a strong statement which leads me to believe that section 5 of the amended bill is not workable. This section would require GAO to obtain budgetary information from VA before the department makes its fiscal year budget request. GAO questioned whether it could conduct the required studies before the President's budget request is submitted to Congress. GAO cited significant challenges in obtaining, evaluating, reporting on the relevant budgetary and technical information.

GAO indicated that its role in the process would be inadvisable because executive agencies have consistently resisted releasing detailed information about the President's budget prior to its submission to Congress.

Again, VA's official views on this issue are currently unknown, and this issue should have been addressed before H.R. 1016, as amended, was reported to the House.

There is nothing before us to indicate that the administration is agreeable to this arrangement.

The failure to follow regular order and the unnecessary haste with which this legislation is being advanced results in the House being asked to pass obviously flawed legislation, and I urge my colleagues to oppose H.R. 1016, as amended.

Mr. MICHAUD. Mr. Speaker, I rise in strong support of the Veterans Health Care Budget Reform and Transparency Act of 2009.

I am here today as an original co-sponsor of this legislation. I would like to express my appreciation for all of the Chairman's hard work on it.

This bill accomplishes a simple, but a crucial goal we all share: To provide timely funding for veterans health care.

I represent a district in a state of 1.3 million people. Out of that number, I am proud that over 155,000 veterans call Maine home.

Maine is a state that works hard to honor its veterans.

The talented and dedicated professionals at Maine's Togus VA Medical Center do terrific

work. So do our community based outpatient clinics and all of VA's partners.

But too often in recent history, VA's ability to provide the best possible care has been hamstrung by the appropriations process.

In some cases, VA has not been funded until after the beginning of the fiscal year.

As a result, maintenance of facilities, cost saving investments in technology, and ultimately care for veterans was delayed or put in jeopardy.

This cannot be allowed to occur when we are dealing with the health care of our veterans.

There must be a timely, sufficient, and predictable funding stream. And that is exactly what this legislation is designed to achieve.

Passage of this legislation today is a huge step forward and will help make sure all veterans have access to the best possible health care.

I urge all of my colleagues to support this bill.

Mr. FILNER. Mr. Speaker, 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. 1016, 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. THOMPSON of Pennsylvania. Mr. Speaker, while I support the purpose of this bill, 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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#### WOMEN VETERANS HEALTH CARE IMPROVEMENT ACT

Mr. FILNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1211) to amend title 38, United States Code, to expand and improve health care services available to women veterans, especially those serving in Operation Enduring Freedom and Operation Iraqi Freedom, from the Department of Veterans Affairs, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1211

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

#### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Women Veterans Health Care Improvement Act".

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

**TITLE I—STUDIES AND ASSESSMENTS OF DEPARTMENT OF VETERANS AFFAIRS HEALTH SERVICES FOR WOMEN VETERANS**

Sec. 101. Study of barriers for women veterans to health care from the Department of Veterans Affairs.

Sec. 102. Comprehensive assessment of women's health care programs of the Department of Veterans Affairs.

**TITLE II—IMPROVEMENT AND EXPANSION OF HEALTH CARE PROGRAMS OF THE DEPARTMENT OF VETERANS AFFAIRS FOR WOMEN VETERANS**

Sec. 201. Medical care for newborn children of women veterans receiving maternity care.

Sec. 202. Training and certification for mental health care providers of the Department of Veterans Affairs on care for veterans suffering from sexual trauma and post-traumatic stress disorder.

Sec. 203. Pilot program for provision of child care assistance to certain veterans receiving certain types of health care services at Department facilities.

Sec. 204. Addition of recently separated women and minority veterans to serve on advisory committees.

**TITLE I—STUDIES AND ASSESSMENTS OF DEPARTMENT OF VETERANS AFFAIRS HEALTH SERVICES FOR WOMEN VETERANS**

**SEC. 101. STUDY OF BARRIERS FOR WOMEN VETERANS TO HEALTH CARE FROM THE DEPARTMENT OF VETERANS AFFAIRS.**

(a) **STUDY REQUIRED.**—The Secretary of Veterans Affairs shall conduct a comprehensive study of the barriers to the provision of comprehensive health care by the Department of Veterans Affairs encountered by women who are veterans. In conducting the study, the Secretary shall—

(1) survey women veterans who seek or receive hospital care or medical services provided by the Department of Veterans Affairs as well as women veterans who do not seek or receive such care or services;

(2) build on the work of the study of the Department of Veterans Affairs entitled "National Survey of Women Veterans in Fiscal Year 2007–2008";

(3) administer the survey to a representative sample of women veterans from each Veterans Integrated Service Network; and

(4) ensure that the sample of women veterans surveyed is of sufficient size for the study results to be statistically significant and is a larger sample than that of the study of the Department of Veterans Affairs entitled "National Survey of Women Veterans in Fiscal Year 2007–2008".

(b) **ELEMENTS OF STUDY.**—In conducting the study required by subsection (a), the Secretary of Veterans Affairs shall conduct research on the effects of the following on the women veterans surveyed in the study:

(1) The perceived stigma associated with seeking mental health care services.

(2) The effect of driving distance or availability of other forms of transportation to the nearest medical facility on access to care.

(3) The availability of child care.

(4) The acceptability of integrated primary care, women's health clinics, or both.

(5) The comprehension of eligibility requirements for, and the scope of services available under, hospital care and medical services.

(6) The perception of the personal safety and comfort of women veterans in inpatient,

outpatient, and behavioral health facilities of the Department.

(7) The gender sensitivity of health care providers and staff to issues that particularly affect women.

(8) The effectiveness of outreach for health care services available to women veterans.

(9) The location and operating hours of health care facilities that provide services to women veterans.

(10) Such other significant barriers as the Secretary of Veterans Affairs may identify.

(c) **AUTHORITY TO ENTER INTO CONTRACTS.**—The Secretary of Veterans Affairs shall enter into a contract with a qualified independent entity or organization to carry out the studies and research required under this section.

(d) **MANDATORY REVIEW OF DATA BY CERTAIN DIVISIONS WITHIN THE DEPARTMENT.**—

(1) **IN GENERAL.**—The Secretary of Veterans Affairs shall ensure that the head of each division of the Department of Veterans Affairs specified in paragraph (2) reviews the results of the study conducted under this section. The head of each such division shall submit findings with respect to the study to the Under Secretary for Health and to other pertinent program offices within the Department of Veterans Affairs with duties relating to health care services for women veterans.

(2) **SPECIFIED DIVISIONS OF THE DEPARTMENT.**—The divisions of the Department of Veterans Affairs specified in this paragraph are—

(A) the Center for Women Veterans, established under section 318 of title 38, United States Code; and

(B) the Advisory Committee on Women Veterans, established under section 542 of title 38, United States Code.

(e) **REPORTS.**—

(1) **REPORT ON IMPLEMENTATION.**—Not later than 6 months after the date on which the Department of Veterans Affairs publishes a final report on the study entitled "National Survey of Women Veterans in Fiscal Year 2007–2008", the Secretary of Veterans Affairs shall submit to Congress a report on the status of the implementation of the section.

(2) **REPORT ON STUDY.**—Not later than 30 months after the date on which the Department publishes such final report, the Secretary of Veterans Affairs shall submit to Congress a report on the study required under this section. The report shall include recommendations for such administrative and legislative action as the Secretary of Veterans Affairs determines to be appropriate. The report shall also include the findings of the head of each specified division of the Department and of the Under Secretary for Health.

(f) **DEFINITION OF FACILITY OF THE DEPARTMENT.**—In this section the term "facility of the Department" has the meaning given that term in section 1701(3) of title 38, United States Code.

(g) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to the Secretary of Veterans Affairs \$4,000,000 to carry out this section.

**SEC. 102. COMPREHENSIVE ASSESSMENT OF WOMEN'S HEALTH CARE PROGRAMS OF THE DEPARTMENT OF VETERANS AFFAIRS.**

(a) **IN GENERAL.**—The Secretary of Veterans Affairs shall conduct a comprehensive assessment of all health care services and programs provided by the Department of Veterans Affairs for the health care needs of women veterans. Such comprehensive assessment shall include assessments of specialized programs for women with post-traumatic stress disorder, for women who are homeless, for women who require care for substance abuse or mental illnesses, and for women who require obstetric and gynecologic care.

(b) **SPECIFIC MATTERS STUDIED.**—

(1) **IDENTIFICATION OF PROGRAMS.**—For each medical facility of the Department of Veterans Affairs, the Secretary of Veterans Affairs shall identify each of the following types of programs for women veterans provided by the Department and determine whether effective health care services, including evidenced-based health care services, are readily available to and easily accessed by women veterans:

(A) Health promotion programs, including reproductive health promotion programs.

(B) Disease prevention programs.

(C) Health care programs.

(2) **IDENTIFICATION OF RELEVANT ISSUES.**—In making such determination, the Secretary of Veterans Affairs shall identify, for each medical facility of the Department of Veterans Affairs—

(A) the frequency with which such services are available and provided,

(B) the demographics of the women veterans population,

(C) the sites where such services are available and provided, and

(D) whether, and to what extent, waiting lists, geographic distance, and other factors obstruct the receipt of any of such services at any such site.

(c) **AUTHORITY TO ENTER INTO A CONTRACT.**—The Secretary of Veterans Affairs shall enter into a contract with a qualified independent entity or organization to carry out the studies and research required under this section.

(d) **DEVELOPMENT OF PLAN TO IMPROVE SERVICES.**—

(1) **PLAN REQUIRED.**—After conducting the comprehensive assessment required by subsection (a), the Secretary of Veterans Affairs shall develop a plan to improve the provision of health care services to women veterans and to project the future health care needs, including the mental health care needs of women serving in the combat theaters of Operation Enduring Freedom and Operation Iraqi Freedom.

(2) **LIST OF SERVICES.**—In developing the plan under this subsection, the Secretary of Veterans Affairs shall list the types of services available for women veterans at each medical center of the Department.

(e) **REPORT.**—Not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to Congress a report on the assessment conducted pursuant to subsection (a) and the plan required under subsection (d). The report shall include recommendations for such administrative and legislative action as the Secretary of Veterans Affairs determines to be appropriate.

(f) **GAO REPORT.**—Not later than 6 months after the date on which the Secretary of Veterans Affairs submits the report required under subsection (e), the Comptroller General shall submit to Congress a report containing the findings of the Comptroller General with respect to the report of the Secretary, which may include such recommendations for administrative or legislative actions as the Comptroller General determines to be appropriate.

(g) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to the Secretary of Veterans Affairs \$5,000,000 to carry out this section.

**TITLE II—IMPROVEMENT AND EXPANSION OF HEALTH CARE PROGRAMS OF THE DEPARTMENT OF VETERANS AFFAIRS FOR WOMEN VETERANS**

**SEC. 201. MEDICAL CARE FOR NEWBORN CHILDREN OF WOMEN VETERANS RECEIVING MATERNITY CARE**

(a) **NEWBORN CARE.**—Subchapter VIII of chapter 17 of title 38, United States Code, is amended by adding at the end the following new section:

**§1786. Hospital care and medical services for newborn children of women veterans receiving maternity care**

"In the case of a child of a woman veteran who is receiving hospital care or medical services at a Department facility (or in another facility pursuant to a contract entered into by the Secretary) relating to the birth of that child, the Secretary may furnish hospital care and medical services to that child at that facility during the 7-day period beginning on the date of the birth of the child."

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 of such title is amended by inserting after the item relating to section 1785 the following new item:

"1786. Hospital care and medical services for newborn children of women veterans receiving maternity care."

**SEC. 202. TRAINING AND CERTIFICATION FOR MENTAL HEALTH CARE PROVIDERS OF THE DEPARTMENT OF VETERANS AFFAIRS ON CARE FOR VETERANS SUFFERING FROM SEXUAL TRAUMA AND POST-TRAUMATIC STRESS DISORDER.**

Section 1720D of title 38, United States Code, is amended—

(1) by redesignating subsection (d) as subsection (f); and

(2) by inserting after subsection (c) the following new subsections:

"(d) The Secretary shall carry out a program to provide graduate medical education, training, certification, and continuing medical education for mental health professionals who provide counseling, care, and services under subsection (a). In carrying out such program, the Secretary shall ensure that all such mental health professionals have been trained in a consistent manner and that such training includes principles of evidence-based treatment and care for sexual trauma and post-traumatic stress disorder.

"(e) The Secretary shall submit to Congress an annual report on the counseling, care, and services provided to veterans pursuant to this section. Each report shall include data for the year covered by the report with respect to each of the following:

"(1) The number of mental health professionals, graduate medical education trainees, and primary care providers who have been certified under the program required by subsection (d) and the amount and nature of continuing medical education provided under such program to such professionals, trainees, and providers who are so certified.

"(2) The number of women veterans who received counseling and care and services under subsection (a) from professionals and providers who received training under subsection (d).

"(3) The number of graduate medical education, training, certification, and continuing medical education courses provided by reason of subsection (d).

"(4) The number of trained full-time equivalent employees required in each facility of the Department to meet the needs of veterans requiring treatment and care for sexual trauma and post-traumatic stress disorder.

"(5) Any recommended improvements for treating women veterans with sexual trauma and post-traumatic stress disorder.

"(6) Such other information as the Secretary determines to be appropriate."

**SEC. 203. PILOT PROGRAM FOR PROVISION OF CHILD CARE ASSISTANCE TO CERTAIN VETERANS RECEIVING CERTAIN TYPES OF HEALTH CARE SERVICES AT DEPARTMENT FACILITIES.**

(a) IN GENERAL.—

(1) PILOT PROGRAM REQUIRED.—Not later than six months after the date of the enact-

ment of this Act, the Secretary of Veterans Affairs shall carry out a two-year pilot program under which, subject to paragraph (2), the Secretary shall provide child care assistance to a qualified veteran child care needed by the veteran during the period of time described in paragraph (3).

(2) FORM OF CHILD CARE ASSISTANCE.—Child care assistance under this section may include—

(A) stipends for the payment of child care offered by licensed child care centers (either directly or through a voucher program);

(B) the development of partnerships with private agencies;

(C) collaboration with facilities or programs of other Federal departments or agencies; and

(D) the arrangement of after-school care.

(3) PERIOD OF TIME.—Child care assistance under the pilot program may only be provided for the period of time that the qualified veteran—

(A) receives a health care service referred to in paragraph (4) at a facility of the Department; and

(B) requires to travel to and return from such facility for the receipt of such health care service.

(4) QUALIFIED VETERAN DEFINED.—In this section, the term "qualified veteran" means a veteran who is the primary caretaker of a child and who is receiving from the Department of Veterans Affairs one or more of the following health care services:

(A) Regular mental health care services.

(B) Intensive mental health care services.

(C) Any other intensive health care services for which the Secretary determines that the provision of child care would improve access by qualified veterans.

(5) LOCATION OF PILOT PROGRAM.—The Secretary shall carry out the pilot program at no fewer than three Veterans Integrated Service Networks.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of Veterans Affairs \$1,500,000 for each of fiscal years 2010 and 2011 to carry out the pilot program under this section.

(c) REPORT.—Not later than six months after the completion of the pilot program, the Secretary shall submit to Congress a report on the pilot program and shall include recommendations for the continuation or expansion of the pilot program.

**SEC. 204. ADDITION OF RECENTLY SEPARATED WOMEN AND MINORITY VETERANS TO SERVE ON ADVISORY COMMITTEES.**

(a) ADVISORY COMMITTEE ON WOMEN VETERANS.—Subsection (a)(2)(A) of section 542 of title 38, United States Code, is amended—

(1) by striking "and" at the end of clause (ii);

(2) by striking the period at the end of clause (iii) and inserting "; and"; and

(3) by inserting after clause (iii) the following new clause:

"(iv) women who are recently separated veterans."

(b) ADVISORY COMMITTEE ON MINORITY VETERANS.—Subsection (a)(2)(A) of section 544 of title 38, United States Code, is amended—

(1) by striking "and" at the end of clause (iii);

(2) by striking the period at the end of clause (iv) and inserting "; and"; and

(3) by inserting after clause (iv) the following new clause:

"(v) recently separated veterans who are minority group members."

(c) EFFECTIVE DATE.—The amendments made by this section shall first apply to appointments made on or after the date of the enactment of this Act.

The CHAIR. Pursuant to the rule, the gentleman from California (Mr. FIL-

NER) and the gentleman from Arkansas (Mr. BOOZMAN) each will control 20 minutes.

The Chair recognizes the gentleman from California.

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

Mr. Speaker, this bill is a critical piece of legislation which expands and improves health care services available for women veterans through the Department of Veterans Affairs.

The bill will be explained in greater detail by the chairwoman of the Subcommittee on Economic Opportunity, Ms. HERSETH SANDLIN, as the person who introduced the bill and we thank her for her steadfast commitment to helping women veterans.

Mr. Speaker, we had a roundtable at our full committee, where we had representatives and women veterans from all around the country. It was searing testimony which revealed serious weaknesses in the culture of the VA.

The VA health care system, after all, was built to accommodate the war-related illnesses and injuries of male veterans. The increased percentage of female veterans that has been occurring, especially with the war in Iraq and Afghanistan, has led many women veterans to say that we need some changes in the culture of the VA. Women walk through the lobbies of VA hospitals and are given catcalls. There are not sufficient women doctors available for the women who want them. The male doctors don't yet seem to have the respect for the sacrifice of women veterans.

There was one woman who testified who had an amputation of one arm from combat. When she showed up at the doctor's office, he just assumed that it was lost from something else like cancer. He didn't even think that this could be a combat-related injury. And we can go on and on, but we need to change the culture and change the resources and change behavior, and that's what this bill by Ms. HERSETH SANDLIN starts to do.

There are about 1.8 million women veterans today, or 7 percent of the nearly 24 million veterans that we serve. Assuming that the current enrollments remain the same, the number of female veterans who use the VA system will double in the next 5 years, making female veterans one of the fastest growing subgroups of veterans. In this environment of organizational transformation and changing demographics, H.R. 1211 has the potential to lay the foundation for improved health care services for our women veterans.

I urge my colleagues to support the legislation.

I reserve the balance of my time.

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

Mr. Speaker, I rise in support of H.R. 1211, as amended, a bill to amend title 38, United States Code, to expand and improve health care services available to women veterans from the Department of Veterans Affairs and for other purposes.

I appreciate the hard work of the gentlelady from South Dakota (Ms. HERSETH SANDLIN) on this bill and in bringing it forward. Throughout history, women have played a vital role in supporting our national defense. Currently women make up 8 percent, about 8 percent of the total veteran population, and VA estimates that by 2020, women veterans will comprise about 10 percent of the veteran population.

Women are the fastest-growing segment of the veteran population, and it's essential to make sure that VA is providing specialized programs and services to meet their unique physical and mental health needs.

I want to thank again my good friend and colleague, the gentlelady from South Dakota, for introducing this legislation, and I am pleased to have joined with her as an original cosponsor for H.R. 1211.

This legislation would expand and improve benefits and services for our female veterans, especially our newest generation of women veterans serving in Iraq and Afghanistan. The VA would be required to conduct independent studies to look at the barriers women veterans face in obtaining VA health care, assist the services currently being provided, and develop a plan to better meet their needs.

In the past 5 years, there has been a 30 percent increase in the number of women veterans of child-bearing age enrolling in the VA health care system. H.R. 1211, as amended, would aid this population by authorizing VA to provide care to newborns of women veterans receiving maternity care through VA. Additionally, the bill would establish a pilot program to provide child care assistance for certain qualified veterans while they are receiving care at the VA.

Recognizing that the largest number of women veterans are serving in Operation Enduring Freedom and Operation Iraqi Freedom, the bill would also ensure that recently separated women veterans have a voice on the advisory committee on women veterans and minority veterans.

I urge my colleagues to support 1211, as amended.

I reserve the balance of my time.

Mr. FILNER. I am proud to recognize the gentlelady from South Dakota (Ms. HERSETH SANDLIN) for as much time as she may consume. She is the author of this very, very important piece of legislation.

Ms. HERSETH SANDLIN. Mr. Speaker, I rise today in strong support of H.R. 1211, the Women Veterans Health Care Improvement Act, as amended, which the Veterans' Affairs Health Subcommittee passed on June 4 and the full committee approved on June 10.

I would like to thank Chairman FILNER, Ranking Member BUYER, Subcommittee Chairman MIKE MICHAUD and Subcommittee Ranking Member BROWN for their leadership and support of this bill, as well as my colleague on

the Subcommittee on Economic Opportunity, the distinguished ranking member, Mr. BOOZMAN of Arkansas, for cosponsoring this important legislation.

I would also like to take a moment to give special recognition to Chairman FILNER for his leadership on this very important issue. He had mentioned the roundtable that the full committee hosted, his brainchild to bring all of the women who represent different veterans service organizations and women veterans themselves to speak to their experiences and to better inform and educate committee members about the extraordinary circumstances that they have faced time and time again as they have sought care in VA medical centers.

So I was extremely pleased to introduce this important legislation on February 26, 2009, proud of the bipartisan support the legislation has garnered. And the roundtable discussion hosted by Chairman FILNER illustrated even further how imperative the passage of this bill is for our women veterans.

Before I discuss the bill in greater detail and the needs of women veterans, I would also like to take this opportunity to thank the Disabled American Veterans for their continued leadership and the effort to address the needs of female veterans and their support for this important legislation.

I also want to thank Cathy Wiblemo and the rest of her team for the great work that they have done on the health subcommittee. Cathy and her staff did excellent work in assisting with this legislation and shepherding it through the legislative process.

Today women make up approximately 8 percent of veterans in the United States, and that percentage will continue to rise as more and more women answer the call to duty to serve their country. With an increasing number of women seeking access to care for a diverse range of medical conditions, the challenge of providing adequate health care services for women veterans is one that the VA must meet.

Unfortunately, services at VA facilities often fall short of properly providing for the health care needs of women. There is too much fragmentation of care and not enough clinicians with the correct training and experience.

Child care considerations aren't being met adequately for male or female veterans, and currently the VA does not cover care for the newborn child of an eligible veteran.

To answer these challenges and others, H.R. 1211 takes a number of important steps to help the VA provide the services and care that our women veterans need and sets the VA on a path toward providing even better care in the future.

H.R. 1211 authorizes the VA to conduct two important studies. First the VA will examine barriers to health care that women veterans experience within the VA system. The study will

examine the full range of barriers, including the lack of comprehensive primary care, the sensitivity of VA providers regarding gender-specific issues, the stigma of seeking mental health care services, and the availability of child care.

The second study is a comprehensive assessment of the VA's women's health program, with the task of developing a strategy to improve services at every VA medical center. The bill also works to enhance the VA's sexual trauma and post-traumatic stress disorder programs for women by requiring the secretary of the VA to ensure that all mental health professionals have been properly and consistently trained to help women veterans.

Female veterans who have suffered such attacks have already suffered enough. They need to know before they begin treatment that every VA mental health professional is prepared to help them, understands the best methods and practices, and can make them feel secure in seeking treatment.

Child care concerns also have emerged as a crucial issue for women veterans seeking care. Sometimes veterans without access to appropriate child care are forced to forego important health care appointments.

H.R. 1211 begins to address this issue by authorizing a child care pilot program for patients and requires the VA to carry out this study in at least three veterans service networks. Possible forms of child care assistance include stipends for child care centers, the development of partnerships with private agencies and collaboration with other Federal agencies that have similar programs.

H.R. 1211 also requires the VA to provide 7 days of medical care for the newborn children of women veterans. Currently the VA has no provision to provide care for these infants. However, 86 percent of Operation Enduring Freedom and Operation Iraqi Freedom women veterans are under the age of 40, and this benefit represents an important update of VA policy.

Finally, the bill requires the VA to add recently separated women and minority veterans to serve on key advisory committees, such as the advisory committee on women veterans. The VA must ensure adequate attention is given to women veterans programs so quality health care and specialized services are available for both women and men.

I believe my bill will help the VA better meet these specialized needs and develop new systems to better provide for the health care of women veterans, especially those who are sexually assaulted, suffer from PTSD or who need child care services. Congress must honor our Nation's commitment to all of our veterans, and this legislation furthers that aim.

Again, I want to thank Chairman FILNER for his outstanding leadership on this issue, and I urge all of my colleagues to support H.R. 1211.

Mr. BOOZMAN. I would also like to thank my colleagues on the Health Subcommittee, Chairman MIKE MICHAUD and Ranking Member HENRY BROWN of South Carolina, for their hard work on this bill. I would also like to thank Chairman BOB FILNER, Ranking Member STEVE BUYER, for working together to move this bill quickly and get it on this floor.

I would also like to acknowledge and thank Ms. HERSETH SANDLIN for her leadership and recognizing the problem and then moving forward with legislation that hopefully will be of great help to women veterans.

Mr. Speaker, I urge all of my colleagues to support H.R. 1211, as amended.

I yield back the balance of my time.

Mr. FILNER. Mr. Speaker, I yield 3 minutes to the gentlelady from Illinois (Mrs. HALVORSON).

Mrs. HALVORSON. Mr. Speaker, I rise in support of H.R. 1211, the Women Veterans Health Care Improvement Act.

I want to thank Ms. HERSETH SANDLIN for her dedication on this issue. As more women serve in the military, they are quickly becoming an important segment of VA users. Their numbers will double over the next 2 to 4 years, and many are under the age of 40.

This presents new challenges to the VA system, which historically was designed to serve male veterans. Significant changes to the VA need to occur to properly serve all veterans.

As we heard at the VA committee roundtable on women veteran issues, women veterans arrive at the VA with a variety of unique challenges. Many women veterans do not identify themselves as veterans and seek care outside of the system. Some feel stigmatized and are hesitant to speak out. Women who have sought care at VA facilities have complained that staff lacks understanding of the role of women in combat.

The most pressing of these challenges relate to mental health, including PTSD, depression, anxiety, and behavioral issues. A 2008 VA study reported that 15 percent of women in Iraq and Afghanistan experience sexual assault or harassment, and 59 percent of these women were at a higher risk for mental health problems.

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These are tragic numbers and we need to act immediately to address them. The difficulty women face in accessing the VA system and the lack of women-focused health care is unacceptable.

These women have sacrificed so much for our country. This bill takes the first step to meet these challenges and follows up on recommendations provided by Veterans Service Organizations by requiring the Secretary of the VA to study the barriers women face as they seek VA services.

Similarly, H.R. 1211 improves training and education for VA professionals

to help treat women veterans. This education will help to address the concerns that many women veterans have that the VA doesn't understand their needs.

This is why I support H.R. 1211 and strongly urge my colleagues to vote "yes" on this important bill.

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. 1211, as amended.

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

There was no objection.

Mr. FILNER. In closing, Mr. Speaker, I was listening to Ms. HERSETH SANDLIN talk about the need for pilot programs for child care. We've had testimony that if a woman veteran showed up with her child or children, they would be denied their appointment and sent home. I mean this is a way that the culture just must change, which this bill is the first step toward that change.

So I would urge my colleagues to support H.R. 1211, as amended.

Mr. FALOMAVEGA. Mr. Speaker, I rise today in strong support of House Resolution 1211. This piece of legislation will assist our women veterans in obtaining better health care.

First, I'd like to commend the chief sponsor of this resolution, Ms. STEPHANIE HERSETH SANDLIN. I would also like to recognize my other colleagues for their strong support and co-sponsorship of this piece of legislation.

Currently, there are an approximated 200,000 female troops in our Armed Forces serving to help protect our Nation. It is not only an important issue but a matter of responsibility that we ensure the fair and first-rate treatment of our brave female troops when they return and/or retire from the Armed Forces.

This resolution will benefit our women veterans by providing graduate education for them. I believe education is a keystone for every U.S. citizen and our government should provide the right to an education for our valiant troops returning home. This gives the opportunity for women veterans who enlisted right after high school to continue on with their education at higher levels.

This legislation will also train and certify mental health professionals so we can aid any of our veterans who are in need of help. It is imperative that we service our veterans in the best way we can. On a day-to-day basis, thousands of veterans suffer from conditions such as sexual trauma and post-traumatic stress disorder. The number of female veterans that tested positive for military sexual trauma was 8,705 and this was a climb in number. It is crucial that we take care of our female troops especially because around 20 percent of female veterans test positive for sexual trauma while only 1.8 percent of male veterans test positive.

The resolution is also beneficial to our veterans due to the fact that this piece of legislation provides for the study and analysis of any current problems that our women veterans

face in the current state of our system. It will help us make amends and additions to the structure of health care for our female veterans.

Another important piece of this legislation that will help Veterans Affairs greatly is including recently discharged women veterans in the Advisory Committee on Women Veterans and the Advisory Committee on Minority Veterans. This will only add more experience to the current committee because having recently discharged troops is important in knowing what health care issues recently discharged female military personal need.

Mr. Speaker, it is important that we take care of our veterans. These veterans put their life on the line to help protect all of us that live in this great Nation. It is of the essence to provide easy access to health care and to a better current health care system for our women veterans.

Again, I would like to thank my colleague Congresswoman STEPHANIE HERSETH SANDLIN for being the chief sponsor of this key resolution in aiding our women veterans. I strongly urge my other colleagues to support this resolution as well.

Mr. MICHAUD. Mr. Speaker, I rise in strong support of the Women Veterans Health Care Improvement Act.

This legislation will improve and expand health care for women veterans.

I would like to thank Congresswoman HERSETH SANDLIN for all of her hard work. She is a champion of our nation's veterans. I am honored to be a cosponsor of this legislation.

Women now make up approximately fourteen percent of the active military, and in the past recruiting class, they made up twenty percent.

Data released by the VA shows that the amount of women who are expected to use the VA health care system is expected to double within the next four years.

As a country, we must ensure that women veterans have a voice and that their needs are addressed.

Passing this bill into law will help identify and break down barriers faced by women veterans in accessing VA health care.

I urge all of my colleagues to support this crucial bill.

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. 1211, 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. BOOZMAN. 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.

HIGHER EDUCATION TECHNICAL CORRECTIONS

Mr. HINOJOSA. Mr. Speaker, I move to suspend the rules and concur in the

Senate amendment to the bill (H.R. 1777) to make technical corrections to the Higher Education Act of 1965, and for other purposes.

The Clerk read the title of the bill.

The text of the Senate amendment is as follows:

Senate amendment:

Strike all after the enacting clause and insert the following:

**SECTION 1. TABLE OF CONTENTS.**

The table of contents for this Act is as follows:

Sec. 1. Table of contents.

Sec. 2. References.

Sec. 3. Effective date.

**TITLE I—GENERAL PROVISIONS**

Sec. 101. General provisions.

**TITLE II—TEACHER QUALITY ENHANCEMENT**

Sec. 201. Teacher quality enhancement.

**TITLE III—INSTITUTIONAL AID**

Sec. 301. Institutional aid.

Sec. 302. Multiagency study of minority science programs.

**TITLE IV—STUDENT ASSISTANCE**

Sec. 401. Grants to students in attendance at institutions of higher education.

Sec. 402. Federal Family Education Loan Program.

Sec. 403. Federal work-study programs.

Sec. 404. Federal Direct Loan Program.

Sec. 405. Federal Perkins Loans.

Sec. 406. Need analysis.

Sec. 407. General provisions of title IV.

Sec. 408. Program integrity.

Sec. 409. Waiver of master calendar and negotiated rulemaking requirements.

**TITLE V—DEVELOPING INSTITUTIONS**

Sec. 501. Developing institutions.

**TITLE VI—INTERNATIONAL EDUCATION PROGRAMS**

Sec. 601. International education programs.

**TITLE VII—GRADUATE AND POSTSECONDARY IMPROVEMENT**

Sec. 701. Graduate and postsecondary improvement programs.

**TITLE VIII—ADDITIONAL PROGRAMS**

Sec. 801. Additional programs.

Sec. 802. Amendments to other higher education Acts.

**SEC. 2. REFERENCES.**

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.).

**SEC. 3. EFFECTIVE DATE.**

Except as otherwise provided in this Act, the amendments made by this Act shall take effect as if enacted on the date of enactment of the Higher Education Opportunity Act (Public Law 110-315).

**TITLE I—GENERAL PROVISIONS**

**SEC. 101. GENERAL PROVISIONS.**

(a) HIGHER EDUCATION OPPORTUNITY ACT.—(1) GENERAL DEFINITION OF INSTITUTION OF HIGHER EDUCATION.—Section 101(b) of the Higher Education Opportunity Act (Public Law 110-315) is amended by striking “July 1, 2010” and inserting “the date of enactment of this Act”.

(2) DEFINITION OF INSTITUTION OF HIGHER EDUCATION FOR PURPOSES OF TITLE IV PROGRAMS.—Section 102(e) of the Higher Education Opportunity Act (Public Law 110-315) is amended by striking the period at the end and inserting “, except that, with respect to foreign nursing schools that were eligible to participate in part B of title IV as of the day before the date of enactment of this Act, the amendments made

by subsection (a)(1)(D) shall take effect on July 1, 2012.”.

(b) HIGHER EDUCATION ACT OF 1965.—Title I (20 U.S.C. 1001 et seq.) is amended—

(1) in section 102(a)(2)(D) (20 U.S.C. 1002(a)(2)(D)), by striking “under part B” and inserting “under part B of title IV”;

(2) in section 111(b) (20 U.S.C. 1011(b)), by striking “With” and inserting “with”;

(3) in section 131(a)(3)(A)(iii)(I) (20 U.S.C. 1015(a)(3)(A)(iii)(I)), by striking “section 428(a)(2)(C)(i)” and inserting “section 428(a)(2)(C)(ii)”;

(4) in section 136(d)(1) (20 U.S.C. 1015e(d)(1)), by striking “(Family Educational Rights and Privacy Act of 1974)” and inserting “(commonly known as the ‘Family Educational Rights and Privacy Act of 1974’)”;

(5) in section 141 (20 U.S.C. 1018)—

(A) in the matter preceding subparagraph (A) of subsection (c)(3), by striking “under this title” and inserting “under title IV”; and

(B) in subsection (d)(3), by striking “appropriate committees of Congress” and inserting “authorizing committees”;

(6) in section 153(a)(1)(B)(iii)(V) (20 U.S.C. 1019b(a)(1)(B)(iii)(V)), by striking “borrowers who take out loans under” each place the term appears and inserting “borrowers of loans made under”; and

(7) in section 155(a) (20 U.S.C. 1019d(a)), by striking paragraph (4) and inserting the following:

“(4) include a place to provide information on—

“(A) the applicant’s cost of attendance at the institution of higher education, as determined by the institution under part F of title IV;

“(B) the applicant’s estimated financial assistance, including amounts of financial assistance used to replace the expected family contribution, as determined by the institution, in accordance with title IV, for students who have completed the Free Application for Federal Student Aid; and

“(C) the difference between the amounts under subparagraphs (A) and (B), as applicable; and”.

**TITLE II—TEACHER QUALITY ENHANCEMENT**

**SEC. 201. TEACHER QUALITY ENHANCEMENT.**

Title II (20 U.S.C. 1021 et seq.) is amended—

(1) in section 200(22) (20 U.S.C. 1021(22)), by striking subparagraph (D) and inserting the following:

“(D) prior to completion of the program—

“(i) attains full State certification or licensure and becomes highly qualified; and

“(ii) acquires a master’s degree not later than 18 months after beginning the program.”;

(2) in section 202 (20 U.S.C. 1022a)—

(A) in subsection (b)(6)(E)(ii), by striking “section 1111(b)(2)” and inserting “section 1111(b)(1)”;

(B) in subsection (c)(1), by striking “pre-baccalaureate”;

(C) in subsection (d)—

(i) in the heading, by striking “PRE-BACCALAUREATE” and inserting “THE”; and

(ii) in the matter preceding paragraph (1), by striking “An eligible partnership that receives a grant to carry out an effective program for the pre-baccalaureate preparation of teachers shall carry out a program that includes all of the following:” and inserting “An eligible partnership that receives a grant to carry out a program for the preparation of teachers shall carry out an effective pre-baccalaureate teacher preparation program or a 5th year initial licensing program that includes all of the following:”;

(D) in subsection (e)(2)—

(i) in subparagraph (A)(ii), by striking “to earn” and inserting “leading to”; and

(ii) in subparagraph (C)—

(I) in clause (i), by striking “one-year” before “teaching residency program”; and

(II) in clause (iii)(I), by striking “one-year”; and

(E) in subsection (i)(3), by striking “consent of” and inserting “consent to”; and

(3) in section 231(a)(1) (20 U.S.C. 1032(a)(1)), by striking “serve graduate” and inserting “assist in the graduation of”.

**TITLE III—INSTITUTIONAL AID**

**SEC. 301. INSTITUTIONAL AID.**

Title III (20 U.S.C. 1051 et seq.) is amended—

(1) in section 316 (20 U.S.C. 1059c)—

(A) in subsection (a), by striking “Indian Tribal” and inserting “Tribal”; and

(B) in subsection (b)—

(i) in paragraph (1), by striking “the Tribally Controlled College or University Assistance Act of 1978” and inserting “the Tribally Controlled Colleges and Universities Assistance Act of 1978”;

(ii) in paragraph (2), by striking “the Tribally Controlled College or University Assistance Act of 1978” and inserting “the Tribally Controlled Colleges and Universities Assistance Act of 1978”; and

(iii) in paragraph (3)(A), by striking “the Navajo Community College Assistance Act of 1978” and inserting “the Navajo Community College Act”;

(2) in section 318(b)(1) (20 U.S.C. 1059e(b)(1)), by striking subparagraph (F) and inserting the following:

“(F) is not receiving assistance under—

“(i) part B;

“(ii) part A of title V; or

“(iii) an annual authorization of appropriations under the Act of March 2, 1867 (14 Stat. 438; 20 U.S.C. 123).”;

(3) in section 323(a) (20 U.S.C. 1062(a)), in the matter preceding paragraph (1), by striking “in any fiscal year” and inserting “for any fiscal year.”;

(4) in section 324(d) (20 U.S.C. 1063(d))—

(A) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;

(B) by striking “Notwithstanding subsections (a)” and inserting “(1) Notwithstanding subsections (a)”; and

(C) by adding at the end the following:

“(2) If the amount appropriated pursuant to section 399(a)(2)(A) for any fiscal year is not sufficient to pay the minimum allotment required by paragraph (1) to all part B institutions, the amount of such minimum allotments shall be ratably reduced. If additional sums become available for such fiscal year, such reduced allocations shall be increased on the same basis as the basis on which they were reduced (until the amount allotted equals the minimum allotment required by paragraph (1)).”;

(5) in section 351(a) (20 U.S.C. 1067a(a))—

(A) by striking “section 304(a)(1)” and inserting “section 303(a)(1)”; and

(B) by striking “of 1979”;

(6) in section 355(a) (20 U.S.C. 1067e(a)), by striking “302” and inserting “312”;

(7) in section 371(c) (20 U.S.C. 1067q(c))—

(A) in paragraph (3)(D), by striking “402A(g)” and inserting “402A(h)”;

(B) in paragraph (4), by striking “402A(g)” and inserting “402A(h)”;

(C) in paragraph (9)—

(i) in subparagraph (C)(iii), by striking “402A(g)” and inserting “402A(h)”;

(ii) by amending subparagraph (F) to read as follows:

“(F) is not receiving assistance under—

“(i) part B;

“(ii) part A of title V; or

“(iii) an annual authorization of appropriations under the Act of March 2, 1867 (14 Stat. 438; 20 U.S.C. 123).”;

(8) in section 392(a)(6) (20 U.S.C. 1068a(a)(6)), by striking “College or University” and inserting “Colleges and Universities”.

**SEC. 302. MULTIAGENCY STUDY OF MINORITY SCIENCE PROGRAMS.**

Section 1024 (20 U.S.C. 1067d) is repealed.



**TITLE IV—STUDENT ASSISTANCE****SEC. 401. GRANTS TO STUDENTS IN ATTENDANCE AT INSTITUTIONS OF HIGHER EDUCATION.**

(a) AMENDMENTS.—Part A of title IV (20 U.S.C. 1070 et seq.) is amended—

(1) in section 400(b) (20 U.S.C. 1070(b)), by striking “1 through 8” and inserting “1 through 9”;

(2) in section 401 (20 U.S.C. 1070a)—

(A) in the second sentence of subsection (a)(1), by striking “manner,” and inserting “manner,”;

(B) in subsection (b)(1), by striking “section 401” and inserting “this section”;

(C) in subsection (b)(9)(A)—

(i) in clause (vi), by striking “\$105,000,000” and inserting “\$258,000,000”; and

(ii) in clause (viii), by striking “\$4,400,000,000” and inserting “\$4,452,000,000”;

(3) by striking paragraph (4) of section 401(f) (20 U.S.C. 1070a(f)), as added by section 401(c) of the Higher Education Opportunity Act (Public Law 110-315);

(4) in section 402A (20 U.S.C. 1070a-11)—

(A) in subsection (b)(1), by striking “organizations including” and inserting “organizations, including”;

(B) in subsection (c)(8)(iv)(I), by inserting “to be” after “determined”;

(5) in section 402E(d)(2)(C) (20 U.S.C. 1070a-15(d)(2)(C)), by striking “320.” and inserting “320”;

(6) in section 415E(b)(1)(B) (20 U.S.C. 1070c-3a(b)(1)(B))—

(A) in clause (i), by striking “If a” and inserting “Except as provided in clause (ii), if a”;

(B) by redesignating clause (ii) as clause (iii); and

(C) by inserting after clause (i) (as amended by subparagraph (A)) the following:

“(ii) SPECIAL CONTINUATION AND TRANSITION RULE.—If a State that applied for and received an allotment under this section for fiscal year 2010 pursuant to subsection (j) meets the specifications established in the State’s application under subsection (c) for fiscal year 2011, then the Secretary shall make an allotment to such State for fiscal year 2011 that is not less than the allotment made pursuant to subsection (j) to such State for fiscal year 2010 under this section (as this section was in effect on the day before the date of enactment of the Higher Education Opportunity Act (Public Law 110-315)).”;

(7) in section 419C(b)(1) (20 U.S.C. 1070d-33(b)(1)), by inserting “and” after the semicolon at the end;

(8) in section 419D(d) (20 U.S.C. 1070d-34(d)), by striking “1134” and inserting “134”;

(9) by adding at the end the following:

**“Subpart 10—Scholarships for Veteran’s Dependents**

**“SEC. 420R. SCHOLARSHIPS FOR VETERAN’S DEPENDENTS.**

“(a) DEFINITION OF ELIGIBLE VETERAN’S DEPENDENT.—The term ‘eligible veteran’s dependent’ means a dependent or an independent student—

“(1) whose parent or guardian was a member of the Armed Forces of the United States and died as a result of performing military service in Iraq or Afghanistan after September 11, 2001; and

“(2) who, at the time of the parent or guardian’s death, was—

“(A) less than 24 years of age; or

“(B) enrolled at an institution of higher education on a part-time or full-time basis.

“(b) GRANTS.—

“(1) IN GENERAL.—The Secretary shall award a grant to each eligible veteran’s dependent to assist in paying the eligible veteran’s dependent’s cost of attendance at an institution of higher education.

“(2) DESIGNATION.—Grants made under this section shall be known as ‘Iraq and Afghanistan Service Grants’.

“(c) PREVENTION OF DOUBLE BENEFITS.—No eligible veteran’s dependent may receive a grant under both this section and section 401.

“(d) TERMS AND CONDITIONS.—The Secretary shall award grants under this section in the same award, and with the same terms and conditions, including the length of the period of eligibility, as the Secretary awards Federal Pell Grants under section 401, except that—

“(1) the award rules and determination of need applicable to the calculation of Federal Pell Grants, shall not apply to grants made under this section;

“(2) the provisions of subsection (a)(3), subsection (b)(1), the matter following subsection (b)(2)(A)(v), subsection (b)(3), and subsection (f), of section 401 shall not apply; and

“(3) a grant made under this section to an eligible veteran’s dependent for any award year shall equal the maximum Federal Pell Grant available for that award year, except that such a grant under this section—

“(A) shall not exceed the cost of attendance of the eligible veteran’s dependent for that award year; and

“(B) shall be adjusted to reflect the attendance by the eligible veteran’s dependent on a less than full-time basis in the same manner as such adjustments are made under section 401.

“(e) ESTIMATED FINANCIAL ASSISTANCE.—For purposes of determinations of need under part F, a grant awarded under this section shall not be treated as estimated financial assistance as described in sections 471(3) and 480(j).

“(f) AUTHORIZATION AND APPROPRIATIONS OF FUNDS.—There are authorized to be appropriated, and there are appropriated, out of any money in the Treasury not otherwise appropriated, for the Secretary to carry out this section, such sums as may be necessary for fiscal year 2010 and each succeeding fiscal year.”;

(b) EFFECTIVE DATE.—The amendment made by subsection (a)(9) shall take effect on July 1, 2010.

(c) HIGHER EDUCATION OPPORTUNITY ACT.—Section 404 of the Higher Education Opportunity Act (Public Law 110-315) is amended by adding at the end the following new subsection:

“(i) EFFECTIVE DATE; TRANSITION.—

“(1) IN GENERAL.—The amendments made by subsection (e) shall apply to grants made under chapter 2 of subpart 2 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070a-21 et seq.) on or after the date of enactment of this Act, except that a recipient of a grant under such chapter that is made prior to such date may elect to apply the requirements contained in the amendments made by subsection (e) to that grant if the grant recipient informs the Secretary of the election.

“(2) SPECIAL RULE.—A grant recipient may make the election described in paragraph (1) only if the election does not decrease the amount of the scholarship promised to an individual student under the grant.”.

**SEC. 402. FEDERAL FAMILY EDUCATION LOAN PROGRAM.**

(a) AMENDMENT TO PROVISION AMENDED BY THE COLLEGE COST REDUCTION AND ACCESS ACT.—

(1) IN GENERAL.—Section 428(b)(1)(G)(i) (20 U.S.C. 1078(b)(1)(G)(i)), as amended by section 303 of the College Cost Reduction and Access Act (Public Law 110-84), is amended by striking “or 439(g)”.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall be effective as if enacted as part of the amendment in section 303(a) of the College Cost Reduction and Access Act (Public Law 110-84), shall take effect on October 1, 2012, and shall apply with respect to loans made on or after such date.

(b) ENTRANCE COUNSELING FUNCTIONS.—

(1) GUARANTY AGENCIES.—Section 428(b)(3) (20 U.S.C. 1078(b)(3)) is amended—

(A) in subparagraph (C), by inserting “or 485(l)” after “section 485(b)”;

(B) in subparagraph (D), by inserting “or 485(l)” after “section 485(b)”.

(2) ELIGIBLE LENDERS.—Section 435(d)(5) (20 U.S.C. 1085(d)(5)) is amended—

(A) in subparagraph (E), by inserting “or 485(l)” after “section 485(b)”;

(B) in subparagraph (F), by inserting “or 485(l)” after “section 485(b)”.

(c) AMENDMENT TO PROVISION AMENDED BY THE HIGHER EDUCATION OPPORTUNITY ACT.—

(1) IN GENERAL.—Section 428C(c)(3)(A) (20 U.S.C. 1078-3(c)(3)(A)), as amended by section 425 of the Higher Education Opportunity Act (Public Law 110-315), is amended by striking “section 493C” and inserting “section 493C”.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall be effective as if enacted as part of the amendments in section 425(d)(1) of the Higher Education Opportunity Act (Public Law 110-315), and shall take effect on July 1, 2009.

(d) REHABILITATION OF STUDENT LOANS.—

(1) Section 428F (20 U.S.C. 1078-6) is amended—

(A) in subsection (a)—

(i) by amending paragraph (1) to read as follows:

“(1) SALE OR ASSIGNMENT OF LOAN.—

“(A) IN GENERAL.—Each guaranty agency, upon securing 9 payments made within 20 days of the due date during 10 consecutive months of amounts owed on a loan for which the Secretary has made a payment under paragraph (1) of section 428(c), shall—

“(i) if practicable, sell the loan to an eligible lender; or

“(ii) on or before September 30, 2011, assign the loan to the Secretary if—

“(I) the Secretary has determined that market conditions unduly limit a guaranty agency’s ability to sell loans under clause (i); and

“(II) the guaranty agency has been unable to sell loans under clause (i).

“(B) MONTHLY PAYMENTS.—Neither the guaranty agency nor the Secretary shall demand from a borrower as monthly payment amounts described in subparagraph (A) more than is reasonable and affordable based on the borrower’s total financial circumstances.

“(C) CONSUMER REPORTING AGENCIES.—Upon the sale or assignment of the loan, the Secretary, guaranty agency or other holder of the loan shall request any consumer reporting agency to which the Secretary, guaranty agency or holder, as applicable, reported the default of the loan, to remove the record of the default from the borrower’s credit history.

“(D) DUTIES UPON SALE.—With respect to a loan sold under subparagraph (A)(i)—

“(i) the guaranty agency—

“(I) shall repay the Secretary 81.5 percent of the amount of the principal balance outstanding at the time of such sale, multiplied by the reinsurance percentage in effect when payment under the guaranty agreement was made with respect to the loan; and

“(II) may, in order to defray collection costs—

“(aa) charge to the borrower an amount not to exceed 18.5 percent of the outstanding principal and interest at the time of the loan sale; and

“(bb) retain such amount from the proceeds of the loan sale; and

“(ii) the Secretary shall reinstate the Secretary’s obligation to—

“(I) reimburse the guaranty agency for the amount that the agency may, in the future, expend to discharge the guaranty agency’s insurance obligation; and

“(II) pay to the holder of such loan a special allowance pursuant to section 438.

“(E) DUTIES UPON ASSIGNMENT.—With respect to a loan assigned under subparagraph (A)(ii)—

“(i) the guaranty agency shall add to the principal and interest outstanding at the time of the assignment of such loan an amount equal to the amount described in subparagraph (D)(i)(II)(aa); and

“(ii) the Secretary shall pay the guaranty agency, for deposit in the agency’s Operating

Fund established pursuant to section 422B, an amount equal to the amount added to the principal and interest outstanding at the time of the assignment in accordance with clause (i).

(F) ELIGIBLE LENDER LIMITATION.—A loan shall not be sold to an eligible lender under subparagraph (A)(i) if such lender has been found by the guaranty agency or the Secretary to have substantially failed to exercise the due diligence required of lenders under this part.

(G) DEFAULT DUE TO ERROR.—A loan that does not meet the requirements of subparagraph (A) may also be eligible for sale or assignment under this paragraph upon a determination that the loan was in default due to clerical or data processing error and would not, in the absence of such error, be in a delinquent status.”;

(i) in paragraph (2)—

(I) by striking “paragraph (1) of this subsection” and inserting “paragraph (1)(A)(i)”;

and  
(II) by striking “paragraph (1)(B)(ii) of this subsection” and inserting “paragraph (1)(D)(ii)(I)”;

(iii) in paragraph (3)—

(I) by striking “sold under paragraph (2)” and inserting “sold or assigned under paragraph (1)(A)”;

and  
(II) by striking “sale.” and inserting “sale or assignment.”;

(iv) in paragraph (4), by striking “which is sold under paragraph (1) of this subsection” and inserting “that is sold or assigned under paragraph (1)”;

and  
(v) in paragraph (5), by inserting “(whether by loan sale or assignment)” after “rehabilitating a loan”;

and  
(B) in subsection (b), in the first sentence, by inserting “or assigned to the Secretary” after “sold to an eligible lender”.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall be effective on the date of enactment of this Act, and shall apply to any loan on which monthly payments described in section 428F(a)(1)(A) were paid before, on, or after such date of enactment.

(e) REPAYMENT IN FULL FOR DEATH AND DISABILITY.—

(1) IN GENERAL.—Section 437(a)(1) (20 U.S.C. 1087(a)(1)), as amended by section 437 of the Higher Education Opportunity Act (Public Law 110-315), is amended—

(A) in the matter preceding subparagraph (A), by striking “Secretary”, or if” and inserting “Secretary, or if”;

and  
(B) in subparagraph (B), by inserting “the reinstatement and resumption to be” after “determines”.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall be effective as if enacted as part of the amendments in section 437(a) of the Higher Education Opportunity Act (Public Law 110-315), and shall take effect on July 1, 2010.

(f) OTHER AMENDMENTS.—Part B of title IV (20 U.S.C. 1071 et seq.) is further amended—

(1) in section 428 (20 U.S.C. 1078)—

(A) in subsection (a)(2)(A)(i)(II), by striking “and” after the semicolon at the end;

(B) in subsection (b)—

(i) in the matter following subclause (II) of paragraph (1)(M)(i), by inserting “section” before “428B”;

(ii) in paragraph (3)(A)(i), by striking “any institution of higher education or the employees of an institution of higher education” and inserting “any institution of higher education, any employee of an institution of higher education, or any individual or entity”;

(iii) in paragraph (4), by striking “For the purpose of paragraph (1)(M)(i)(III) of this subsection,” and inserting “With respect to the graduate fellowship program referred to in paragraph (1)(M)(i)(II),”;

(iv) in paragraph (7)—

(I) in subparagraph (B), by striking “clause (i) or (ii) of”;

and  
(II) in subparagraph (D), by striking “subparagraph (A)(i)” and inserting “subparagraph (A)”;

(C) in subsection (c)(9)(K), by striking “3 months” and inserting “6 months”;

(2) in section 428B(e) (20 U.S.C. 1078-2(e))—

(A) in paragraph (3)(B), by striking “subsection (c)(5)(B)” and inserting “subsection (d)(5)(B)”;

and  
(B) by repealing paragraph (5);

(3) in section 428C (20 U.S.C. 1078-3)—

(A) in subsection (a)(4)(E), by striking “subpart II of part B” and inserting “part E”;

(B) in the matter preceding clause (i) of subsection (c)(2)(A)—

(i) by striking “subsection (b)(2)(F)” and inserting “subsection (b)(2)”;

and  
(ii) by inserting a comma after “graduated”;

(C) in subsection (d)(3)(D), by striking “loan insurance fund” and inserting “loan insurance account”;

(D) in subsection (f)(3), by striking “subsection (a)” and inserting “this subsection”;

(4) in section 428G(c) (20 U.S.C. 1078-7(c))—

(A) in paragraph (1), by striking “section 428(a)(2)(A)(i)(III)” and inserting “section 428(a)(2)(A)(i)(II)”;

(B) by striking paragraph (3) and inserting the following:

“(3) notwithstanding subsection (a)(2), may, with the permission of the borrower, be disbursed by the lender on a weekly or monthly basis, provided that the proceeds of the loan are disbursed by the lender in substantially equal weekly or monthly installments, as the case may be, over the period of enrollment for which the loan is made.”;

(5) in section 428H (20 U.S.C. 1078-8)—

(A) in subsection (d), by amending the text of the header of paragraph (2) to read as follows: “LIMITS FOR GRADUATE, PROFESSIONAL, AND INDEPENDENT POSTBACCALAUREATE STUDENTS”;

and  
(B) in subsection (e), by amending paragraph (6) to read as follows:

“(6) REPAYMENT PERIOD.—For purposes of calculating the repayment period under section 428(b)(9), such period shall commence at the time the first payment of principal is due from the borrower.”;

(6) in section 428J (20 U.S.C. 1078-10)—

(A) in subsection (c)(1), by adding at the end the following: “No borrower may receive a reduction of loan obligations under both this section and section 460.”;

and  
(B) in subsection (g)(2)—

(i) in subparagraph (B), by inserting “or” after the semicolon at the end;

(ii) by striking subparagraph (C);

(iii) by redesignating subparagraph (D) as subparagraph (C);

and  
(iv) in subparagraph (C), as redesignated by clause (iii), by striking “12571” and inserting “12601”;

(7) in section 428K(g)(9)(B) (20 U.S.C. 1078-11(g)(9)(B)), by striking “under subsection (l)(3) of such section (42 U.S.C. 1395x(l)(3))” and inserting “under subsection (l)(4) of such section (42 U.S.C. 1395x(l)(4))”;

(8) in section 430A(f) (20 U.S.C. 1080a(f))—

(A) by striking “and (6)” and inserting “and (5)”;

and  
(B) by striking “(a)(6)” and inserting “(a)(5)”;

(9) in section 432 (20 U.S.C. 1082)—

(A) in subsection (b), by striking “section 1078 of this title” and inserting “section 428”;

and  
(B) in subsection (m)(1)(B)—

(i) in clause (i), by inserting “and” after the semicolon at the end;

and  
(ii) in clause (ii), by striking “; and” and inserting a period;

(10) in section 435 (20 U.S.C. 1085)—

(A) in subsection (a)(2)(C)(ii), by striking “a tribally controlled community college within the meaning of section 2(a)(4) of the Tribally Controlled Community College Assistance Act of 1978” and inserting “a tribally controlled college or university, as defined in section 2(a)(4) of the Tribally Controlled Colleges and Universities Assistance Act of 1978”;

(B) in subsection (d)—

(i) in paragraph (1)—

(I) in subparagraph (A)(ii)(III), by striking “section 501(1) of such Code” and inserting “section 501(a) of such Code”;

and  
(II) in subparagraph (G), by striking “sections 428A(d), 428B(d), and 428C,” and inserting “sections 428B(d) and 428C,”;

(ii) in paragraph (2)(A)(vi), by striking “section 435(m)” and inserting “subsection (m)”;

(iii) in paragraph (3), by striking “section 435(m)” and inserting “subsection (m)”;

and  
(iv) in paragraph (5)(A), by striking “to any institution of higher education or any employee of an institution of higher education in order to secure applicants for loans under this part” and inserting “to any institution of higher education, any employee of an institution of higher education, or any individual or entity in order to secure applicants for loans under this part”;

(C) in subsection (o)(1)(A)(ii), by striking “Service” and inserting “Services”;

and  
(D) in subsection (p)(1), by striking “section 771” and inserting “section 781”;

and  
(1) in section 438(b)(2) (20 U.S.C. 1087-1(b)(2))—

(A) in the second sentence of subparagraph (A), by striking “427A(f)” and inserting “427A(i)”;

(B) in the first sentence of subparagraph (B)(1), by striking “1954” and inserting “1986”;

and  
(C) in the second sentence of subparagraph (F), by striking “427A(f)” and inserting “427A(i)”.

#### SEC. 403. FEDERAL WORK-STUDY PROGRAMS.

Section 443 (42 U.S.C. 2753) is amended—

(1) in subsection (b)(2), by striking “section 443” and inserting “this section”;

(2) in subsection (d)(1), by striking “subsection (b)(2)(B)” and inserting “subsection (b)(2)(A)”;

and  
(3) in subsection (e)(1), in the matter preceding subparagraph (A), by striking “in accordance with such subsection”.

#### SEC. 404. FEDERAL DIRECT LOAN PROGRAM.

(a) TEMPORARY AUTHORITY TO PURCHASE LOANS.—Section 459A (20 U.S.C. 1087i-1) is amended—

(1) in subsection (a)—

(A) in paragraph (2), in the matter preceding subparagraph (A), by striking “purchase of loans under this section” and inserting “purchase of loans under paragraph (1)”;

and  
(B) by inserting after paragraph (2) the following new paragraph:

“(3) TEMPORARY AUTHORITY TO PURCHASE REHABILITATED LOANS.—

“(A) AUTHORITY.—In addition to the authority described in paragraph (1), the Secretary, in consultation with the Secretary of the Treasury, is authorized to purchase, or enter into forward commitments to purchase, from any eligible lender (as defined in section 435(d)(1)), loans that such lender purchased under section 428F on or after October 1, 2003, and before July 1, 2010, and that are not in default, on such terms as the Secretary, the Secretary of the Treasury, and the Director of the Office of Management and Budget jointly determine are in the best interest of the United States, except that any purchase under this paragraph shall not result in any net cost to the Federal Government (including the cost of servicing the loans purchased), as determined jointly by the Secretary, the Secretary of the Treasury, and the Director of the Office of Management and Budget.

“(B) FEDERAL REGISTER NOTICE.—The Secretary, the Secretary of the Treasury, and the Director of the Office of Management and Budget shall jointly publish a notice in the Federal Register prior to any purchase of loans under this paragraph that—

“(i) establishes the terms and conditions governing the purchases authorized by this paragraph;

“(ii) includes an outline of the methodology and factors that the Secretary, the Secretary of

the Treasury, and the Director of the Office of Management and Budget will jointly consider in evaluating the price at which to purchase loans rehabilitated pursuant to section 428F(a); and

(iii) describes how the use of such methodology and consideration of such factors used to determine purchase price will ensure that loan purchases do not result in any net cost to the Federal Government (including the cost of servicing the loans purchased)."; and

(2) by amending subsection (b) to read as follows:

"(b) **PROCEEDS.**—The Secretary shall require, as a condition of any purchase under subsection (a), that the funds paid by the Secretary to any eligible lender under this section be used—

"(1) to ensure continued participation of such lender in the Federal student loan programs authorized under part B of this title; and

"(2)(A) in the case of loans purchased pursuant to subsection (a)(1), to originate new Federal loans to students, as authorized under part B of this title; or

"(B) in the case of loans purchased pursuant to subsection (a)(3), to originate such new Federal loans to students, or to purchase loans in accordance with section 428F(a).";

(b) **OTHER AMENDMENTS.**—Part D of title IV (20 U.S.C. 1087a et seq.) is amended—

(1) by repealing paragraph (3) of section 453(c) (20 U.S.C. 1087c(c));

(2) in section 455 (20 U.S.C. 1087e)—

(A) in subsection (d)(1)(C), by striking "428(b)(9)(A)(v)" and inserting "428(b)(9)(A)(iv)";

(B) in subsection (h), by striking "(except as authorized under section 457(a)(1))"; and

(C) in subsection (k)(1)(B), by striking " , or in a notice under section 457(a)(1).";

(3) by repealing section 457 (20 U.S.C. 1087g); and

(4) in section 460 (20 U.S.C. 1087j)—

(A) in subsection (c)(1), by adding at the end the following: "No borrower may receive a reduction of loan obligations under both this section and section 428J."; and

(B) in subsection (g)(2)—

(i) by striking subparagraph (A);

(ii) by redesignating subparagraphs (B) through (D) as subparagraphs (A) through (C), respectively; and

(iii) in subparagraph (C), as redesignated by clause (ii), by striking "12571" and inserting "12601".

#### SEC. 405. FEDERAL PERKINS LOANS.

Part E of title IV (20 U.S.C. 1087aa et seq.) is amended—

(1) in section 462(a)(1) (20 U.S.C. 1087bb(a)(1)), by striking subparagraph (A) and inserting the following:

"(A) 100 percent of the amount received under subsections (a) and (b) of this section for fiscal year 1999 (as such subsections were in effect with respect to allocations for such fiscal year), multiplied by";

(2) in section 463(c) (20 U.S.C. 1087cc(c))—

(A) in paragraph (2)—

(i) by moving the margins of subparagraph (A) 2 ems to the left; and

(ii) by striking subparagraph (B) and inserting the following:

"(B) information concerning the repayment and collection of any such loan, including information concerning the status of such loan; and"; and

(B) in paragraph (3)—

(i) by striking "and (6)" and inserting "and (5)"; and

(ii) by striking "(a)(6)" and inserting "(a)(5)";

(3) in the first sentence of the matter preceding paragraph (1) of section 463A(a) (20 U.S.C. 1087cc-1(a)), by striking " , in order to carry out the provisions of section 463(a)(8).";

(4) in section 464 (20 U.S.C. 1087dd)—

(A) in subsection (c)—

(i) in paragraph (1)(D)—

(I) by striking "(I)" and inserting "(i)"; and

(II) by striking "(II)" and inserting "(ii)"; and

(ii) in paragraph (2)(A)(iii)—

(I) by aligning the margin of the matter preceding subclause (I) with the margins of clause (i);

(II) by aligning the margins of subclauses (I) and (II) with the margins of clause (i)(I); and

(III) by aligning the margins of the matter following subclause (II) with the margins of the matter following subclause (II) of clause (i); and

(B) in subsection (g)(5), by striking "credit bureaus" and inserting "consumer reporting agencies";

(5) in section 465(a)(6) (20 U.S.C. 1087ee(a)(6)), by striking "12571" and inserting "12601";

(6) in section 467(b) (20 U.S.C. 1087gg(b)), by striking "paragraph (5)(A), (5)(B)(i), or (6)" and inserting "paragraph (4) or (5)"; and

(7) in section 469(c) (20 U.S.C. 1087ii(c)), by striking "and the term" and all that follows through the period at the end and inserting "and the term 'early intervention services' has the meaning given the term in section 632 of such Act.".

#### SEC. 406. NEED ANALYSIS.

(a) **AMENDMENTS.**—Part F of title IV (20 U.S.C. 1087kk et seq.) is amended—

(1) in section 473 (20 U.S.C. 1087mm)—

(A) by striking "For the purpose of this title, except subpart 2 of part A," and inserting "(a) IN GENERAL.—For the purpose of this title, other than subpart 2 of part A, and except as provided in subsection (b)."; and

(B) by adding at the end the following:

"(b) **SPECIAL RULE.**—

"(1) IN GENERAL.—Notwithstanding any other provision of this title, the family contribution of each student described in paragraph (2) shall be deemed to be zero for the academic year for which the determination is made.

"(2) **APPLICABILITY.**—Paragraph (1) shall apply to any dependent or independent student with respect to determinations of need for academic year 2009–2010 and succeeding academic years—

"(A) who is eligible to receive a Federal Pell Grant for the academic year for which the determination is made;

"(B) whose parent or guardian was a member of the Armed Forces of the United States and died as a result of performing military service in Iraq or Afghanistan after September 11, 2001; and

"(C) who, at the time of the parent or guardian's death, was—

"(i) less than 24 years of age; or

"(ii) enrolled at an institution of higher education on a part-time or full-time basis.

"(3) **INFORMATION.**—Notwithstanding any other provision of law, the Secretary of Veterans Affairs and the Secretary of Defense, as appropriate, shall provide the Secretary of Education with information necessary to determine which students meet the requirements of paragraph (2).";

(2) in section 475(c)(5)(B) (20 U.S.C. 1087oo(c)(5)(B)), by inserting "of 1986" after "Code";

(3) in section 477(b)(5)(B) (20 U.S.C. 1087qq(b)(5)(B)), by inserting "of 1986" after "Code";

(4) in section 479 (20 U.S.C. 1087ss)—

(A) in subsection (b) (as amended by section 602 of the College Cost Reduction and Access Act (Public Law 110–84))—

(i) in paragraph (1)(A)(i), by amending subclause (III) to read as follows:

"(III) include at least one parent who is a dislocated worker; or"; and

(ii) in paragraph (1)(B)(i), by amending subclause (III) to read as follows:

"(III) is a dislocated worker or has a spouse who is a dislocated worker; or"; and

(B) in subsection (c) (as amended by such section 602)—

(i) in paragraph (1)(A), by amending clause (iii) to read as follows:

"(iii) include at least one parent who is a dislocated worker; or"; and

(ii) in paragraph (2)(A), by amending clause (iii) to read as follows:

"(iii) is a dislocated worker or has a spouse who is a dislocated worker; or";

(5) in section 479C (20 U.S.C. 1087uu)—

(A) in paragraph (1), by striking "under" and all that follows through " ; and" and inserting "under Public Law 98–64 (25 U.S.C. 117a et seq.;

97 Stat. 365) (commonly known as the 'Per Capita Act') or the Indian Tribal Judgment Funds Use or Distribution Act (25 U.S.C. 1401 et seq.); and"; and

(B) in paragraph (2)—

(i) by striking "Alaskan" and inserting "Alaska";

(ii) by inserting "(43 U.S.C. 1601 et seq.)" before "or the"; and

(iii) by inserting "of 1980 (25 U.S.C. 1721 et seq.)" after "Maine Indian Claims Settlement Act";

(6) in section 480(a)(2) (20 U.S.C. 1087vv(a)(2)), by striking "12571" and inserting "12511";

(7) in section 480(c)(2) (20 U.S.C. 1087vv(c)(2))—

(A) in the matter preceding subparagraph (A), by striking "the following" and inserting "benefits under the following provisions of law"; and

(B) by striking subparagraphs (A) through (J) and inserting the following:

"(A) Chapter 103 of title 10, United States Code (Senior Reserve Officers' Training Corps).

"(B) Chapter 106A of title 10, United States Code (Educational Assistance for Persons Enlisting for Active Duty).

"(C) Chapter 1606 of title 10, United States Code (Selected Reserve Educational Assistance Program).

"(D) Chapter 1607 of title 10, United States Code (Educational Assistance Program for Reserve Component Members Supporting Contingency Operations and Certain Other Operations).

"(E) Chapter 30 of title 38, United States Code (All-Volunteer Force Educational Assistance Program, also known as the 'Montgomery GI Bill—active duty').

"(F) Chapter 31 of title 38, United States Code (Training and Rehabilitation for Veterans with Service-Connected Disabilities).

"(G) Chapter 32 of title 38, United States Code (Post-Vietnam Era Veterans' Educational Assistance Program).

"(H) Chapter 33 of title 38, United States Code (Post-9/11 Educational Assistance).

"(I) Chapter 35 of title 38, United States Code (Survivors' and Dependents' Educational Assistance Program).

"(J) Section 903 of the Department of Defense Authorization Act, 1981 (10 U.S.C. 2141 note) (Educational Assistance Pilot Program).

"(K) Section 156(b) of the 'Joint Resolution making further continuing appropriations and providing for productive employment for the fiscal year 1983, and for other purposes' (42 U.S.C. 402 note) (Restored Entitlement Program for Survivors, also known as 'Quayle benefits').

"(L) The provisions of chapter 3 of title 37, United States Code, related to subsistence allowances for members of the Reserve Officers Training Corps."; and

(8) in section 480(j)(1) (20 U.S.C. 1087vv(j)(1)), by striking "12571" and inserting "12511".

(b) **EFFECTIVE DATE.**—The amendments made by—

(1) paragraph (1) of subsection (a) shall take effect on July 1, 2009; and

(2) paragraph (4) of such subsection shall be effective as if enacted as part of the amendments in section 602(a) of the College Cost Reduction and Access Act (Public Law 110–84), and shall take effect on July 1, 2009.

(c) **HIGHER EDUCATION OPPORTUNITY ACT.**—Section 473(f) of the Higher Education Opportunity Act (Public Law 110–315) is amended by inserting " , except that the amendments made in subsection (e) shall take effect on July 1, 2009" before the period at the end.

**SEC. 407. GENERAL PROVISIONS OF TITLE IV.**

(a) **DELAYED IMPLEMENTATION OF EZ FAFSA.**—Notwithstanding any other provision of law, the Secretary of Education shall be required to carry out the requirements under the following provisions of section 483 of the Higher Education Act of 1965 (20 U.S.C. 1090) only for academic year 2010–2011 and subsequent academic years:

(1) In subsection (a) of such section—

(A) subparagraphs (A)(i) and (B) of paragraph (2);

(B) in paragraph (3)—  
 (i) the second sentence of subparagraph (A);  
 (ii) clauses (i) and (ii) of subparagraph (B); and  
 (iii) subparagraph (C);  
 (C) paragraph (4)(A)(iv); and  
 (D) paragraph (5)(E).  
 (2) Subsection (h) of such section.  
 (b) OTHER AMENDMENTS.—Part G of title IV (20 U.S.C. 1088 et seq.) is amended—  
 (1) in the matter preceding paragraph (1) of section 481(c) (20 U.S.C. 1088(c)), by striking “or any State, or private, profit or nonprofit organization” and inserting “any State, or any private, for-profit or nonprofit organization.”;  
 (2) in section 482(b) (20 U.S.C. 1089(b)), by striking “413D(e), 442(e), or 462(f)” and inserting “413D(d), 442(d), or 462(i)”;  
 (3) in section 483 (20 U.S.C. 1090)—  
 (A) in subsection (a)(3)(C), by inserting “that” after “except”; and  
 (B) in subsection (e)(8)(A), by striking “identify” and inserting “determine.”;  
 (4) in section 484 (20 U.S.C. 1091)—  
 (A) in the matter preceding subparagraph (A) of subsection (a)(4), by striking “certification,” and inserting “certification.”;  
 (B) in subsection (b)(1)(B)—  
 (i) by striking “have (A)” and inserting “have (i)”;  
 (ii) by striking “and (B)” and inserting “and (ii)”;  
 (C) in subsection (f)(1), by striking “part B” and all that follows through “part E” in each place that the phrase occurs and inserting “part B, part D, or part E”;  
 (D) in subsection (h)—  
 (i) in paragraph (2), by striking “(h)(4)(A)(i)” and inserting “(g)(4)(A)(i)”;  
 (ii) in paragraph (3), by striking “(h)(4)(B)(i)” and inserting “(g)(4)(B)(i)”;  
 (E) in subsection (n), by striking “section 1113 of Public Law 97–252” and inserting “section 12(f) of the Military Selective Service Act (50 U.S.C. App. 462(f))”;  
 (5) in section 485 (20 U.S.C. 1092)—  
 (A) in subsection (a)—  
 (i) in paragraph (1)—  
 (I) the matter preceding subparagraph (A), by striking “also referred to as the Family Educational Rights and Privacy Act of 1974” and inserting “commonly known as the ‘Family Educational Rights and Privacy Act of 1974’”; and  
 (II) in subparagraph (I), by striking “handicapped students” and inserting “students with disabilities”;  
 (ii) in paragraph (4)(B), by inserting “during which” after “time period”; and  
 (iii) in the matter preceding subclause (I) of paragraph (7)(B)(iv), by inserting “education” after “higher”;  
 (B) in subsection (e)(3)(B), by inserting “during which” after “time period”;  
 (C) in subsection (f)—  
 (i) in the matter preceding subparagraph (A) of paragraph (1), by inserting “of” after “foreign institution”; and  
 (ii) in paragraphs (3), (4)(A), (5), and (8)(A), by striking “under this title” each place it appears and inserting “under this title, other than a foreign institution of higher education.”;  
 (D) in subsection (g)(2), by striking “subparagraph (G)” and inserting “paragraph (1)(G)”;  
 (E) in subsection (i)—  
 (i) in paragraph (2), by striking “eligible institution participating in any program under this title” and inserting “institution described in paragraph (1)”;  
 (ii) in paragraph (3), in the matter preceding subparagraph (A), by striking “eligible institution participating in any program under this title” and inserting “institution described in paragraph (1)”;  
 (iii) in paragraph (5)(B), by striking “the Family Educational Rights and Privacy Act of 1974” and inserting “commonly known as the ‘Family Educational Rights and Privacy Act of 1974’”;

(F) in subsection (k)(2), by inserting “section” before “484(r)(1)”;  
 (G) in the matter preceding clause (i) of subsection (l)(1)(A), by striking “subparagraph (B)” and inserting “paragraph (2)”;  
 (6) in section 485A (20 U.S.C. 1092a)—  
 (A) in subsection (a)—  
 (i) by striking “or defined in subpart I of part C of title VII of the Public Health Service Act” and inserting “or an eligible lender as defined in section 719 of the Public Health Service Act (42 U.S.C. 292o)”;  
 (ii) by striking “under subpart I of part C of title VII of the Public Health Service Act (known as Health Education Assistance Loans)” and inserting “under part A of title VII of the Public Health Service Act (42 U.S.C. 292 et seq.)”;  
 (B) in subsection (b), by striking “subpart I of part C of title VII of the Public Health Service Act” and inserting “part A of title VII of the Public Health Service Act (42 U.S.C. 292 et seq.)”;  
 (C) in subsection (e)—  
 (i) by striking “Health Education Assistance Loan” and inserting “loan under part A of title VII of the Public Health Service Act (42 U.S.C. 292 et seq.)”;  
 (ii) in paragraph (2), by striking “733(e)(3)” and inserting “707(e)(3)”;  
 (D) in subsection (f)—  
 (i) in paragraph (1)—  
 (I) in the second sentence, by striking “subpart I of part C of title VII of the Public Health Service Act” and inserting “part A of title VII of the Public Health Service Act (42 U.S.C. 292 et seq.)”;  
 (II) in the fourth sentence, by striking “728(a)” and inserting “710”;  
 (ii) in paragraph (2), by striking “subpart I of part C of title VII of the Public Health Service Act” and inserting “part A of title VII of the Public Health Service Act (42 U.S.C. 292 et seq.)”;  
 (7) in section 485B (20 U.S.C. 1092b)—  
 (A) in subsection (a)(5), by striking “)” and inserting “)”; and  
 (B) in subsection (d)(3)(D), by striking “the Family Educational Rights and Privacy Act of 1974” and inserting “commonly known as the ‘Family Educational Rights and Privacy Act of 1974’”;  
 (8) in section 487 (20 U.S.C. 1094)—  
 (A) in subsection (a)(23)(A), by inserting “of 1993” after “Registration Act”;  
 (B) in subsection (c)(1)—  
 (i) in subparagraph (A)(i), by striking “students receives” and inserting “students receive”;  
 (ii) in subparagraph (F), by striking “paragraph (2)(B)” and inserting “paragraph (3)(B)”;  
 (iii) in subparagraph (H), by striking “paragraph (2)(B)” and inserting “paragraph (3)(B)”;  
 (C) in subsection (f)(1), by striking “496(c)(4)” and inserting “496(c)(3)”;  
 (D) in subsection (g)(1), by striking “subsection (f)(2)” and inserting “subsection (e)(2)”;  
 (9) in section 487A(b) (20 U.S.C. 1094a(b))—  
 (A) in paragraph (1)—  
 (i) by striking “Any activities” and inserting “Any experimental sites”; and  
 (ii) by striking “June 30, 2009” and inserting “June 30, 2010”; and  
 (B) by adding at the end the following:  
 “(4) DETERMINATION OF SUCCESS.—For the purposes of paragraph (1), the Secretary shall make a determination of success regarding an institution’s participation as an experimental site based on—  
 “(A) the ability of the experimental site to reduce administrative burdens to the institution, as documented in the Secretary’s biennial report under paragraph (2), without creating costs for the taxpayer; and  
 “(B) whether the experimental site has improved the delivery of services to, or otherwise benefitted, students.”;

(10) in section 489(a) (20 U.S.C. 1096(a))—  
 (A) in the third sentence, by striking “has agreed to assign under section 463(a)(6)(B)” and inserting “has referred under section 463(a)(4)(B)”;  
 (B) in the fourth sentence, by striking “484(h)” and inserting “484(g)”;  
 (II) in section 491(l)(2)(A) (20 U.S.C. 1098(l)(2)(A)), by inserting “the” after “enactment of”; and  
 (12) in section 492(a) (20 U.S.C. 1098a(a))—  
 (A) in paragraph (1), by striking “regulations” and all that follows through “The” and inserting “regulations for this title. The”; and  
 (B) in paragraph (2), by striking “ISSUES” and all that follows through “provide” and inserting “ISSUES.—The Secretary shall provide”.

**SEC. 408. PROGRAM INTEGRITY.**  
 Part H of title IV (20 U.S.C. 1099a et seq.) is amended—  
 (1) in section 496(a)(6)(G) (20 U.S.C. 1099b(a)(6)(G)), by striking the period at the end and inserting a semicolon; and  
 (2) in section 498(c)(2) (20 U.S.C. 1099c(c)(2)), by striking “for profit” and inserting “for-profit”.

**SEC. 409. WAIVER OF MASTER CALENDAR AND NEGOTIATED RULEMAKING REQUIREMENTS.**  
 Sections 482 and 492 of the Higher Education Act of 1965 (20 U.S.C. 1089, 1098a) shall not apply to the amendments made by this title, or to any regulations promulgated under those amendments.

**TITLE V—DEVELOPING INSTITUTIONS**

**SEC. 501. DEVELOPING INSTITUTIONS.**  
 Section 502(b)(2) (20 U.S.C. 1101a(b)(2)) is amended by striking “which determination” and inserting “which the determination”.

**TITLE VI—INTERNATIONAL EDUCATION PROGRAMS**

**SEC. 601. INTERNATIONAL EDUCATION PROGRAMS.**  
 (a) HIGHER EDUCATION ACT OF 1965.—Title VI (20 U.S.C. 1121 et seq.) is amended—  
 (1) in section 604(a) (20 U.S.C. 1124(a))—  
 (A) in the matter preceding subparagraph (A) of paragraph (2), by inserting “the” before “Federal”; and  
 (B) in paragraph (7)(D), by striking “institution, combination” and inserting “applicant, consortium.”;  
 (2) in section 622(a) (20 U.S.C. 1131–1(a)), by inserting a period after “title”.  
 (b) HIGHER EDUCATION OPPORTUNITY ACT.—The matter preceding paragraph (1) of section 621 of the Higher Education Opportunity Act (Public Law 110–315) is amended by striking “Section 631 (20 U.S.C. 1132)” and inserting “Section 631(a) (20 U.S.C. 1132(a))”.

**TITLE VII—GRADUATE AND POSTSECONDARY IMPROVEMENT**

**SEC. 701. GRADUATE AND POSTSECONDARY IMPROVEMENT PROGRAMS.**  
 Title VII (20 U.S.C. 1133 et seq.) is amended—  
 (1) in the matter preceding paragraph (1) of section 721(d) (20 U.S.C. 1136(d)), by striking “services through” and all that follows through “resource centers” and inserting “services through pre-college programs, undergraduate prelaw information resource centers”;  
 (2) in section 723(b)(1)(P) (20 U.S.C. 1136a(b)(1)(P)), by striking “State” and inserting “State”;  
 (3) in section 744(c)(6)(C) (20 U.S.C. 1138c(c)(6)(C)), by inserting “of the National Academies” after “Institute of Medicine”;  
 (4) in section 760 (20 U.S.C. 1140), by striking paragraph (1) and inserting the following:  
 “(1) COMPREHENSIVE TRANSITION AND POSTSECONDARY PROGRAM FOR STUDENTS WITH INTELLECTUAL DISABILITIES.—The term ‘comprehensive transition and postsecondary program for students with intellectual disabilities’ means a degree, certificate, or nondegree program that meets each of the following:

“(A) Is offered by an institution of higher education.

“(B) Is designed to support students with intellectual disabilities who are seeking to continue academic, career and technical, and independent living instruction at an institution of higher education in order to prepare for gainful employment.

“(C) Includes an advising and curriculum structure.

“(D) Requires students with intellectual disabilities to participate on not less than a half-time basis as determined by the institution, with such participation focusing on academic components, and occurring through 1 or more of the following activities:

“(i) Regular enrollment in credit-bearing courses with nondisabled students offered by the institution.

“(ii) Auditing or participating in courses with nondisabled students offered by the institution for which the student does not receive regular academic credit.

“(iii) Enrollment in noncredit-bearing, non-degree courses with nondisabled students.

“(iv) Participation in internships or work-based training in settings with nondisabled individuals.

“(E) Requires students with intellectual disabilities to be socially and academically integrated with non-disabled students to the maximum extent possible.”

(5) in section 772 (20 U.S.C. 1140l)—

(A) in subsection (a)(2)(A), by striking “with in” and inserting “with”; and

(B) in the matter preceding subclause (I) of subsection (b)(1)(C)(ii), by striking “subparagraph (C)” and inserting “clause (i)”;

(6) in section 781 (20 U.S.C. 1141)—

(A) in subsection (c)(1), by striking “Service” each place the term appears and inserting “Services”;

(B) in the matter preceding paragraph (1) of subsection (e)—

(i) by striking “(as defined” and all that follows through “this Act)” and inserting “(as described in section 435(p))”; and

(ii) by striking “435(j)” and inserting “428(b)”;

(C) in subsection (g)(2), by striking “Service” and inserting “Services”; and

(D) in subsection (i)—

(i) in paragraph (1)(D), by striking “consortia” and inserting “consortium”; and

(ii) in paragraph (2)—

(I) in the paragraph heading, by striking “CONSORTIA” and inserting “CONSORTIUM”; and

(II) by striking “consortia” each place the term appears and inserting “consortium”.

#### TITLE VIII—ADDITIONAL PROGRAMS

##### SEC. 801. ADDITIONAL PROGRAMS.

Title VIII (20 U.S.C. 1161a et seq.) is amended—

(1) in section 802(d)(2)(D) (20 U.S.C. 1161b(d)(2)(D)), by striking “regulation” and inserting “regulations”;

(2) in section 804(d) (20 U.S.C. 1161d(d))—

(A) in the heading, by striking “DEFINITION” and inserting “DEFINITIONS”; and

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

“(2) PUBLIC HEALTH SERVICE ACT.—The terms ‘accredited’ and ‘school of nursing’ have the meanings given those terms in section 801 of the Public Health Service Act (42 U.S.C. 296).”;

(3) in section 808(a)(1) (20 U.S.C. 1161h(a)(1)), by striking “the Family Educational Rights and Privacy Act of 1974” and inserting “section 444 of the General Education Provisions Act (commonly known as the ‘Family Educational Rights and Privacy Act of 1974’)”;

(4) in section 819(b)(3) (20 U.S.C. 1161j(b)(3)), by inserting a period after “101(a)”;

(5) in section 820 (20 U.S.C. 1161k)—

(A) in subsection (d)(5), by inserting “the” before “grant”;

(B) in subsection (f)(2), by striking “subpart” each place the term appears and inserting “section”; and

(C) in subsection (h), by striking “use” and inserting “used”;

(6) in section 821 (20 U.S.C. 1161l)—

(A) in subsection (a)(1), by striking “subsection (g)” and inserting “subsection (f)”;

(B) in subsection (c)(1)(B), by striking “with in” and inserting “in”;

(7) in section 824(f)(3) (20 U.S.C. 1161l-3(f)(3))—

(A) in subparagraph (A), by inserting “a” after “submitting”; and

(B) in subparagraph (C), by striking “pursuing” and inserting “pursuing”;

(8) in section 825(a) (20 U.S.C. 1161l-4(a)), by striking “the Family Educational Rights and Privacy Act of 1974” and inserting “commonly known as the ‘Family Educational Rights and Privacy Act of 1974’”;

(9) in section 826(3) (20 U.S.C. 1161l-5(3)), by striking “the Family Educational Rights and Privacy Act of 1974” and inserting “commonly known as the ‘Family Educational Rights and Privacy Act of 1974’”;

(10) in section 830(a)(1)(B) (20 U.S.C. 1161m(a)(1)(B)), by striking “of for” and inserting “of”;

(11) in section 833(e)(1) (20 U.S.C. 1161n-2(e)(1))—

(A) in the matter preceding subparagraph (A), by striking “because of” and inserting “based on”; and

(B) in subparagraph (D), by striking “purposes of this section” and inserting “purpose of this part”;

(12) in section 841(c)(1) (20 U.S.C. 1161o(c)(1)), by striking “486A(d)” and inserting “486A(b)(1)”;

(13) in section 851(j) (20 U.S.C. 1161p(j)), by inserting “to be appropriated” after “authorized”; and

(14) in section 894(b)(2) (20 U.S.C. 1161y(b)(2)), by striking “the Family Educational Rights and Privacy Act of 1974” and inserting “commonly known as the ‘Family Educational Rights and Privacy Act of 1974’”.

**SEC. 802. AMENDMENTS TO OTHER HIGHER EDUCATION ACTS.**

(a) HIGHER EDUCATION AMENDMENTS OF 1998.—

(1) INCARCERATED INDIVIDUALS.—Section 821(h) of the Higher Education Amendments of 1998 (20 U.S.C. 1151(h)) is amended to read as follows:

“(h) ALLOCATION OF FUNDS.—

“(1) FISCAL YEAR 2009.—From the funds appropriated pursuant to subsection (i) for fiscal year 2009, the Secretary shall allot to each State an amount that bears the same relationship to such funds as the total number of incarcerated individuals described in paragraphs (1) and (2) of subsection (e) in the State bears to the total number of such individuals in all States.

“(2) FUTURE FISCAL YEARS.—From the funds appropriated pursuant to subsection (i) for each fiscal year after fiscal year 2009, the Secretary shall allot to each State an amount that bears the same relationship to such funds as the total number of students eligible under subsection (e) in such State bears to the total number of such students in all States.”.

(2) UNDERGROUND RAILROAD.—Section 841(c) of the Higher Education Amendments of 1998 (20 U.S.C. 1153(c)) is amended by inserting “this section” after “to carry out”.

(b) EDUCATION OF THE DEAF ACT OF 1986.—Section 203(b)(2) of the Education of the Deaf Act of 1986 (20 U.S.C. 4353(b)(2)) is amended by striking “and subsections (b) and (c) of section 209.” and inserting “and subsections (a), (b), and (c) of section 209.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. HINOJOSA) and the gentleman from Pennsylvania (Mr. THOMPSON) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. HINOJOSA. Mr. Speaker, I request 5 legislative days during which Members may revise and extend and insert extraneous material on H.R. 1777 into the RECORD.

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

There was no objection.

Mr. HINOJOSA. I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 1777, a bill to make technical corrections to H.R. 4137, which is the Higher Education Act.

Mr. Speaker, the House originally passed this legislation on March 30, 2009. This is a revised version from the Senate. The Senate made additional conforming and technical changes, including a scholarship program for students whose parent or guardian was a member of the Armed Forces of the United States and died as a result of performing military service in Iraq or Afghanistan after September 11, 2001, clarifying the “experimental site” authority at the Department of Education. Let me explain some of these changes.

Currently, borrowers may rehabilitate their defaulted Federal student loans by making nine on-time payments. Once they meet this threshold, the guaranty agency may sell the loan to a lender, which results in the default being removed from the borrowers’ credit reports.

Mr. Speaker, because of the current credit crunch, guaranty agencies have been unable to find lenders for these loans. The bill amends the loan to allow those loans qualified for rehabilitation to be assigned to the Department of Education for this purpose.

The bill makes three changes to the exemption of veterans’ assistance in the calculation of the Federal financial aid. The first is to clarify that assistance under the Montgomery GI Bill is included in exempted veterans’ benefits, and the second is to move the date of the exemption of veterans’ benefits from the calculation of the estimated financial assistance from July 1, 2010, to July 1, 2009.

The third change is to provide scholarships in the amount of the maximum Pell Grant award to students whose parent or guardian was a member of the Armed Forces of the United States and died as a result of performing military service in Iraq or Afghanistan after September 11, 2001.

The bill ensures the continuation of the Department of Education’s “experimental site” program on existing campuses for another year and defines a successful program as one that reduces administrative cost and increases student services, without additional cost to the government.

In closing, Mr. Speaker, I would like to thank our committee chairman, Representative GEORGE MILLER from California, and our ranking member, JOHN KLINE, along with our ranking

member on the subcommittee, Representative BRETT GUTHRIE of Kentucky, for expediting this legislation and helping us make these needed corrections in a bipartisan manner.

I urge all my colleagues to vote “yes” on H.R. 1777.

I reserve the balance of my time.

Mr. THOMPSON of Pennsylvania. I rise in support of this legislation, and I yield myself such time as I may consume.

The House easily passed this bill under suspension at the end of March and, as often happens with the legislative process, when it went to the Senate, a few changes were made. Therefore, we are here again today simply to give final approval to a bill we have already supported, and rightfully so.

The primary purpose of this legislation is to make technical changes to ensure smooth implementation of the bipartisan higher education reforms enacted last year. Second, it addresses a pressing issue facing the Federal student loan programs. And third, the legislation includes a provision to assist students who have lost a parent to the wars in Iraq and Afghanistan.

The technical corrections are just that, clarifications needed to ensure that the first comprehensive renewal of higher education programs in a decade can be put into place as Congress intended. The legislation will also help student loan borrowers who have fallen behind to rebuild their damaged credit by making these loans eligible for emergency liquidity measures enacted last fall. It's a simple change that will make a real difference for borrowers who are just trying to do the right thing by restarting regular payments on their Federal student loans.

The other change we are making in this bill is also important for a different set of students, students who have suffered a terrible loss but who have continued to move forward to achieve a postsecondary education. And I'm talking about the students who have lost a parent due to the military action taking place in Iraq and Afghanistan.

The Higher Education Act reauthorization bill that was passed by this body last Congress included a provision that would allow Pell-eligible students to automatically receive the maximum Pell Grant if one of their parents died as a result of their military service in Iraq or Afghanistan. The legislation before us today extends a similar benefit to students who may fall outside of the income limits placed on the Pell Grant program but who have also suffered the same type of loss.

Under this legislation, all students who have lost a soldier-parent as a direct result of fighting in the war in Iraq and Afghanistan will be eligible for a grant. The parents of these students have given their lives in service to our country.

A college student who loses a parent in the war loses so much more than we can fathom. These students will not

have their parent around to move into their first dorm room or hear complaints about cafeteria food. They will not have their parent's consolation and encouragement to continue even after a poor test grade or a difficult professor. Of course, these students who lose a parent in Iraq or Afghanistan will not have the financial support of their parent in this time of rising college costs and economic uncertainty.

While this legislation does not provide students with the same type of support a parent could provide, I hope it will ease the financial burden of paying for college just a little bit.

The legislation before us easily passed the House once. I hope for a similar result again, and I urge my colleagues to join me in voting “yes” on this legislation.

I yield back the balance of my time.

Mr. HINOJOSA. Mr. Speaker, I have no other speakers, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. HINOJOSA) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 1777.

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. THOMPSON of Pennsylvania. 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.

#### PERMISSION FOR COMMITTEE ON ARMED SERVICES TO FILE SUPPLEMENTAL REPORT ON H.R. 2647, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2010

Mr. SKELTON. Mr. Speaker, I ask unanimous consent that the Committee on Armed Services be authorized to file a supplemental report on the bill, H.R. 2647.

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

There was no objection.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 1 o'clock and 13 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1833

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro

tempore (Mr. JACKSON of Illinois) at 6 o'clock and 33 minutes p.m.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order: S. 407, by the yeas and nays; H.R. 1016, de novo; H.R. 1211, by the yeas and nays; H.R. 1172, by the yeas and nays; concurring in the Senate amendment to H.R. 1777, de novo.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

#### VETERANS' COMPENSATION COST-OF-LIVING ADJUSTMENT ACT OF 2009

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, S. 407, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. ROSS). The question is on the motion offered by the gentleman from California (Mr. FILNER) that the House suspend the rules and pass the bill, S. 407.

The vote was taken by electronic device, and there were—yeas 403, nays 0, not voting 30, as follows:

[Roll No. 419]

YEAS—403

Abercrombie	Brown, Corrine	Davis (CA)
Ackerman	Brown-Waite,	Davis (IL)
Aderholt	Ginny	Davis (KY)
Adler (NJ)	Buchanan	Davis (TN)
Akin	Burgess	Deal (GA)
Alexander	Burton (IN)	DeFazio
Altmire	Butterfield	Delahunt
Andrews	Buyer	DeLauro
Arcuri	Calvert	Dent
Austria	Camp	Diaz-Balart, L.
Baca	Cantor	Diaz-Balart, M.
Bachmann	Cao	Dicks
Bachus	Capito	Dingell
Baird	Capps	Doggett
Baldwin	Capuano	Donnelly (IN)
Barrett (SC)	Cardoza	Doyle
Barrow	Carnahan	Dreier
Bartlett	Carney	Driehaus
Barton (TX)	Carson (IN)	Duncan
Bean	Carter	Edwards (MD)
Becerra	Cassidy	Edwards (TX)
Berkley	Castle	Ehlers
Berman	Castor (FL)	Ellison
Berry	Chaffetz	Ellsworth
Biggert	Chandler	Emerson
Bilbray	Childers	Engel
Bilirakis	Clarke	Eshoo
Bishop (GA)	Clay	Etheridge
Bishop (NY)	Cleaver	Fallin
Bishop (UT)	Clyburn	Farr
Blackburn	Coble	Fattah
Blumenauer	Coffman (CO)	Filner
Boccheri	Cohen	Flake
Boehmer	Cole	Fleming
Bonner	Conaway	Forbes
Bono Mack	Connolly (VA)	Fortenberry
Boozman	Cooper	Foster
Boren	Costello	Fox
Boswell	Courtney	Frank (MA)
Boucher	Crenshaw	Franks (AZ)
Boustany	Crowley	Frelinghuysen
Brady (PA)	Cuellar	Fudge
Bright	Culberson	Gallegly
Broun (GA)	Cummings	Garrett (NJ)
Brown (SC)	Dahlkemper	Gerlach



Giffords Mack Ros-Lehtinen Lewis (GA) Paulsen Shea-Porter Flake LoBiondo Rogers (AL)  
 Gohmert Malfeei Roskam Lummis Payne Shuler Fleming Loeb sack Rogers (KY)  
 Gonzalez Maloney Ross Sarbanes Radanovich Sullivan Forbes Lofgren, Zoe Rogers (MI)  
 Goodlatte Manzullo Rothman (NJ) Roybal-Allard Fortenberry Foster Lowey Roybal-Allard Rohrabacher  
 Gordon (TN) Markey (CO) Royce ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE  
 Granger Markey (MA) Ruppertsberger The SPEAKER pro tempore (during  
 Graves Marshall Rush the vote). There are 2 minutes remain-  
 Grayson Massa Ryan (OH) ing in this vote.  
 Green, Al Matheson Ryan (WI) Fudge Mack  
 Green, Gene Matsui Salazar Gallegly  
 Griffith McCarthy (CA) Sanchez, Linda Garrett (NJ)  
 Guthrie McCaul T. Maffei  
 Hall (NY) McClintock Sanchez, Loretta Gerlach  
 Hall (TX) McCollum Sarbanes Maloney  
 Halvorson McCotter Scalise Man-  
 Hare McDermott Schakowsky zullo  
 Harman McGovern Schauer Ruppertsberger  
 Harper McHugh Schiff Rush  
 Hastings (FL) McIntyre Schiff Ryan (OH)  
 Heinrich McKeon Schmidt Ryan (WI)  
 Heller McMahon Schrader Salazar  
 Hensarling McMorriss Schwartz Sanchez, Linda  
 Herger Rodgers Scott (GA) T. T.  
 Herseth Sandlin McNeerney Scott (VA) Sanchez, Loretta  
 Hill Meek (FL) Sensenbrenner Serrano  
 Himes Meeks (NY) Sessions Sestak  
 Hinchey Melancon Sherman  
 Hinojosa Mica Skelton  
 Hirono Michaud Shuster  
 Hodes Miller (FL) Simpson  
 Hoekstra Miller (MI) Sires  
 Holden Miller (NC) Skelton  
 Holt Miller, Gary Slaughter  
 Honda Miller, George Smith (NE)  
 Hoyer Minnick Smith (NJ)  
 Hunter Mitchell Smith (TX)  
 Inglis Moore (KS) Smith (WA)  
 Inslee Moore (WI) Snyder  
 Israel Moran (KS) Souder  
 Issa Moran (VA) Space  
 Jackson (IL) Murphy (CT) Speier  
 Jackson-Lee Murphy (NY) Spratt  
 (TX) Murphy, Patrick Stark  
 Jenkins Murphy, Tim Stearns  
 Johnson (GA) Murtha Stupak  
 Johnson (IL) Myrick Sutton  
 Johnson, E. B. Nadler (NY) Tauscher  
 Johnson, Sam Napolitano Taylor  
 Jones Neal (MA) Teague  
 Jordan (OH) Neugebauer Terry  
 Kagen Nunes  
 Kanjorski Nye  
 Kaptur Oberstar  
 Kildee Obey  
 Kilpatrick (MI) Olson Thompson (CA)  
 Kilroy Olver Thompson (MS)  
 Kind Ortiz Thompson (PA)  
 King (IA) Pallone Thornberry  
 King (NY) Pascarell Tiahrt  
 Kingston Pastor (AZ) Tiberi  
 Kirk Paul Tierney  
 Kirkpatrick (AZ) Pence Titus  
 Kissell Perlmutter Tonko  
 Klein (FL) Perriello Towns  
 Kline (MN) Peters Tsongas  
 Kosmas Turner  
 Kratovil Peterson  
 Kucinich Petri Upton  
 Lamborn Pingree (ME) Van Hollen  
 Lance Pitts Velázquez  
 Langevin Platts Visclosky  
 Larson (CT) Poe (TX) Walden  
 Latham Polis (CO) Walz  
 LaTourette Pomeroy Wamp  
 Latta Posey Wasserman  
 Lee (CA) Price (GA) Schultz  
 Lee (NY) Price (NC) Waters  
 Levin Putnam Watson  
 Lewis (CA) Quigley Watt  
 Linder Rahall Waxman  
 Lipinski Rangel Weiner  
 LoBiondo Rehberg Welch  
 Loeb sack Reichert Westmoreland  
 Lofgren, Zoe Reyes Wexler  
 Lowey Richardson Whitfield  
 Lucas Rodriguez Wilson (OH)  
 Luetkemeyer Roe (TN) Wilson (SC)  
 Luján Rogers (AL) Wittman  
 Lungren, Daniel Rogers (KY) Wolf  
 E. Rogers (MI) Yarmuth  
 Lynch Rohrabacher Young (AK)  
 Rooney Young (FL)

NOT VOTING—30

Blunt Conyers Gutierrez  
 Boyd Costa Hastings (WA)  
 Brady (TX) Higgins  
 Braley (IA) DeGette Kennedy  
 Campbell Grijalva Larsen (WA)

Paulsen Shearman & Sterling  
 Radanovich  
 Schock  
 Shadegg  
 ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE  
 The SPEAKER pro tempore (during  
 the vote). There are 2 minutes remain-  
 ing in this vote.

□ 1857

So (two-thirds being in the affirma-  
 tive) the rules were suspended and the  
 bill was passed.

The result of the vote was announced  
 as above recorded.

A motion to reconsider was laid on  
 the table.

VETERANS HEALTH CARE BUDGET  
 REFORM AND TRANSPARENCY  
 ACT OF 2009

The SPEAKER pro tempore. The un-  
 finished business is the question on  
 suspending the rules and passing the  
 bill, H.R. 1016, as amended.

The Clerk read the title of the bill.

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. 1016, as  
 amended.

RECORDED VOTE

Mr. FILNER. Mr. Speaker, I demand  
 a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This  
 will be a 5-minute vote.

The vote was taken by electronic de-  
 vice, and there were—ayes 409, noes 1,  
 not voting 23, as follows:

[Roll No. 420]

AYES—409

Abercrombie Boyd Costello  
 Ackerman Brady (PA) Courtney  
 Aderholt Bright Crenshaw  
 Adler (NJ) Broun (GA) Crowley  
 Akin Brown (SC) Cuellar  
 Alexander Brown, Corrine Culberson  
 Altmire Brown-Waite, Dahlkemper  
 Andrews Ginny Davis (AL)  
 Arcuri Buchanan Davis (CA)  
 Austria Burgess Davis (IL)  
 Baca Burton (IN) Davis (KY)  
 Bachmann Butterfield Davis (TN)  
 Bachus Calvert Deal (GA)  
 Baird Camp DeFazio  
 Baldwin Cantor DeGette  
 Barrett (SC) Cao Delahunt  
 Barrow Capito DeLauro  
 Bartlett Capps Dent  
 Barton (TX) Capuano Diaz-Balart, L.  
 Bean Cardoza Diaz-Balart, M.  
 Becerra Carnahan Dicks  
 Berkley Carney Dingell  
 Berman Carson (IN) Doggett  
 Berry Carter Donnelly (IN)  
 Biggert Cassidy Doyle  
 Bilbray Castle Dreier  
 Bilirakis Castor (FL) Driehaus  
 Bishop (GA) Chaffetz Duncan  
 Bishop (NY) Chandler Edwards (MD)  
 Bishop (UT) Childers Edwards (TX)  
 Blackburn Clarke Ehlers  
 Clay Clay Ellison  
 Boccieri Cleaver Ellsworth  
 Boehner Clyburn Emerson  
 Bonner Coble Engel  
 Bono Mack Coffman (CO) Eshoo  
 Boozman Cohen Etheridge  
 Boren Cole Fallin  
 Boswell Conaway Farr  
 Boucher Connolly (VA) Fattah  
 Boustany Cooper Filner

LoBiondo Rogers (AL)  
 Loeb sack Rogers (KY)  
 Lofgren, Zoe Rogers (MI)  
 Lowey Roybal-Allard Rohrabacher  
 Lucas Rooney  
 Luetkemeyer Ros-Lehtinen  
 Luján Roskam  
 Lungren, Daniel Ross  
 E. Rothman (NJ)  
 Lynch Roybal-Allard  
 Mack Royce  
 Maffei Ruppertsberger  
 Maloney Rush  
 Manzullo Ryan (OH)  
 Marchant Ryan (WI)  
 Markey (CO) Salazar  
 Markey (MA) Sanchez, Linda  
 Marshall T.  
 Massa Sanchez, Loretta  
 Matheson Sarbanes  
 Matsui Scalise  
 McCarthy (CA) Schakowsky  
 McCarthy (NY) Schauer  
 McCaul Schiff  
 McClintock Schmidt  
 McCollum Schrader  
 McCotter Schwartz  
 McDermott Scott (GA)  
 McGovern Scott (VA)  
 McHugh Sensenbrenner  
 McIntyre Serrano  
 McKeon Sessions  
 McMahon Sestak  
 McMorriss Sherman  
 Rodgers Shimkus  
 McNeerney Shuster  
 Meek (FL) Simpson  
 Meeks (NY) Sires  
 Melancon Skelton  
 Mica Slaughter  
 Michaud Miller (FL) Smith (NE)  
 Miller (MI) Smith (NJ)  
 Miller (NC) Smith (TX)  
 Miller, Gary Smith (WA)  
 Miller, George Snyder  
 Minnick Souder  
 Mitchell Space  
 Moore (KS) Speier  
 Moore (WI) Spratt  
 Moran (KS) Stark  
 Moran (VA) Stearns  
 Murphy (CT) Stupak  
 Murphy (NY) Sutton  
 Murphy, Patrick Tauscher  
 Murphy, Tim Taylor  
 Murtha Teague  
 Myrick Terry  
 Nadler (NY) Thompson (CA)  
 Napolitano Thompson (MS)  
 Neal (MA) Thompson (PA)  
 Neugebauer Thornberry  
 Nunes Nye  
 Oberstar Tiahrt  
 Obey Tiberi  
 Olson Tierney  
 Olver Titus  
 Ortiz Tonko  
 Pallone Towns  
 Pascarell Tsongas  
 Pastor (AZ) Turner  
 Paul Upton  
 Pence Van Hollen  
 Perlmutter Velázquez  
 Perriello Visclosky  
 Peters Walden  
 Peterson Walz  
 Petri Wamp  
 Pingree (ME) Wasserman  
 Pitts Schultz  
 Platts Waters  
 Poe (TX) Watt  
 Polis (CO) Westmoreland  
 Pomeroy Pomeroy  
 Posey Posey  
 Price (GA) Price (GA)  
 Price (NC) Price (NC)  
 Putnam Putnam  
 Quigley Quigley  
 Rahall Rahall  
 Rangel Rangel  
 Rehberg Rehberg  
 Reichert Reichert  
 Reyes Reyes  
 Richardson Richardson  
 Rodriguez Rodriguez  
 Roe (TN) Roe (TN)  
 Rogers (AL) Rogers (AL)  
 Rogers (KY) Rogers (KY)  
 Rogers (MI) Rogers (MI)  
 Rohrabacher Rohrabacher  
 Rooney Rooney

NOES—1

Buyer

NOT VOTING—23

Blunt	Kennedy	Radanovich
Brady (TX)	Larsen (WA)	Schock
Braley (IA)	Lewis (GA)	Shadegg
Campbell	Lummis	Shea-Porter
Conyers	McHenry	Shuler
Costa	Mollohan	Sullivan
Cummings	Paulsen	Woolsey
Gutierrez	Payne	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. There are 2 minutes remaining on this vote.

□ 1906

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

The title was amended so as to read: "A bill to amend title 38, United States Code, to provide advance appropriations authority for certain accounts of the Department of Veterans Affairs, and for other purposes."

A motion to reconsider was laid on the table.

MOMENT OF SILENCE IN MEMORY OF FORMER REPRESENTATIVE PAUL A. FINO OF NEW YORK

(Mr. ENGEL asked and was given permission to address the House for 1 minute.)

Mr. ENGEL. Mr. Speaker, it is with sadness that I announce the death of my predecessor once removed, Congressman Paul A. Fino of New York.

When I was growing up, you think of certain elected officials as larger than life. Paul Fino was certainly larger than life. He served eight terms here in the House, a State senator, served on the State Supreme Court, was chairman of the Bronx County Republican Party for many years, and one of the people who really represented New York.

He lived the American Dream. His father was a subway car mechanic. He leaves his wife, Esther, of 70 years, and his children, Lucille and Paul.

I remember growing up, he had these big signs that said Social Security at 60 and a national lottery. These were the things that he really believed in.

He lived to be 95, someone that we all respect and really remember and revere.

I yield to the gentleman from New York.

Mr. KING of New York. Mr. Speaker, I join with Congressman ENGEL in mourning the passing of Paul Fino, who among other things, was I believe the last elected Republican congressman from the Bronx. He was an outstanding Congressman. He was a member of the New York State Supreme Court. In his retirement years he moved to Nassau County, and he never lost his love and his interest for Congress. In fact, every year he would call me to remind me to send him a program of the congressional baseball game. He loved this institution; he

loved the Congress. He was a great man. And for those of us old enough to remember the 1961 mayor's race, he was the middleman on the most famous, ethnically balanced race in the history of New York of Lefkowitz, Fino, and Gilhooley. They touched all of the ethnic bases at that time. He was unsuccessful in that race, but he was successful in all his others.

With Mr. ENGEL, I mourn his passing. Mr. ENGEL. I would ask for a moment of silence in honor of Congressman Paul A. Fino.

The SPEAKER pro tempore. Members will rise for a moment of silence.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

WOMEN VETERANS HEATH CARE IMPROVEMENT ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 1211, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

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. 1211, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 408, nays 0, not voting 25, as follows:

[Roll No. 421]

YEAS—408

Abercrombie	Boucher	Conaway	Eshoo	Levin	Richardson
Ackerman	Boustany	Connolly (VA)	Etheridge	Lewis (CA)	Rodriguez
Aderholt	Boyd	Cooper	Fallin	Linder	Roe (TN)
Adler (NJ)	Brady (PA)	Costello	Farr	Lipinski	Rogers (AL)
Akin	Bright	Courtney	Fattah	LoBiondo	Rogers (KY)
Alexander	Broun (GA)	Crenshaw	Filner	Loeb sack	Rogers (MI)
Altmire	Brown (SC)	Crowley	Flake	Lofgren, Zoe	Rohrabacher
Andrews	Brown, Corrine	Cuellar	Fleming	Lowe y	Rooney
Arcuri	Brown-Waite,	Culberson	Forbes	Lucas	Ros-Lehtinen
Austria	Ginny	Cummings	Fortenberry	Luetkemeyer	Roskam
Baca	Buchanan	Dahlkemper	Foster	Lujan	Ross
Bachmann	Burgess	Davis (AL)	Fox x	Lungren, Daniel	Rothman (NJ)
Bachus	Burton (IN)	Davis (CA)	Frank (MA)	E.	Roybal-Allard
Baird	Butterfield	Davis (IL)	Franks (AZ)	Lynch	Royce
Baldwin	Buyer	Davis (KY)	Frelinghuysen	Mack	Ruppersberger
Barrett (SC)	Calvert	Davis (TN)	Fudge	Maffei	Rush
Barrow	Camp	Deal (GA)	Galle gly	Maloney	Ryan (OH)
Bartlett	Cantor	DeFazio	Garrett (NJ)	Manzullo	Ryan (WI)
Barton (TX)	Cao	DeGette	Gerlach	Marchant	Salazar
Bean	Capito	Delahunt	Giffords	Markey (CO)	Sanchez, Linda
Becerra	Capps	DeLauro	Gingrey (GA)	Markey (MA)	T.
Berkley	Capuano	Dent	Gohmert	Marshall	Sanchez, Loretta
Berman	Cardoza	Diaz-Balart, L.	Gonzalez	Massa	Sarbanes
Berry	Carnahan	Diaz-Balart, M.	Goodlatte	Matheson	Scalise
Biggert	Carney	Dicks	Gordon (TN)	Matsui	Schakowsky
Bilbray	Carson (IN)	Dingell	Granger	McCarthy (CA)	Schauer
Bilirakis	Carter	Dongett	Graves	McCarthy (NY)	Schiff
Bishop (GA)	Cassidy	Donnelly (IN)	Grayson	McCaul	Schmidt
Bishop (NY)	Castle	Doyle	Green, Al	McClintock	Schrader
Bishop (UT)	Castor (FL)	Dreier	Green, Gene	McCollum	Schwartz
Blackburn	Chaffetz	Driedhaus	Griffith	McCotter	Scott (GA)
Blumenauer	Chandler	Duncan	Grijalva	McDermott	Scott (VA)
Bocchieri	Childers	Edwards (MD)	Guthrie	McGovern	Sensenbrenner
Boehner	Clarke	Edwards (TX)	Hall (NY)	McHugh	Serrano
Bonner	Bonner	Ehlers	Hall (TX)	McIntyre	Sessions
Bono Mack	Bono Mack	Ellison	Halvorson	McKeon	Sestak
Boozman	Bono Mack	Ellsworth	Hare	McMahon	Sherman
Boren	Boswell	Emerson	Harman	McMorris	Shimkus
Boswell		Engel	Harper	Rodgers	Shuster
			Hastings (FL)	McNerney	Simpson
			Hastings (WA)	Meek (FL)	Sires
			Heinrich	Meeks (NY)	Skelton
			Heller	Melancon	Slaughter
			Hensarling	Mica	Smith (NE)
			Herger	Michaud	Smith (NJ)
			Herseth Sandlin	Miller (FL)	Smith (TX)
			Higgins	Miller (MI)	Smith (WA)
			Hill	Miller (NC)	Snyder
			Himes	Miller, Gary	Souder
			Hinche y	Miller, George	Space
			Hinojosa	Minnick	Speier
			Hirono	Mitchell	Spratt
			Hodes	Moore (KS)	Stark
			Hoekstra	Moore (WI)	Stearns
			Holden	Moran (KS)	Stupak
			Holt	Moran (VA)	Sutton
			Honda	Murphy (CT)	Tanner
			Hoyer	Murphy (NY)	Tauscher
			Hunter	Murphy, Patrick	Taylor
			Inglis	Murphy, Tim	Teague
			Inslee	Murtha	Terry
			Israel	Myrick	Thompson (CA)
			Issa	Nadler (NY)	Thompson (MS)
			Jackson (IL)	Napolitano	Thompson (PA)
			Jackson-Lee	Neal (MA)	Thornberry
			(TX)	Neugebauer	Tiahrt
			Jenkins	Nunes	Tiberi
			Johnson (GA)	Nye	Tierney
			Johnson (IL)	Oberstar	Titus
			Johnson, E. B.	Obey	Tonko
			Johnson, Sam	Olson	Towns
			Jones	Olver	Tsongas
			Jordan (OH)	Ortiz	Turner
			Kagen	Pallone	Upton
			Kanjorski	Pascrell	Van Hollen
			Kaptur	Pastor (AZ)	Velázquez
			Kildee	Paul	Visclosky
			Kilpatrick (MI)	Pence	Walden
			Kilroy	Perlmutter	Walz
			Kind	Perriello	Wamp
			King (NY)	Peters	Wasserman
			Kingston	Peterson	Schultz
			Kirk	Petri	Waters
			Kirkpatrick (AZ)	Pingree (ME)	Watson
			Kissell	Pitts	Watt
			Klein (FL)	Platts	Waxman
			Kline (MN)	Poe (TX)	Weiner
			Kosmas	Polis (CO)	Welch
			Kratovil	Pomeroy	Westmoreland
			Kucinich	Posey	Wexler
			Lamborn	Price (GA)	Whitfield
			Lance	Price (NC)	Wilson (OH)
			Langevin	Putnam	Wilson (SC)
			Larson (CT)	Quigley	Wittman
			Latham	Rahall	Wolf
			LaTourette	Rangel	Wu
			Latta	Rehberg	Yarmuth
			Lee (CA)	Reichert	Young (AK)
			Lee (NY)	Reyes	Young (FL)

NOT VOTING—25

Blunt	Kennedy	Radanovich
Brady (TX)	King (IA)	Schock
Braley (IA)	Larsen (WA)	Shadegg
Campbell	Lewis (GA)	Shea-Porter
Coffman (CO)	Lummis	Shuler
Cohen	McHenry	Sullivan
Conyers	Mollohan	Woolsey
Costa	Paulsen	
Gutierrez	Payne	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1917

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. COFFMAN of Colorado. Mr. Speaker, on rollcall No. 421, I was unavoidably detained. Had I been present, I would have voted "yea."

WEB SITE INCLUSION OF VA SCHOLARSHIPS

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 1172, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

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. 1172, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 411, nays 0, not voting 22, as follows:

[Roll No. 422]

YEAS—411

Abercrombie	Boozman	Clarke
Ackerman	Boren	Clay
Aderholt	Boswell	Cleaver
Adler (NJ)	Boucher	Clyburn
Akin	Boustany	Coble
Alexander	Boyd	Coffman (CO)
Altmire	Brady (PA)	Cohen
Andrews	Bright	Cole
Arcuri	Broun (GA)	Conaway
Austria	Brown (SC)	Connolly (VA)
Baca	Brown, Corrine	Cooper
Bachmann	Brown-Waite,	Costello
Bachus	Ginny	Courtney
Baird	Buchanan	Crenshaw
Baldwin	Burgess	Crowley
Barrett (SC)	Burton (IN)	Cuellar
Barrow	Butterfield	Culberson
Bartlett	Buyer	Cummings
Barton (TX)	Calvert	Dahlkemper
Bean	Camp	Davis (AL)
Becerra	Cantor	Davis (CA)
Berkley	Cao	Davis (IL)
Berman	Capito	Davis (KY)
Berry	Capps	Davis (TN)
Biggert	Capuano	Deal (GA)
Bilbray	Cardoza	DeFazio
Bilirakis	Carnahan	DeGette
Bishop (GA)	Carney	Delahunt
Bishop (NY)	Carson (IN)	DeLauro
Bishop (UT)	Carter	Dent
Blackburn	Cassidy	Diaz-Balart, L.
Blumenauer	Castle	Diaz-Balart, M.
Bocchieri	Castor (FL)	Dicks
Boehner	Chaffetz	Dingell
Bonner	Chandler	Doggett
Bono Mack	Childers	Donnelly (IN)

Doyle	Kosmas	Polis (CO)
Dreier	Kratovil	Pomeroy
Driehaus	Kucinich	Posey
Duncan	Lamborn	Price (GA)
Edwards (MD)	Lance	Price (NC)
Edwards (TX)	Langevin	Putnam
Ehlers	Larson (CT)	Quigley
Ellison	Latham	Rahall
Ellsworth	LaTourette	Rangel
Emerson	Latta	Rehberg
Engel	Lee (CA)	Reichert
Eshoo	Lee (NY)	Reyes
Etheridge	Levin	Richardson
Fallin	Lewis (CA)	Rodriguez
Farr	Linder	Roe (TN)
Fattah	Lipinski	Rogers (AL)
Filner	LoBiondo	Rogers (KY)
Flake	Loeb sack	Rogers (MI)
Fleming	Lofgren, Zoe	Rohrabacher
Forbes	Lowey	Rooney
Fortenberry	Lucas	Ros-Lehtinen
Foster	Luetkemeyer	Roskam
Fox	Luján	Ross
Frank (MA)	Lungren, Daniel	Rothman (NJ)
Franks (AZ)	E.	Roybal-Allard
Frelinghuysen	Lynch	Royce
Fudge	Mack	Ruppersberger
Gallegly	Maffei	Rush
Garrett (NJ)	Maloney	Ryan (OH)
Gerlach	Manzullo	Ryan (WI)
Giffords	Marchant	Salazar
Gingrey (GA)	Markey (CO)	Sánchez, Linda
Gohmert	Markey (MA)	T.
Gonzalez	Marshall	Sanchez, Loretta
Goodlatte	Massa	Sarbanes
Gordon (TN)	Matheson	Scalise
Granger	Matsui	Schakowsky
Graves	McCarthy (CA)	Schauer
Grayson	McCarthy (NY)	Schiff
Green, Al	McCaul	Schmidt
Green, Gene	McClintock	Schrader
Griffith	McCollum	Schwartz
Grijalva	McCotter	Scott (GA)
Guthrie	McDermott	Scott (VA)
Hall (NY)	McGovern	Sensenbrenner
Hall (TX)	McHugh	Serrano
Halvorson	McIntyre	Sessions
Hare	McKeon	Sestak
Harman	McMahon	Sherman
Harper	McMorris	Shimkus
Hastings (FL)	Rodgers	Shuster
Hastings (WA)	McNerney	Simpson
Heinrich	Meeke (FL)	Sires
Heller	Meeks (NY)	Skelton
Hensarling	Melancon	Slaughter
Herger	Mica	Smith (NE)
Herseth Sandlin	Michaud	Smith (NJ)
Higgins	Miller (FL)	Smith (TX)
Hill	Miller (MI)	Smith (WA)
Himes	Miller (NC)	Snyder
Hincheey	Miller, Gary	Souder
Hinojosa	Miller, George	Space
Hirono	Minnick	Speier
Hodes	Mitchell	Spratt
Hoekstra	Moore (KS)	Stark
Holden	Moore (WI)	Stearns
Holt	Moran (KS)	Stupak
Honda	Moran (VA)	Sutton
Hoyer	Murphy (CT)	Tanner
Hunter	Murphy (NY)	Tauscher
Hunt	Murphy, Patrick	Taylor
Ingle	Murphy, Tim	Teague
Inslee	Murtha	Terry
Israel	Myrick	Thompson (CA)
Issa	Nadler (NY)	Thompson (MS)
Jackson (IL)	Napolitano	Thompson (PA)
Jackson-Lee	Neal (MA)	Thornberry
(TX)	Neugebauer	Tiahrt
Jenkins	Nunes	Tiberi
Johnson (GA)	Nye	Tierney
Johnson (IL)	Oberstar	Titus
Johnson, E. B.	Obey	Tonko
Johnson, Sam	Olson	Towns
Jones	Olver	Tsongas
Jordan (OH)	Ortiz	Turner
Kagen	Pallone	Upton
Kanjorski	Pascrell	Van Hollen
Kaptur	Pastor (AZ)	Velázquez
Kildee	Paul	Visclosky
Kilpatrick (MI)	Pence	Walden
Kilroy	Perlmutter	Walz
Kind	Perriello	Wamp
King (IA)	Peters	Wasserman
King (NY)	Peterson	Schultz
Kingston	Petri	Waters
Kirk	Pingree (ME)	Watson
Kirkpatrick (AZ)	Pitts	Watt
Kissell	Platts	Waxman
Klein (FL)	Poe (TX)	Weiner
Kline (MN)		

Welch	Wilson (OH)	Wu
Westmoreland	Wilson (SC)	Yarmuth
Wexler	Wittman	Young (AK)
Whitfield	Wolf	Young (FL)

NOT VOTING—22

Blunt	Larsen (WA)	Schock
Brady (TX)	Lewis (GA)	Shadegg
Braley (IA)	Lummis	Shea-Porter
Campbell	McHenry	Shuler
Conyers	Mollohan	Sullivan
Costa	Paulsen	Woolsey
Gutierrez	Payne	
Kennedy	Radanovich	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1923

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. PAULSEN. Mr. Speaker, on rollcall Nos. 419, 420, 421 and 422, my flight was delayed. Had I been present, I would have voted "yea" on all four bills.

HIGHER EDUCATION TECHNICAL CORRECTIONS

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and concurring in the Senate amendment to the bill, H.R. 1777.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. HINOJOSA) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 1777.

The question was taken.

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

RECORDED VOTE

Mr. FLEMING. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 411, noes 0, not voting 22, as follows:

[Roll No. 423]

AYES—411

Abercrombie	Bean	Boren
Ackerman	Becerra	Boswell
Aderholt	Berkley	Boucher
Adler (NJ)	Berman	Boustany
Akin	Berry	Boyd
Alexander	Biggert	Brady (PA)
Altmire	Bilbray	Braley (IA)
Arcuri	Bilirakis	Bright
Austria	Bishop (GA)	Broun (GA)
Baca	Bishop (NY)	Brown (SC)
Bachmann	Bishop (UT)	Brown, Corrine
Bachus	Blackburn	Brown-Waite,
Baird	Blumenauer	Ginny
Baldwin	Bocchieri	Buchanan
Barrett (SC)	Boehner	Burgess
Barrow	Bonner	Burton (IN)
Bartlett	Bono Mack	Butterfield
Barton (TX)	Boozman	Buyer

Calvert  
Camp  
Cantor  
Cao  
Capito  
Capps  
Capuano  
Cardoza  
Carnahan  
Carney  
Carson (IN)  
Carter  
Cassidy  
Castle  
Castor (FL)  
Chaffetz  
Chandler  
Childers  
Clarke  
Clay  
Clever  
Clyburn  
Coble  
Coffman (CO)  
Cohen  
Cole  
Conaway  
Connolly (VA)  
Cooper  
Costello  
Courtney  
Crenshaw  
Crowley  
Cuellar  
Culberson  
Cummings  
Dahlkemper  
Davis (AL)  
Davis (CA)  
Davis (IL)  
Davis (KY)  
Davis (TN)  
Deal (GA)  
DeFazio  
DeGette  
Delahunt  
DeLauro  
Dent  
Diaz-Balart, L.  
Diaz-Balart, M.  
Dicks  
Dingell  
Doggett  
Donnelly (IN)  
Doyle  
Dreier  
Driehaus  
Duncan  
Edwards (MD)  
Edwards (TX)  
Ehlers  
Ellison  
Ellsworth  
Emerson  
Engel  
Eshoo  
Etheridge  
Fallin  
Farr  
Fattah  
Filner  
Flake  
Fleming  
Forbes  
Fortenberry  
Foster  
Fox  
Foxy  
Frank (MA)  
Franks (AZ)  
Frelinghuysen  
Fudge  
Gallegly  
Garrett (NJ)  
Gerlach  
Giffords  
Gingrey (GA)  
Gohmert  
Gonzalez  
Goodlatte  
Gordon (TN)  
Granger  
Graves  
Grayson  
Green, Al  
Green, Gene  
Griffith  
Grijalva  
Guthrie  
Hall (NY)

Hall (TX)  
Halvorson  
Hare  
Harman  
Harper  
Hastings (FL)  
Hastings (WA)  
Heinrich  
Heller  
Hensarling  
Herger  
Hereth Sandlin  
Higgins  
Hill  
Himes  
Hinche  
Hinojosa  
Hirono  
Hodes  
Hoekstra  
Holden  
Holt  
Honda  
Hoyer  
Hunter  
Inglis  
Insee  
Israel  
Issa  
Jackson (IL)  
Jackson-Lee  
(TX)  
Jenkins  
Johnson (GA)  
Johnson (IL)  
Johnson, E. B.  
Johnson, Sam  
Jones  
Jordan (OH)  
Kagen  
Kanjorski  
Kaptur  
Kildee  
Kilpatrick (MI)  
Kilroy  
Kind  
King (IA)  
King (NY)  
Kingston  
Kirk  
Kirkpatrick (AZ)  
Kissell  
Klein (FL)  
Kline (MN)  
Kosmas  
Kratovil  
Kucinich  
Lamborn  
Lance  
Langevin  
Larson (CT)  
Latham  
LaTourette  
Latta  
Lee (CA)  
Lee (NY)  
Levin  
Lewis (CA)  
Linder  
Lipinski  
LoBiondo  
Loeback  
Lofgren, Zoe  
Lowey  
Lucas  
Luetkemeyer  
Lujan  
Lungren, Daniel  
E.  
Lynch  
Mack  
Maffei  
Maloney  
Manzullo  
Marchant  
Markey (CO)  
Markey (MA)  
Marshall  
Massa  
Matheson  
Matsui  
McCarthy (CA)  
McCarthy (NY)  
McCaul  
McClintock  
McCollum  
McCotter  
McDermott  
McGovern

McHugh  
McIntyre  
McKeon  
McMahon  
McMorris  
Rodgers  
McNerney  
Meek (FL)  
Meeks (NY)  
Melancon  
Mica  
Michaud  
Miller (FL)  
Miller (MI)  
Miller (NC)  
Miller, Gary  
Miller, George  
Minnick  
Mitchell  
Moore (KS)  
Moore (WI)  
Moran (KS)  
Moran (VA)  
Murphy (CT)  
Murphy (NY)  
Murphy, Patrick  
Murphy, Tim  
Murtha  
Myrick  
Nadler (NY)  
Napolitano  
Neal (MA)  
Neugebauer  
Nunes  
Nye  
Oberstar  
Obey  
Olson  
Olver  
Ortiz  
Pallone  
Pascarell  
Pastor (AZ)  
Paul  
Paulsen  
Pence  
Perlmutter  
Perriello  
Peters  
Peterson  
Petri  
Pingree (ME)  
Pitts  
Platts  
Poe (TX)  
Polis (CO)  
Pomeroy  
Posey  
Price (GA)  
Price (NC)  
Putnam  
Quigley  
Rahall  
Rangel  
Rehberg  
Reyes  
Richardson  
Rodriguez  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Rooney  
Ros-Lehtinen  
Roskam  
Ross  
Rothman (NJ)  
Roybal-Allard  
Royce  
Ruppersberger  
Rush  
Ryan (OH)  
Ryan (WI)  
Salazar  
Sánchez, Linda  
T.  
Sanchez, Loretta  
Sarbanes  
Scalise  
Schakowsky  
Schauer  
Schiff  
Schmidt  
Schradler  
Schwartz  
Scott (GA)  
Scott (VA)  
Sensenbrenner

Serrano  
Sessions  
Sestak  
Sherman  
Shimkus  
Shuster  
Simpson  
Sires  
Skelton  
Slaughter  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Snyder  
Tonko  
Towns  
Tsongas  
Turner  
Upton  
Van Hollen  
Velázquez  
Visclosky

## NOT VOTING—22

Andrews  
Blunt  
Brady (TX)  
Campbell  
Conyers  
Costa  
Gutierrez  
Kennedy

Larsen (WA)  
Lewis (GA)  
Lummis  
McHenry  
Mollohan  
Payne  
Radanovich  
Reichert

Walden  
Walz  
Wamp  
Wasserman  
Schultz  
Waters  
Watson  
Watt  
Waxman  
Weiner  
Welch  
Westmoreland  
Wexler  
Whitfield  
Wilson (OH)  
Wilson (SC)  
Wittman  
Wolf  
Wu  
Yarmuth  
Young (AK)  
Young (FL)

## FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Ms. Curtis, one of its clerks, announced that the Secretary of the Senate informs the House that the Senate is ready to receive the managers appointed by the House for the purpose of exhibiting articles of impeachment against Samuel B. Kent, Judge of the United States District Court for the Southern District of Texas, agreeably to the notice communicated to the Senate, and that at the hour of 10:00 a.m. on Wednesday, June 24, 2009, the Senate will receive the honorable managers on the part of the House in order that they may present and exhibit the said articles of impeachment against the said Samuel B. Kent, Judge of the United States District Court of the Southern District of Texas.

## COMMENDING THE PEOPLE OF IRAN WHO ARE DEMANDING A FREE AND FAIR ELECTION

(Mr. ENGEL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ENGEL. Madam Speaker, I want to take this opportunity to commend the brave people of Iran who have been demonstrating in the streets of Tehran for freedom and democracy and demanding that they have a free and fair election.

The election that was held was obviously neither free nor fair. It was fraudulent. And the declared winner, President Ahmadinejad, obviously lost the election.

The people of Iran deserve better, and I want to commend those brave people. They remind me of the people in Tiananmen Square. They remind me of the people in Prague during the Prague spring of 1968. They remind me of people everywhere who stand up against oppression and stand for freedom.

I want the brave people of Iran to know that we in the United States are with them. We support them. We are against fraudulent elections. We are against dictatorships. We are against mullahs ruling the country without any real democracy.

And I would say to these people the United States is with you and we are watching.

## ABC'S HEALTH CARE COVERAGE ONE SIDED

(Mr. SMITH of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Texas. Madam Speaker, tomorrow ABC News will devote an entire day of news programming to President Obama's health care plan.

The network will shill for the administration on every program from "Good Morning America" to "World News Tonight" to a prime-time town hall meeting broadcast from the White House.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are less than 2 minutes remaining in this vote.

□ 1930

So (two-thirds being in the affirmative) the rules were suspended and the Senate amendment was concurred in.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## PERSONAL EXPLANATION

Mr. CONYERS. Mr. Speaker, on June 23, 2009, I was called away on personal business. I regret that I was not present for the following votes:

On the passage of S. 407, had I been present, I would have voted "yea."

On the passage of H.R. 1016, as amended, had I been present, I would have voted "aye."

On the passage of H.R. 1211, as amended, had I been present, I would have voted "yea."

On the passage of H.R. 1172, as amended, had I been present, I would have voted "yea."

On the passage of concurring on a Senate amendment to H.R. 1777, had I been present, I would have voted "yea."

## REPORT ON H.R. 2996, DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

Mr. DICKS, from the Committee on Appropriations, submitted a privileged report (Rept. No. 111-180) on the bill (H.R. 2996) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore (Ms. KOSMAS). Pursuant to clause 1, rule XXI, all points of order are reserved.

ABC will not devote time to an opposing viewpoint and refused to air ads critical of the administration's health care plan.

I joined with dozens of other Members of Congress to send a letter to ABC News protesting this one-sided coverage. It is contrary to the journalistic code of ethics, which states that a journalist's duty is to seek truth and provide a fair and comprehensive account of events and issues.

ABC should adhere to this code of ethics and abandon its plans to broadcast unfair and biased coverage of the health care debate.

#### TRIBUTE TO BILL BANKS

(Mr. TOWNS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TOWNS. Madam Speaker, I rise to pay tribute to Bill Banks, a person that really made a difference in the lives of so many.

Bill Banks passed 4 days ago, and, of course, he's going to be really, really missed. So at this time I would like to say to his wife and to his daughter and to all of those family members that, in spite of the fact that we've lost Bill, we can think in terms of the contribution that he has made and all the lives that he's touched.

I will say that I'm just so happy that I knew him, had an opportunity to work with him, and to live during his lifetime. He was really a person that reached out to the people of Brooklyn. And, of course, a lot of people are where they are today politically because of his involvement. He was truly a great political strategist.

Bill, we will miss you, but your work is something that will live on and on and on.

#### CALLING FOR THE PRESIDENT TO RESCIND THE JULY 4 CELEBRATION INVITATION TO IRANIAN DIPLOMATS

(Mr. BURTON of Indiana asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BURTON of Indiana. Madam Speaker, the 4th of July is a holiday that we hold very near and dear because it deals with our independence and our desire for freedom and liberty, and we celebrate that with a great deal of awe.

What bothers me right now is that this administration, in my opinion, is violating the sanctity of that day by inviting Iranian diplomats to our embassies around the world to help us celebrate the 4th of July. Let's just look at what Iran's doing.

Iran is still pursuing nuclear weapons; Ahmadinejad is still calling for the destruction of Israel; Iran is still pursuing long-range missiles; Iran is working to destabilize Iraq and killing American soldiers; Iran is still a state

sponsor of terror; Iran continues to supply Hezbollah and Hamas, terrorist organizations. Now the Iranian regime has turned on its own citizens and killed many of them in the streets.

It is unthinkable, at a time when we are celebrating freedom and independence in this country, the 4th of July, that we're going to invite into our embassies people who support this kind of terrorism. It makes no sense. And if I were talking to the President, I would say, Mr. President, rescind that invitation. Rescind that invitation.

#### ADVOCATING FREEDOM FOR IRAN

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute.)

Ms. JACKSON-LEE of Texas. Madam Speaker, it is evident by my colleague's remarks that Iran and the dilemma and complexity of its situation has grabbed hold of the hearts and minds of Americans and freedom-loving people around the world.

What struck me was the expression and the tragic incident that caused Neda, who is now known around the world as a symbol of the Iranian movement, to claim democracy in a free election. A 16-year-old who was shot through the heart, who lay bleeding in the street as her father feverishly tried to save her life.

No, Americans are not trying to tell the Iranian people whom they should vote for or whether the election was, in fact, a true election, a fair election. But we as freedom-loving people, who love democracy, who believe in our own country that we should have fair elections, we are standing with them as they petition their government to stand for the right side of the issue, which is to ask for a new election or a recount.

We also ask that lives are preserved and violence ends. We ask that the opposition be allowed to be heard. And we certainly ask for the ending of the interception of cell phones and the Internet where freedom-loving people would like to be able to speak to each other.

No, we are not advocating violence. We're not advocating intrusion. We are only advocating freedom for Iran.

#### CAP-AND-TRADE

(Mr. FLEMING asked and was given permission to address the House for 1 minute.)

Mr. FLEMING. Madam Speaker, word has it that the infamous cap-and-trade, or cap-and-tax, bill will be up for a vote this week.

Cap-and-trade, or what has been more appropriately named cap-and-tax, would create \$640 billion in new taxes on American businesses and raise electric bills by \$3,100 per household per year on average. The revenue from the new tax will be used to pay for various social programs this administration plans to enact such as the government takeover of our health care.

Simply put, cap-and-tax will cap our growth and trade our jobs. Companies looking to invest in our economy will simply move overseas to escape this enormous tax increase.

If you need a tangible example of why this doesn't work, look at Spain, which has been on this plan for 10 years. The result: utility prices have skyrocketed, and the unemployment rate today is 17½ percent. This is our view of the future.

Experts tell us that cap-and-tax will do nothing to cap greenhouse gases, but it will put the United States at a global economic disadvantage because China and India have no reason to enact or follow this policy. We will put Americans out of work but create jobs for developing countries.

We need a smart energy policy that will put Americans to work, not further squeeze the pocketbooks of this country's families.

#### THE WOMEN VETERANS HEALTH CARE IMPROVEMENT ACT

(Mr. COHEN asked and was given permission to address the House for 1 minute.)

Mr. COHEN. Madam Speaker, tonight the House passed five bills, four of which dealt with important veterans issues, veterans compensation, the Cost-of-Living Adjustment Act, the Health Care Budget Reform and Transparency Act, and another that directs the Secretary of Veterans Affairs to include on their Web site certain information, one on education.

I was a sponsor of the fifth bill that was on the calendar, the Women Veterans Health Care Improvement Act, with the prime sponsor being Representative Sandlin. I was inadvertently out of the room at the time of that vote. I would have voted "yes" for that bill. It's an important bill. And that's why I'm a prime sponsor of it and regret the fact that I missed that vote. But I think what we did tonight for veterans was very important.

#### U.S. OPEN CHAMPION LUCAS GLOVER

(Mr. INGLIS asked and was given permission to address the House for 1 minute.)

Mr. INGLIS. Madam Speaker, the upstate of South Carolina is the home to many champions and many successes. Yesterday we crowned a new one. That new one is the 29-year-old Greenville, South Carolina, native Lucas Glover, who conquered the field yesterday in New York to win the 109th U.S. Open Golf Championship.

With people from around the upstate glued to the action, the soft-spoken Wade Hampton High School graduate and three-time All-American from Clemson University rallied from one shot down to break into the big time in the world of golf, winning his first major championship since joining the PGA tour in 2004.

We have come along to celebrate the culmination of Lucas' years of preparation. His family, wife, Jennifer, and close friends have been there all along, in the good times and the bad, in the disappointments and in the small triumphs. Yesterday they added a huge triumph, and we join them in the celebration.

Congratulations to our own U.S. Open golf champion, Lucas Glover.

□ 1945

#### PROTECT OUR PLANET

(Mr. KUCINICH asked and was given permission to address the House for 1 minute.)

Mr. KUCINICH. Madam Speaker, we all want to protect our planet, but will the American Clean Energy and Security Act of 2009 do that? I don't think so.

The pollution targets are inadequate. Regulatory authority is stripped from the EPA. The bill relies on huge numbers of carbon offsets. For example, it says you can have 2 billion tons a year of carbon offsets, which is roughly equivalent to 30 percent of all U.S. greenhouse gas emissions. Recent analysis suggests it might be 2026 until we see the emissions decline below 2005 levels.

The renewable targets are not strong enough. A recent analysis by the Union of Concerned Scientists indicates this target provides no new renewable energy over business as usual projections. Dirty-energy options qualify as renewable, including biomass burners and trash incinerators. The bill gives a significant number of pollution permits away free.

It opens up a carbon derivatives market in the U.S., and this bill would help establish one of the largest derivative markets in the world without adequate oversight or regulation. It taxes households to pay for an unproven carbon sequestration of capture and storage technology, and allocations for funding for international obligations are underfunded.

We can do better.

#### HEALTH CARE REFORM

(Mr. PAULSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAULSEN. Madam Speaker, Capitol Hill and the Nation are abuzz over health care reform. While there is much speculation to what a reform plan will look like, one thing is for sure: We must avoid any plan that would lead to a government takeover of health care.

A government takeover of health care will stifle medical breakthroughs and take away the peace of mind that families around America have, knowing that they can get the timely treatment for their children, their parents and themselves. We need real com-

prehensive reform that protects what works and fixes what doesn't.

We need patient-centered reform where the patient is in control of their own care, not politicians, not bureaucrats, not special interests. We need to enact commonsense measures, like allowing small businesses to band together to purchase more affordable coverage for their employees. And we need a lower cost and focus on prevention by rewarding quality over quantity.

I know we can pass real comprehensive health care reform.

#### SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

#### THE VETERANS ADMINISTRATION AND GOVERNMENT RUN HEALTH CARE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

Mr. POE of Texas. Madam Speaker, as dangerous to the public's health and well-being as government-run health care is in Europe and Canada, we have our own American example that has some very serious problems. Last month there was a surprise inspection at Veterans Affairs clinics in the United States. The surprise inspections exposed that fewer than half of those clinics followed proper standards for colonoscopies.

Some mistakes could have exposed veterans to HIV and other diseases. Let me repeat: Less than half followed proper medical standards for colonoscopies.

Since February, the VA has informed 10,000 veterans in three States to get retested. More than 50 patients tested positive for infections, including some with HIV. But that's just the beginning of the medical malpractice by the VA.

VA patients with prostate cancer were put through their own particular set of horrors. In Philadelphia, a patient received a common surgical procedure where a doctor implants dozens of radioactive seeds to attack the cancer.

But the doctor's aim was more than a little off. Most of the radioactive seeds, 40 of them to be exact, ended up in the patient's healthy bladder instead of the prostate. The mistake was a serious one, and under Federal rules it was investigated by the bureaucrat regulators. The regulators allowed the doctor to rewrite his surgical plan to make his mistake just disappear.

In the private sector, somebody would have been held accountable for this negligence, but not with government-run health care VA style. They cover up their errors.

The patient had to undergo a second radiation implant. This time the unin-

tended dose ended up in his rectum. Once again, more negligence. Two years later in 2005, the same doctor made the same mistake, putting more than half of the radioactive seeds in the wrong organ, and again the bureaucrat regulators did not object when he once again rewrote his surgical plan to cover up his mistake.

Had the bureaucrat regulators actually done their jobs, they would have uncovered what the media calls a rogue cancer unit. This one Philadelphia VA hospital, botched 92 of 116 treatments over 6 years, then covered it up.

Let me repeat, Madam Speaker, the VA government health care hospital in Philadelphia medically erred in 92 of 116 cancer treatments. The medical team continued to perform these radiation implants, even though for over a year the equipment that measured whether or not the patient had received proper radiation dosage was broken. Records proved that the radiation safety committee at the veterans hospital knew of this problem but took no action.

In Philadelphia, 57 of the implants delivered too little radiation to the prostate, either because the seeds were planted in the wrong organ or were not distributed properly inside the prostate. Thirty-five other cases involve overdoses to other parts of the body. An unspecified number of patients were both underdosed in the prostate and overdosed somewhere else in their body. This is a horrible way to treat America's veterans.

Another patient, 21-year veteran of the Air Force, had to remain in bed 6 months with pain so severe he couldn't even stand. He lost his job as a pastor at a local church and all of his income, thanks again to the incompetence of the Veterans Administration.

Adding insult to injury, this 21-year veteran of the Air Force didn't learn of the radiation injury from the Philadelphia VA hospital. He found out when he sought treatment in Ohio at a hospital where he underwent major surgery to treat the damage.

Because the bureaucrat regulators were covering up for the VA, it took a private hospital to not only diagnose but treat his injury. That is right, Madam Speaker, the good old private sector saved the veteran where the VA just took a pass.

The New York Times conducted its own examinations. They found that none of the safeguards that were supposed to protect veterans from poor medical care had worked. They also found none of the botched implants in Philadelphia were reported properly. So the errors weren't investigated for weeks, months and sometimes years.

During that time, many patients did not know their cancer treatments were flawed by our government-run health care. The regulators are now looking into the flawed implants in other government-run VA hospitals in Mississippi and Ohio. Who knows what they will find out there about the way government treats our veterans.



Madam Speaker, the Veterans Administration is a government-run health care program that treats our veterans cavalierly in these examples. Veterans should be able to go to any doctor or any hospital to be treated and not bound and tied to VA hospitals. And, also, this is a prime example of how things will be when the government takes over the health care of all Americans. Do we really want the government to control our health care? Not a healthy idea for Americans or for veterans.

And that's just the way it is.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

(Ms. WOOLSEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

#### CREATE A SAFE AND SOUND CREDIT SYSTEM

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

Ms. KAPTUR. Madam Speaker, the first goal of our banking system, as opposed to a securities system, should be to create a safe and sound credit system, one that promotes responsible savings and lending practices. In this system, the availability of credit is crucial, and that's what's missing today across our country. Earlier today, Vice President JOE BIDEN held a town hall meeting in the Toledo, Ohio, area. He heard from Governor Ted Strickland and others that one of the biggest economic challenges facing Ohio remains an inability of businesses to obtain the credit they need. The reason is because our banking system suffered a heart attack last year and still hasn't fully recovered.

Safe and sound credit and prudent financial behavior by individuals and institutions should be our Nation's financial system's primary purpose. The administration's priorities tell me it plans a much larger role for higher-risk securities in whatever system they are envisioning, which to me threatens more higher-risk behavior. Banks traditionally have served as intermediaries between people who have money, depositors, and those who need money, borrowers.

The banks' value-added was their ability to loan money sensibly within parameters of \$10 of loans with every dollar on deposit and thus sensibly and responsibly managing their deposits and collecting on the loans that they were to oversee.

Wall Street's high-risk securitization destroyed that system. The banks didn't much care about making sensible loans as long as they could sell them off somewhere. The regulators were not on top of this because the loans were off the banks' books. So

why would the regulators care? These loans were now somebody else's problem, not theirs.

Where has the epidemic of securitization taken us?

Well, if you look at the government-backed Freddie Mac and Fannie Mae secondary markets, they became the larger purchaser of securitized mortgages. In case you forgot, it's we, the taxpayers, who own both Fannie Mae and Freddie Mac.

But these securitized mortgage bodies bought too many bad loans, which contributed to those institutions' downfall. Who is profiting from this? Because, yes, there are certain organizations that are profiting royally from the downfall of Freddie Mac and Fannie Mae. It is not our constituents, it's not our Treasury, which collects our tax dollars.

There are four entities at least that are profiting, and I would like to target on one tonight, BlackRock. That's a company that isn't a bank. And why on that one in particular? Because its current CEO Lawrence Fink coincidentally, some might say, sold Freddie Mac its first \$1 billion in collateralized mortgage obligations. Euromoney.com states, "Larry Fink is one of the pioneers of the mortgage-backed securities market. As a trader at [then] First Boston a quarter of a century ago, he pitched the first collateralized mortgage obligation that Freddie Mac ever did."

So Larry Fink had a hand in making financial instruments that have brought Freddie Mac and our financial system to its knees, yet the company he leads now profits from his mistake.

Now BlackRock just won a big contract with the Federal Reserve Bank of New York to manage the toxic assets of Freddie Mac and Fannie Mae in their collateralized mortgage obligations.

It's a mess that he help to create, but now we have hired the same man to clean it up? One question I have to ask is how can we be sure he isn't self-dealing or covering up what he did in the last quarter century? Some might say that relationship is a bit incestuous.

The administration's financial regulatory reform proposal includes some consideration for dealing with too-big-to-fail institutions but, rather than create an architecture that keeps risk in hand, what they are doing is they are allowing institutions like BlackRock to become too big to fail.

In fact, BlackRock's assets are now larger with the purchase of Barclays than the entire Federal Reserve system itself. So BlackRock, although not a bank, is getting too big to fail, perhaps? Is BlackRock favoritism an example of how we should be rebuilding our financial system?

Paul Krugman thinks not. He states, "In short, Mr. Obama has a clear vision of what went wrong, but aside from regulating shadow banking, no small thing, to be sure, his plan basically punts on the question of how to keep it from happening all over again, pushing

the hard decisions off to future regulators."

Now is not the time to punt. It's the time for reform. The time the has been not as ripe since Roosevelt. We really need a President who will lead and a Congress as well, not following the guidance of Wall Street, but going back to prudent lending and recreating a safe and sound banking system across this country.

[From the New York Times, June 19, 2009]

OUT OF THE SHADOWS

(By Paul Krugman)

Would the Obama administration's plan for financial reform do what has to be done? Yes and no.

Yes, the plan would plug some big holes in regulation. But as described, it wouldn't end the skewed incentives that made the current crisis inevitable.

Let's start with the good news.

Our current system of financial regulation dates back to a time when everything that functioned as a bank looked like a bank. As long as you regulated big marble buildings with rows of tellers, you pretty much had things nailed down.

But today you don't have to look like a bank to be a bank. As Tim Geithner, the Treasury secretary, put it in a widely cited speech last summer, banking is anything that involves financing "long-term risky and relatively illiquid assets" with "very short-term liabilities." Cases in point: Bear Stearns and Lehman, both of which financed large investments in risky securities primarily with short-term borrowing.

And as Mr. Geithner pointed out, by 2007 more than half of America's banking, in this sense, was being handled by a "parallel financial system"—others call it "shadow banking"—of largely unregulated institutions. These non-bank banks, he ruefully noted, were "vulnerable to a classic type of run, but without the protections such as deposit insurance that the banking system has in place to reduce such risks."

When Lehman fell, we learned just how vulnerable shadow banking was: a global run on the system brought the world economy to its knees.

One thing financial reform must do, then, is bring non-bank banking out of the shadows.

The Obama plan does this by giving the Federal Reserve the power to regulate any large financial institution it deems "systemically important"—that is, able to create havoc if it fails—whether or not that institution is a traditional bank. Such institutions would be required to hold relatively large amounts of capital to cover possible losses, relatively large amounts of cash to cover possible demands from creditors, and so on.

And the government would have the authority to seize such institutions if they appear insolvent—the kind of power that the Federal Deposit Insurance Corporation already has with regard to traditional banks, but that has been lacking with regard to institutions like Lehman or A.I.G.

Good stuff. But what about the broader problem of financial excess?

President Obama's speech outlining the financial plan described the underlying problem very well. Wall Street developed a "culture of irresponsibility," the president said. Lenders didn't hold on to their loans, but instead sold them off to be repackaged into securities, which in turn were sold to investors who didn't understand what they were buying. "Meanwhile," he said, "executive compensation—unmoored from long-term performance or even reality—rewarded recklessness rather than responsibility."

Unfortunately, the plan as released doesn't live up to the diagnosis.

True, the proposed new Consumer Financial Protection Agency would help control abusive lending. And the proposal that lenders be required to hold on to 5 percent of their loans, rather than selling everything off to be repackaged, would provide some incentive to lend responsibly.

But 5 percent isn't enough to deter much risky lending, given the huge rewards to financial executives who book short-term profits. So what should be done about those rewards?

Tellingly, the administration's executive summary of its proposals highlights "compensation practices" as a key cause of the crisis, but then fails to say anything about addressing those practices. The long-form version says more, but what it says—"Federal regulators should issue standards and guidelines to better align executive compensation practices of financial firms with long-term shareholder value"—is a description of what should happen, rather than a plan to make it happen.

Furthermore, the plan says very little of substance about reforming the rating agencies, whose willingness to give a seal of approval to dubious securities played an important role in creating the mess we're in.

In short, Mr. Obama has a clear vision of what went wrong, but aside from regulating shadow banking—no small thing, to be sure—his plan basically punts on the question of how to keep it from happening all over again, pushing the hard decisions off to future regulators.

I'm aware of the political realities: getting financial reform through Congress won't be easy. And even as it stands the Obama plan would be a lot better than nothing.

But to live up to its own analysis, the Obama administration needs to come down harder on the rating agencies and, even more important, get much more specific about reforming the way bankers are paid.

□ 2000

#### TO DIE FOR A MYSTIQUE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

Mr. JONES. Madam Speaker, thank you very much. Tonight, I want to take my time and refer to an article written by Andrew Bacevich. This was in the *American Conservative* of May 18, 2009. The title is "To Die for a Mystique," subtitled "The lessons our leaders didn't learn from the Vietnam War. I'm going to read two or three paragraphs and then close from this article.

"In one of the most thoughtful Vietnam-era accounts written by a senior military officer, General Bruce Palmer once observed, 'With respect to Vietnam, our leaders should have known that the American people would not stand still for a protracted war of an indeterminate nature with no foreseeable end to the United States' commitment."

He further stated in the article, "General Palmer thereby distilled into a single sentence the central lesson of Vietnam: to embark upon an open-ended war lacking clearly defined and achievable objectives was to forfeit public support, thereby courting dis-

aster. The implications were clear: never again."

I further read from the article, "The dirty little secret to which few in Washington will own up is that the United States now faces the prospect of perpetual conflict. We find ourselves in the midst of what the Pentagon calls the 'Long War,' a conflict global in scope (if largely concentrated in the Greater Middle East) and expected to outlast even General Palmer's 'Twenty-Five Year War.' The present generation of senior civilians and officers have either forgotten or inverted the lessons of Vietnam, embracing open-ended war as an inescapable reality."

Madam Speaker, I submit this entire article for the RECORD.

[From *The American Conservative*, May 18, 2009]

#### TO DIE FOR A MYSTIQUE

(By Andrew J. Bacevich)

In one of the most thoughtful Vietnam-era accounts written by a senior military officer, Gen. Bruce Palmer once observed, "With respect to Vietnam, our leaders should have known that the American people would not stand still for a protracted war of an indeterminate nature with no foreseeable end to the U.S. commitment."

General Palmer thereby distilled into a single sentence the central lesson of Vietnam: to embark upon an open-ended war lacking clearly defined and achievable objectives was to forfeit public support, thereby courting disaster. The implications were clear: never again.

Palmer's book, which he titled "The Twenty-Five Year War", appeared in 1984. Today, exactly 25 years later, we once again find ourselves mired in a "protracted war of an indeterminate nature with no foreseeable end to the U.S. commitment." It's déjà vu all over again. How to explain this astonishing turn of events?

In the wake of Vietnam, the officer corps set out to preclude any recurrence of protracted, indeterminate conflict. The Armed Forces developed a new American way of war, emphasizing advanced technology and superior skills. The generals were by no means keen to put these new methods to the test: their preference was for wars to be fought infrequently and then only in pursuit of genuinely vital interests. Yet when war did come, they intended to dispatch any adversary promptly and economically, thereby protecting the military from the possibility of public abandonment. Finish the job quickly and go home: this defined the new paradigm to which the lessons of Vietnam had given rise.

In 1991, Operation Desert Storm seemingly validated that paradigm. Yet events since 9/11, in both Iraq and Afghanistan, have now demolished it. Once again, as in Vietnam, the enemy calls the tune, obliging American soldiers to fight on his terms. Decision has become elusive. Costs skyrocket and are ignored. The fighting drags on. As it does so, the overall purpose of the undertaking—other than of avoiding the humiliation of abject failure—becomes increasingly difficult to discern.

The dirty little secret to which few in Washington will own up is that the United States now faces the prospect of perpetual conflict. We find ourselves in the midst of what the Pentagon calls the "Long War," a conflict global in scope (if largely concentrated in the Greater Middle East) and expected to outlast even General Palmer's "Twenty-Five Year War." The present gen-

eration of senior civilians and officers have either forgotten or inverted the lessons of Vietnam, embracing open-ended war as an inescapable reality.

To apply to the Long War the plaintive query that Gen. David Petraeus once posed with regard to Iraq—"Tell me how this ends"—the answer is clear: no one has the foggiest idea. War has become like the changing phases of the moon. It's part of everyday existence. For American soldiers there is no end in sight.

Yet there is one notable difference between today and the last time the United States found itself mired in a seemingly endless war. During the Vietnam era, even as some young Americans headed off to Indochina to fight in the jungles and rice paddies, many other young Americans back on the home front fought against the war itself. More than any other event of the 1960s, the war created a climate of intense political engagement. Today, in contrast, the civilian contemporaries of those fighting in Iraq and Afghanistan have largely tuned out the Long War. The predominant mood of the country is not one of anger or anxiety but of dull acceptance. Vietnam divided Americans; the Long War has rendered them inert.

To cite General Palmer's formulation, the citizens of this country at present do appear willing to "stand still" when considering the prospect of war that goes on and on. While there are many explanations for why Americans have disengaged from the Long War, the most important, in my view, is that so few of us have any immediate personal stake in that conflict.

When the citizen-soldier tradition collapsed under the weight of Vietnam, the military rebuilt itself as a professional force. The creation of this all-volunteer military was widely hailed as a great success—well-trained and highly motivated soldiers made the new American way of war work. Only now are we beginning to glimpse the shortcomings of this arrangement, chief among them the fact that today's "standing army" exists at considerable remove from the society it purports to defend. Americans today profess to "support the troops" but that support is a mile wide and an inch deep. It rarely translates into serious or sustained public concern about whether those same troops are being used wisely and well.

The upshot is that with the eighth anniversary of the Long War upon us, fundamental questions about this enterprise remain unasked. The contrast with Vietnam is striking: back then the core questions may not have gotten straight answers, but at least they got posed.

When testifying before the Senate Foreign Relations Committee in April 1971, the young John Kerry famously—or infamously, in the eyes of some—asked, "How do you ask a man to be the last man to die for a mistake?"

What exactly was that mistake? Well, there were many. Yet the most fundamental lay in President Johnson's erroneous conviction that the Republic of Vietnam constituted a vital American security interest and that ensuring that country's survival required direct and massive U.S. military intervention.

Johnson erred in his estimation of South Vietnam's importance. He compounded that error with a tragic failure of imagination, persuading himself that once in, there was no way out. The United States needed to stay the course in Vietnam, regardless of the cost or consequences.

Now we are, in our own day and in our own way, repeating LBJ's errors. In his 1971 Senate testimony, reflecting the views of other Vietnam veterans who had turned against the war in which they had fought, Kerry derisively remarked, "we are probably angriest

about all that we were told about Vietnam and about the mystical war against communism.”

The larger struggle against communism commonly referred to as the Cold War was both just and necessary. Yet the furies evoked by irresponsible (or cowardly) politicians more interested in partisan advantage than in advancing the common good transformed the Cold War from an enterprise governed by reason into one driven by fear. Beginning with McCarthyism and the post-1945 Red Scare and continuing on through phantasms such as the domino theory, bomber gap, missile gap, and the putative threat to our survival posed by a two-bit Cuban revolutionary, panic induced policies that were reckless, wrong-headed, and unnecessary, with Vietnam being just one particularly egregious example.

The mystical war against communism finds its counterpart in the mystical war on terrorism. As in the 1960s, so too today: mystification breeds misunderstanding and misjudgment. It prevents us from seeing things as they are.

As a direct result, it leads us to exaggerate the importance of places like Afghanistan and indeed to exaggerate the jihadist threat, which falls well short of being existential. It induces flights of fancy so that otherwise sensible people conjure up visions of providing clean water, functioning schools, and good governance to Afghanistan's 40,000 villages, with expectations of thereby winning Afghan hearts and minds. It causes people to ignore considerations of cost. With the Long War already this nation's second most expensive conflict, trailing only World War II, and with the federal government projecting trillion-dollar deficits for years to come, how much can we afford and where is the money coming from?

For political reasons the Obama administration may have banished the phrase “global war on terror,” yet the conviction persists that the United States is called upon to dominate or liberate or transform the Greater Middle East. Methods may be shifting, with the emphasis on pacification giving way to militarized nation-building. Priorities may be changing, Af-Pak now supplanting Iraq as the main effort. But by whatever name, the larger enterprise continues. The president who vows to “change the way Washington works” has not yet exhibited the imagination needed to conceive of an alternative to the project that his predecessor began.

The urgent need is to de-mystify that project, which was from the outset a misguided one. Just as in the 1960s we possessed neither the wisdom nor the means needed to determine the fate of Southeast Asia, so today we possess neither the wisdom nor the means necessary to determine the fate of the Greater Middle East. To persist in efforts to do so—as the Obama administration appears intent on doing in Afghanistan—will simply replicate on an even greater scale mistakes like those that Bruce Palmer and John Kerry once rightly decried.

I further read and want to close and then make a few comments with this. This is the last paragraph. Let me say about Andrew Bacevich, he, himself, was a Vietnam veteran. He, himself, was a veteran of Desert Storm. He, himself, taught at West Point. He lost a son in 2007, a young lieutenant who was killed in Iraq. So I think he brings great credibility to this article that he has written.

This is the last paragraph in the article. “The urgent need is to demystify that project, which was from the out-

set a misguided one. Just as in the 1960s we possessed neither the wisdom nor the means needed to determine the fate of Southeast Asia, so today we possess neither the wisdom nor the means necessary to determine the fate of the Greater Middle East.

“To persist in efforts to do so—as the Obama administration appears intent on doing in Afghanistan—will simply replicate on an even greater scale mistakes like those that Bruce Palmer and JOHN KERRY once rightly decried.”

Madam Speaker, I bring this forward because my friend from Massachusetts, JIM MCGOVERN, has put a bill in that would say simply to the Secretary of Defense: You need to come to the Congress and tell the Congress what the exit strategy is for Afghanistan. Some people would say end point.

Let me briefly explain, having an exit strategy and saying that to the Congress, you don't have to say in 2009, 2010, or 2015 or 2020, but tell the American people where we are going when we send our young men and boys and girls to die in Afghanistan without a plan, without benchmarks.

So, Madam Speaker, I don't know if Mr. MCGOVERN's amendment has been approved for debate tomorrow on the Armed Services bill, but I want to thank Mr. MCGOVERN for bringing this to the attention of the American people and the Congress, because we need to have benchmarks. We need to have an end point to the strategy in Afghanistan.

The military, I know, from marines down in my district, will tell you that our military is tired. They're worn out. They'll keep going back and forth, back and forth because they love this Nation and they love defending America. But we've got to be realistic about breaking the military, because we have got North Korea over here threatening. We've got the Chinese. We don't know what they might do. Yet we need to have a plan for victory in Afghanistan. We cannot do what the Bush administration did in Iraq and keep going on and on.

Madam Speaker, as I close, as I do every night on this floor, I have signed over 8,000 letters to families and extended families who have lost loved ones in Afghanistan and Iraq. I ask God to please bless our men and women in uniform. I ask God to please bless the families of our men and women in uniform, and I ask God in his loving arms to hold the families who have given a child dying for freedom in Afghanistan and Iraq.

Madam Speaker, I ask three times; God, please, God please, God, please continue to bless America.

REPORT ON H.R. 2997, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

Ms. KAPTUR, from the Committee on Appropriations, submitted a privi-

leged report (Rept. No. 111-181) on the bill (H.R. 2997) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore. Pursuant to clause 1, rule XXI, all points of order are reserved on the bill.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. GEORGE MILLER) is recognized for 5 minutes.

(Mr. GEORGE MILLER of California addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

#### THE AMERICAN CLEAN ENERGY AND SECURITY ACT OF 2009

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas (Mr. MORAN) is recognized for 5 minutes.

Mr. MORAN of Kansas. From its very beginning in the House Energy and Commerce Committee, H.R. 2454, the American Clean Energy and Security Act of 2009, has been forced upon Members of Congress with little time to consider the significant and potentially damaging consequences of this legislation.

On June 12th of this month, the Committee on Agriculture, on which I serve, held a 7-hour hearing to review this bill. We quickly learned that there is little solid economic analysis on how this legislation will affect our economy. Preliminary evidence makes it clear it will increase the cost of energy and, with it, the cost of everything we use in our lives on a daily basis.

We do know that the Congressional Budget Office has said this bill will raise government revenue by \$846 billion over the next 10 years. In everyday terms, that means a huge tax increase. \$846 billion, however, is just the beginning.

H.R. 2454 is permanent, and after the 10-year period analyzed by the CBO, free carbon allowances are phased out, auctioned carbon allowances are phased in, and total allowances are reduced. This means that future generations will be forced to pay much more than that indicated in the initial 10-year budget estimate.

Although billed as cap-and-trade, in reality Waxman-Markey is a cap-and-tax bill. Instead of government directly levying a tax, this legislation disguises that tax as a carbon allowance auction that subsequently requires electrical generation companies, petroleum, and other biofuel refiners, manufacturers, and others to collect the tax through increased costs.

The consequences go far beyond the price and our ability to turn on the lights in rural America. Kansans, who

must always travel great distances to work, to school, and to receive their medical care, will pay disproportionately compared to those who have shorter distances to travel and can use public transportation.

Some had hope that agriculture and rural America would actually benefit, somehow be made whole under this legislation. Under Waxman-Markey, this clearly is not the case.

Despite great potential for agriculture to sequester carbon, agriculture is not mentioned once in the section that defines offsets. Instead, H.R. 2454 directs the EPA to define the world of carbon offsets. This will lead to few benefits for farmers and ranchers and will allow the EPA to further intrude upon our farms.

EPA has consistently made harmful decisions that fail the test of common sense. Unless agricultural offsets are expressly defined and sole authority is given to the Department of Agriculture, farmers will never see benefits from this legislation.

But even if those offsets are defined and USDA is given that authority, it is difficult to see how agriculture will overcome the increased cost of inputs caused by this cap-and-tax system. In the best case scenario under Waxman-Markey, a farmer could mitigate 10 to 50 percent of the cost of the legislation. In the worst case scenario, farmers and ranchers could find themselves unable to access the carbon offset market at all and be forced to bear the full cost of this legislation. Either way, any hope for profitability in agriculture is bleak.

I am especially concerned about the livestock sector. Unlike crop farmers, ranch operations and feed yards have few opportunities to accumulate carbon offsets.

Much emphasis has been placed upon our Nation's economic recovery since the market collapse of last fall. This bill is almost certain to destroy any chance of economic recovery if enacted in its current form.

Congress should be allowed to obtain sound technical and economic analysis and address this legislation's many, many, many flaws. If further legislative debate is denied, then we must do what common sense demands and defeat this bill. Congress rarely gets things right when we have ample time to properly consider policy changes, but it has never made good decisions when rushed by arbitrary timetables.

Congress should abandon the current pace set by the Speaker of the House. Otherwise, Members of Congress will have abdicated their responsibilities and farmers and ranchers, rural America, and in fact, the entire country will suffer the consequences.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

HER NAME WAS NEDA: A GENERATIONAL CHANCE FOR FREEDOM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. McCOTTER) is recognized for 5 minutes.

Mr. McCOTTER. Her name was Neda. In Farsi, it means "the voice." True to her name, she loved music, sought freedom, and she's dead, shot down in the streets by the Iranian regime's state-sanctioned murderers. She must not have died in vain.

Today, Iranians and Americans face a generational chance for freedom—one that ensures a rogue regime's implosion prevents a nuclear confrontation.

Regrettably, our President's "post-American" foreign policy presumes talk can thaw the murderous mullahs' hearts and attain a "grand bargain" for peace in our time; consequently, while Iranians demanded their freedom from a barbarous regime, the President rapidly opined: "It is up to Iranians to make decisions about who Iran's leaders will be. We respect Iranian sovereignty."

Then, as the crisis escalated, the President optimistically noted, "You've seen in Iran some initial reaction from the supreme leader that indicates he understands the Iranian people have deep concerns about the election. And my hope is that the Iranian people will make the right steps in order for them to be able to express their voices, to express their aspirations."

Tragically, the supreme leader's deep concern drove him to step on the throats of pro-democracy protestors, like Neda.

Next, on June 20, the President stated, "The universal rights to assembly and free speech must be respected, and the United States stands with all who seek to exercise those rights." It was painfully evident just how far behind them he stood. "The last thing that I want to do is to have the United States be a foil for those forces inside Iran who would love nothing better than make this an argument about the United States."

With these contradictory statements of support and appeasement, the President returned to square one. "The Iranian people will ultimately judge the actions of their own government. If the Iranian Government seeks the respect of the international community, it must respect the dignity of its own people and govern through consent, not coercion."

In truth, the Iranian people have already judged the regime and found it wanting. The supreme leader, his cleric cronies and their puppet government have never respected the dignity of the Iranian people or governed through consent. This is why the regime stole the election and shoots peaceful, pro-democracy demonstrators. Implying otherwise mocks the Iranians risking and losing their lives for liberty.

As for the claim that American "meddling" in support of the dem-

onstrators plays into the mullahs' hands, the Iranian regime will claim this regardless, for as our President noted, "That's what they do."

Yet, what matters is not what the regime says about America, but what the demonstrators think about America. Presently, brave Iranians watch as our President still holds an open hand to the regime that opened fire on them, that opened fire on Neda.

This is the passive, disastrous policy of Jimmy Carter that led to the rise of this rogue regime, not the courageous policy of Ronald Reagan that led to the demise of an evil empire.

□ 2015

The surest, safest termination of Iran's nuclear weapons program and support of terrorism is to hasten this fanatical tyranny's collapse by supporting its people's liberty. Taking its rightful place amongst the community of free nations, a democratic Iran will necessarily realize and reverse the insanity of this terrorist regime's homicidal obsession with nuclear weapons. Thus, for their and our security, the United States and the world must do everything in our power to further the Iranian demonstrators' sacred claim to freedom. We know Neda did.

Further, in the grand strategy of our war for freedom over terrorism, how we aid pro-democracy Iranians will remind the world of who we are. We are Americans, the revolutionary children of freedom who have lived and died defending our liberty and extending it to the enslaved and oppressed. We will do no less today in support of our Iranian brothers and sisters.

Today Neda's voice calls to our consciences and warns that the fate of Iranians' liberty is entwined with the fate of America's security. We must not miss this generational chance for freedom; again, one that ensures a rogue regime's implosion, prevents a nuclear confrontation, and ensures that Neda and all of liberty's martyrs shall not have died in vain. As Americans, we must seize this moment and help Iranians seize their freedom. That's what we do.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. BRADY) is recognized for 5 minutes.

(Mr. BRADY of Pennsylvania addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

#### HAYNESVILLE SHALE HYDRAULIC FRACTURING

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Louisiana (Mr. FLEMING) is recognized for 5 minutes.

Mr. FLEMING. Madam Speaker, like most of America, I support an all-of-the-above solution to this Nation's energy needs. I believe we can have it all

when it comes to energy. We can aggressively pursue renewable energy, nuclear energy and other innovative alternatives while continuing efforts to expand our domestic supply of fossil fuels. We live in a country rich in energy sources, and Congress should encourage production from all available resources and technologies.

Tonight I'd like to focus on a reliable, clean-burning alternative fuel which is in extraordinary abundance right under our feet in this country, and that is natural gas.

Located in my district in northwest Louisiana, recent estimates have projected the Haynesville Shale contains 234 trillion cubic feet of potential natural gas production. This would make it the largest natural gas play in the United States and one of the largest in the world, the equivalent of 18 years' worth of U.S. oil production.

I want to point out to you, the crosshatch area is the so-called Haynesville Shale. As you can see, it overlies several parishes in Louisiana as well as several counties in Texas, a very wide area. Now of course for those listening, shale is nothing more and nothing less than a rock formation deep down in the Earth, somewhere around 2 miles in depth, that acts like a sponge that's full of either gas or oil, and sometimes both. Today we have great methods of extracting fossil fuels from the shale.

But let me turn to some more statistics regarding the Haynesville Shale. It's provided massive injections of capital into the Fourth Congressional District of Louisiana, my district. It's pumped \$4.5 billion into the economy in FY 2008. It's created nearly \$3.9 billion in household earnings in the same year. The greatest impact on indirect and household earnings was experienced by workers in the mining sector, with new household earnings of \$191.3 million in 2008. It's created over \$30 million in new earnings in seven separate sectors. Number one, mining, \$191.3 million; health care, \$56.7 million; management, \$46.6 million; professional, scientific and technical services, \$38.5 million; retail trade, \$35.7 million; manufacturing, \$33.5 million; and construction, \$31.8 million.

It directly and indirectly created over 32,000 jobs. The new jobs created by the extraction activities in the Haynesville Shale are widely dispersed across industries. Large impacts have been felt in utilities, 5,229 jobs; mining 3,808; health care, 3,496 jobs; and retail trade, 3,433.

Those are a lot of numbers, but I think you understand that the magnitude is what counts here. Conservative estimates report that State and local tax revenues increased by at least \$153.3 million in 2008 due to the extraction activities of the Haynesville Shale. Needless to say, Louisiana is not suffering from the effects of the recession, unemployment, or real estate that many other States are today, largely due to the Haynesville Shale.

Some parishes are reporting a 300 percent increase in sales tax collections.

I wanted to talk a moment about how we get the natural gas out of that shale that we're talking about that's 2 miles deep in the Earth. The method is called hydraulic fracturing, or "hydrofracking" is a more common term. This method has been used for over 60 years and is responsible for 30 percent of America's recoverable oil and gas. Of wells currently operating today, over 90 percent have been fractured at least once.

Environmentalists and their allies in Congress are escalating their assault on affordable and reliable energy with the legislation that would place regulation of hydraulic fracturing under the Safe Drinking Water Act, SDWA, a law that was never intended for this purpose. This legislation would have far-reaching negative impacts on energy, energy producers and consumers alike. For years this process has been safely and effectively regulated by individual States; and of the more than 1 million wells fractured, not a single case of drinking water contamination has ever been recorded.

In my State of Louisiana, three different agencies have oversight related to this process. So you see, it's not an unregulated process to begin with. First is the Office of Conservation of the Louisiana Department of Natural Resources, then the Louisiana Department of Environmental Quality and, finally, the Department of Health and Hospitals, which tests potable water. Additionally, these agencies already work closely in association with existing Federal regulations under the EPA. As illustrated in these graphics, current industry practices ensure multiple levels of protection between any sources of drinking water and the production zone of an oil and gas well.

Fresh water aquifers are located relatively close to the surface. In the Haynesville shale, for instance, the Wilcox aquifer is found at depths between 200 and 600 feet.

The practice of hydrofracking takes place at a depth of over 10,000 feet or roughly 2 miles.

To put this into perspective, the distance between the aquifer and the hydrofracking equals about 33 football fields or 8 Empire State Buildings stacked on top of each other.

To ensure that neither the fluid pumped through the well, nor the oil or gas collected, enters the water supply, steel casings are inserted into the well to depths of between 1,000 and 4,000 feet.

Oil and gas companies are required to set protective surface casing well beyond the water table. For example, in the Haynesville Shale, surface casing must be set at a minimum of 1,800 feet.

The space between this first casing string and drilled hole is filled with cement.

The casing, cement specifications and cementing process are governed by state and federal regulations as well as industry standards. In every case this process is supervised by state agency officials.

Federal regulation of "hydrofracking" under the EPA would result in a sharp increase in costs to small and independent producers, as

well as a dramatic decrease in output and job creation.

Production in large shale plays such as the Haynesville Shale in Louisiana, the Barnett in Texas and the Marcellus Shale in the Northeast U.S. would essentially grind to a halt and billions of dollars in federal and state tax revenue would be lost.

It is crucial that Congress recognize what resources, such as the Haynesville Shale, will play in this country's long-term economic and national security.

#### THE TRIPLE PLAY ALTERNATIVE TO CAP-AND-TRADE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from South Carolina (Mr. INGLIS) is recognized for 5 minutes.

Mr. INGLIS. Last night in Spartanburg, South Carolina, we had a town meeting; and folks were joining in this debate we will be having here this week in Washington about climate legislation. There were folks who spoke passionately about the need to take action, and I'm in agreement with them. There is a need to take action and to discharge a stewardship obligation. Then there were others who really didn't buy the science of climate change. And so there was a good discussion, a good debate. There's going to be a debate here on this House floor, perhaps by the end of the week.

Madam Speaker, what I'd like to say tonight is that there is a need to act. There is a need to act in a way that wins a triple play for this century in America. If we play this right, it really is an opportunity to do three things simultaneously. One, improve the national security of the United States; two, create jobs; and three, clean up the air.

So let's hear about the triple play. It starts by stopping the current cap-and-trade proposal. The problem with cap-and-trade is: It's a massive tax increase in the midst of a recession; it's a Wall Street trading scheme that would make traders on Wall Street blush; and it punishes American manufacturing because the tax—the cap-and-trade, which is essentially a tax—is applied only to domestically produced goods and not to imported goods. So if that's the case, if it's really not going to accomplish what we want to accomplish, what would be better? I think it's important that those of us who are opposed to cap-and-trade come with something better. The "better" that I would propose is this: It's a revenue-neutral tax swap. Basically what we would do is we would reduce FICA taxes. That's the payroll taxes on your paycheck. You reduce those; and in an equal amount, you impose a tax on carbon dioxide. There's no additional take to the government, so it's revenue-neutral. You apply this transparent tax—it is admittedly a tax—to imported goods as well as domestically produced goods. The result is, there is one less reason to export productive capacity from the United States; and we achieve this triple play. We can simultaneously create

jobs by propelling these new technologies with the alternative energies and fuels of the future. We can improve the national security of the United States by breaking the addiction to oil. That will only come when the economics work out for the competing technologies. Currently the incumbent technology—gasoline, in the case of transportation fuel—has these negative externalities that aren't recognized. If they were recognized, if they were attached to the price of that product, the national security risks we are running, the environmental problems that it causes, the small particulates—even if you don't buy the climate change argument, the small particulates are quantifiable and real—if you attach all those negative externalities to that product, suddenly the marketplace could deliver competing technologies; and the fuels of the future could take off and could lead us to these jobs of the future and to clean up the air.

Madam Speaker, this is a fabulous opportunity. It starts with stopping the current cap-and-trade proposal. And then we come together, Republicans and Democrats, to find a better solution. I think we can find it in a revenue-neutral tax swap that makes free enterprise able to lead us into the fuels of the future.

#### HONORING FIRST SERGEANT JOHN BLAIR

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. GINGREY) is recognized for 5 minutes.

Mr. GINGREY of Georgia. Madam Speaker, I rise to honor an American hero and a patriot who gave his life in defense of our Nation while serving with the Georgia National Guard in Afghanistan.

First Sergeant John Blair from Calhoun, Georgia, in my 11th Congressional District, was killed in action on June 20, 2009, just this past Saturday, when a rocket-propelled grenade struck his vehicle during an hour-and-a-half-long firefight with enemy forces after the convoy, which he was leading, was ambushed. Eyewitness accounts from soldiers serving alongside Sergeant Blair credit his actions with saving the lives of many of his fellow soldiers during the ambush. And as a credit to his leadership, his men kept their cool and they did their jobs, even after their commanding officer fell.

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Blair has been described as a true leader, Madam Speaker, both for the American troops who served with him, as well as the 1st Brigade of the Afghan National Army's 203rd Corps who he was in charge of mentoring.

I want to quote a couple of lines that were written about Sergeant Blair in the military publication, "Stars and Stripes": "Blair was their leader. He was tough, unrelenting. He cursed and reprimanded and gained not just their

respect, but their fondness during the months of training for their deployment in Afghanistan. He could be harsh, but was fair and imparted to his men a sense of their potential."

Other soldiers have echoed these comments, describing how Blair pushed them beyond their comfort levels to be their best and was even like a father figure for many of them.

Madam Speaker, Sergeant Blair carried these same characteristics to his service as a Gordon County sheriff's deputy and a Drug Task Force officer for many years in Calhoun, Georgia. In addition to his great service to our Nation and his community, John Blair was also a dedicated family man who was looking forward to spending quality time with his grandson when he returned home. What an amazing example of courage, selflessness and a love of country that Sergeant Blair provided, not only for his young grandson but, Madam Speaker, for all of us.

My prayers go out to his family. My deepest gratitude goes out to First Sergeant Blair for his selfless sacrifice for our Nation. I ask all Members to join me in honoring the distinguished memory of First Sergeant John Blair.

#### CAP AND TRADE ALL OUR JOBS TO CHINA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. SOUDER) is recognized for 5 minutes.

Mr. SOUDER. Madam Speaker, I come tonight a little stunned. Quite frankly, I didn't think the energy bill, the cap-and-trade bill, would actually ever reach a point where it would come before the House and for that matter the Senate. When we are in the unemployment state that we are in right now in America, it seems rather ridiculous to be bringing bills that would put so many hardworking people out of work.

The cap-and-trade bill, or as many of us call it, the cap-and-tax bill, are what a manufacturing district like mine would call a "cap and trade our jobs to China bill." We are just reeling right now. Honestly, to talk about my district for a second, I have eight counties. The mean of unemployment in those counties is 15 percent. Two of the counties, Elkhart and LaGrange, are at 19 percent. Let me tell you about my best county. My best county, Allen County, my home, anchored by Fort Wayne with a little under 300,000 people, has an unemployment rate of approaching 11 percent. We have one of the biggest pick-up plants in the world that produces the Silverado and the Sierra. So I have been fighting hard to make sure that they are not knocked out of business. Our largest property tax payer, the GM plant is the second largest, is a mall that is part General Growth Properties. That is in chapter 11.

One of our large employers is a financial company that has 1,900 jobs, and

they have applied for TARP funds. We are struggling with auto parts. The Fort Wayne Foundry, over 100 years in business, has just closed three plants because they are a major GM and Chrysler supplier and couldn't make it through the shut-downs after 100 years.

Now we are being asked to tax them through their energy. Now let me talk a little bit about how we get our energy in Indiana. We are 85 percent coal. We are 15 percent nuclear. The Heritage study showing impact by congressional district says that my congressional district is the number one damaged district.

The new figures from the National Association of Manufacturers this week show that my district is the number one manufacturing district. It is unusual. If you came to northeast Indiana, and I represent basically Fort Wayne up to South Bend going along the Michigan line and the Ohio line, if you came to my district, you would drive through an area where you would see lots of water, rivers, 100 lakes in Kosciusko County, 100 lakes in Steuben County. And in between that water is beautiful, green farmland. We aren't dry and parched like much of America. We have a very green area that gives us water, which is essential to most manufacturing. You can't build major manufacturing facilities where there isn't adequate water. And people still farm. We don't have the great big corporate farms. We have many small farms. Because one person from each family, sometimes even multi-families on a small farm, will be working at different auto parts plants, plastic parts plants and RV plants scattered throughout my district, thousands and thousands and thousands. They are at a direct threat.

Let me talk a little bit more about our energy. I have been to the alternative energy labs in Colorado, at Sandia Labs in New Mexico, and at the major places where we look at alternative energy. Indiana cannot get wind power. We don't have a way to get to 20 percent or such high figures in the traditional alternative energy. Some of my friends I have known for many years are putting in one of the biggest wind farms. It is the second most windy area in the State of Indiana. It is going to be miles and miles. We will be lucky to get to four percent if we build every windmill you can build in the State of Indiana. In solar, we don't get as much sun as Arizona and Nevada. We are pushing solar energy as hard as we can. One of my good friends has a new solar company working with the Germans that can get better solar power at homes.

But let's get this straight. I have two Steel Dynamics plants, the most efficient steel process in the United States, five Nucor plants and Valbruna Steel. SDI, in one of their plants, takes as much energy as the City of Fort Wayne with nearly 250,000 to 300,000 people in it and everything therein. You cannot power a steel plant with



solar panels or windmills. If we are going to make things in America, if we aren't going to ship everything in our country to China, we have to have reasonable, workable energy strategies.

I have been working on alternative energy since I came to Washington. There is a company in Fort Wayne that has been highlighted in the New York Times and all the other publications on geothermal called "Water Furnace." California alone could save seven power plants by using geothermal. We need to push in every appropriations bill in every different way geothermal. I have an amendment proposed in the armed services bill to have many of our military facilities use geothermal.

I am working with Parker-Hannifin and Regal Boloit to improve air conditioning. Regal Boloit has a green energy process that saves 15 percent of energy in air conditioning. Parker-Hannifin, through an earmark and their own funds, has been working and they think they can get 20 percent more power out of wind turbines. Guardian makes windshields. It is converting part of one of their plants and working with Spain and other places to make windshields and to make solar panels that don't crack and are more efficient.

We are looking at major breakthroughs. But we cannot destroy the manufacturing base of America.

#### THE CONCEPT OF THE DIRECTION OF LEADERSHIP IN THE HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Texas (Mr. CARTER) is recognized for 60 minutes as the designee of the minority leader.

Mr. CARTER. I thank the Speaker for allowing me to speak tonight. I'm back again to talk about issues that are important, I think, to this House. They are important to the American people, and they are especially important to the concept of leadership in this House of Representatives and just where it is going to go.

I want to go back for a moment before we go into current events and talk about some past events, when the Democratic majority took over the House of Representatives. In the lead-up prior to that time, we were having these speeches made by the presumed new Speaker of the House, Ms. PELOSI, about what we could expect from the new Congress. Now, this is not the first time I have mentioned this. But let's remind you again, to all the Members of this House, this is a quote from NANCY PELOSI in 2006: "The American people voted to restore integrity and honesty in Washington, DC, and the Democrats intend to lead the most honest, the most open, and most ethical Congress in history."

Now, this was the goal that was set up by the Speaker of the House. And she has now been serving as the Speak-

er of the House for two terms. And this was her mantra of what this House would stand for. And without getting off into the weeds of the internal politics of Rules Committee and stuff like that, which bores people to tears, I'm just talking about this honest, ethical and open-about-it Congress that we were promised.

In another speech, the Speaker of the House, the then presumed Speaker of the House, made the statement that what she was going to do was if the Democrats got to be in charge of this House, they were going to drain the swamp, that there was this culture of corruption that had created a swamp, and that they were going to drain the swamp and expose the corruption, and they were going to expose the misdeeds.

Now, I'm not here to tell you that there were not misdeeds that were brought forward. I'm not sure the Democrats had anything to do with exposing them. But they certainly came out through the process at that period of time. People went to prison, and rightfully so. They broke the law. But I will say that the leadership at that time went forward with those efforts, and they reached the unfortunate conclusion that several people went to prison. Several people had to leave the Congress.

But that doesn't mean because they found issues in the Republican Party that those were the only issues that were here. And for the last 6 or 8 weeks, I have been trying to say, who is going to look at these other issues? I'm not accusing anybody. I'm saying that accusations are being made by the press. Accusations are being made by other people. And they seem to fall on deaf ears. They seem to fall on the deaf ears of the leadership of the Democratic majority in this Congress. And they seem to fall upon the deaf ears of the so-called Ethics Committee, whose job it is to look into these things. And so we keep raising these issues wondering what is going on.

But now I have even more concerns. And these concerns are things that I think everybody is going to be concerned about. Because if you woke up on Sunday morning and you turned on the television, you saw that people are storming the streets of Iran. And people are getting killed because of an election. That is a pressure point now in our world that is as big a pressure point as Afghanistan or Iraq or any other place because it has the potential that nuclear weapons could be involved. We don't know exactly where Iran is on their development of their nuclear weapons, but we certainly know they are working on it. And they make no bones about it.

So we have got a possible nuclear power where there is a turmoil going on, and we are sort of sitting over here being quiet about it. And maybe that is the right thing to do. The President seems to be taking a position of kind of hands-off. And there certainly is a

school that believes that is the right thing to do. And I'm not criticizing that. But I am saying that that is a thing that every American, and certainly every Member of this body, should be concerned about, because it could be a world-changing event that comes out of Iran. And it could be a world-changing event for the negative.

So why do I raise this? Well, that very same day, that very same day we heard more from our longtime adversary, the North Koreans. I'm ashamed to have to say this, but I'm old enough to remember the end of the Korean war. I was just a little kid, but I do remember. And we never made peace with the North Koreans. We made an armistice. We decided that we would time-out, no more war. And they went on their side of the 38th parallel, and the South Koreans went on our side of the 38th parallel.

Since that time, one of the great, miraculous transformations of an area has taken place in South Korea. And now when you visit South Korea, it is a prosperous nation. It has a functioning democratic government. And the South Koreans have a lot of bragging rights. They have a lot to be proud of.

Meanwhile, the North Koreans stayed in their same Soviet socialist-type republic, a communist regime. And, basically, with the exception of building a gigantic army, they have accomplished nothing since 1954, 1956, except to stir up a lot of trouble in that area and to develop nuclear weapons and a missile system.

Now, there are some that think that the North Koreans are just in this business to sell these weapons to other people and to give them something that they can trade, because they basically are practically without trade resources. But others like me fear that the North Koreans are just unstable enough that they can use the weapons in this army to kick open the doors to the second Korean war, or worse, a regional war.

□ 2045

They have done some things that in the past would have created havoc in countries. They fired missiles in the direction of Japan two or three times, and shot a couple of them over Japan. Here is a sovereign nation having a missile fired over their territory. They don't know what that missile is carrying or what it could do to their country if it came down. That is as close to an aggressive act as I think you can get without hitting somebody.

And now they have announced to us specifically and to the world in general that they are going to test one of their longer-range missiles by firing it at Hawaii, a State in this Union. They could just as well be firing it at Idaho, or Alaska, or Texas, or Georgia or Maine. A sovereign State of this Nation—they have told us that they are going to fire a missile in that direction, basically at that State.

Now they are pompous and blowhards, but we don't know what they are really going to do. And we do know that they have tested nuclear weapons very recently, so they have nuclear capability.

Why do I bring these things up in relationship to the atmosphere created in this House by the failure of leadership to address issues that are part of draining the swamp? It is because I am going to make the argument that what has gone on in this House in the conversation between our Speaker and the CIA about who is telling the truth and who is not has a direct influence on these two Sunday morning news stories and others. Because yes, we folks sitting around the breakfast table, we get our information about what is going on in the world from the press. But you better hope, and having been a trial judge and told juries this for 20 years, you better hope that somebody is getting better information than what is in the press. And no offense to the press, but let's face it; they get it wrong once in awhile. And what we depend on is an intelligence system that doesn't get it wrong. We depend on an intelligence system that when they come to us and tell us that this is what our intelligence tells us, we feel that is fairly reliable news. We can't disclose it because it is top secret, but we can depend on our intelligence officials to come forward and give us information.

Now we have had this issue of enhanced interrogation of prisoners that has been an ongoing issue throughout the election, and now that the Democrats are in charge it continues to be, that we are a torturing Nation. Some people label it as torture and some people label it as enhanced interrogation. Whatever you call it, there was an issue whether or not the members of the Intelligence Committee of this House were informed about this when they started to do it.

Now those Members that have had the opportunity to speak have indicated, and that which was not top secret, that there were briefings on this issue. The Speaker of the House has said they are lying, I was never told about these enhanced interrogations. And she has repeated that until she realized, which we pointed out on the floor of the House, that lying to the United States Congress is a crime. Here is the statute: Except as otherwise provided in this section, whoever in any manner within the jurisdiction of the executive, legislative, or judicial branches of the Government of the United States, knowingly and willfully falsifies, conceals, or covers up by any trick, scheme, or device a material fact, makes any material, false, fictitious, fraudulent statement or representation, or makes or uses any false writing or document knowing the same to contain any materially false or fictitious fraudulent statement or entry, shall be fined under this title, imprisoned not more than 5 years if the offense involves international or domes-

tic terrorism, as defined in section 2331, imprisoned not more than 8 years, or both. If the matter relates to an offense under chapter 109A, 109B, 110, or 117, of section 1591, then the term of imprisonment imposed under this section shall be not more than 8 years.

Without going off on what is in these other sections, what this says, under our criminal law of the Federal Government, if you are lying about a material fact, and there can be nothing more material than the functions of our Intelligence Committee and our intelligence community and their relationship and whether or not something happened, and to accuse them of being unreliable and lying is accusing them of a crime.

By this accusation, by saying they didn't tell the truth, they never briefed me, she is accusing those people who did that, made that statement that we briefed of committing a crime. It may be a crime that only puts you in prison for 5 years and gives you a fine, or it could carry over to whatever these sections pertain to to carry it up to 8 years, or it could be as little as, what was the lowest, 4 years? I guess 5. Whatever it is, whatever the time, that incarceration for that period of time is serious incarceration. This is a serious accusation. These are serious contentions by the Speaker when she says: They didn't do that, they are lying.

They are lying to you, they are lying to the Congress, they are lying to the press. But most importantly, they are lying to Congress.

Now that is an issue that we should be concerned about because not just we need it resolved, and that is what I keep raising. I have been a judge in this country for 20 years, and its purpose is to resolve issues. My question is, who is going to resolve this issue? This issue needs to be resolved. Why does it need to be resolved? I gave you two examples: North Korea and Iran. Two hotspots boiling up. We are getting information. We should be, I assume we are getting, information from our intelligence community. If they are liars, can we trust them? Can we put the security of Hawaii on the shoulders of our intelligence community and trust their report as to whether or not there is a nuclear warhead on that missile that they have said they are going to fire at Hawaii? Can we, after the Speaker's accusations, trust this community? That's the question that I think we ought to be asking ourselves.

And once again, the 50th time I have probably said this in the last 6 weeks, what I am asking for is a place, someone to resolve these issues. And I have raised this resolution. The Speaker is the leader. She is the leader of this House, and she needs to resolve this issue. This is putting a crimp in our intelligence community. If I am an agent and I am reporting and I get accused of lying, I face criminal prosecution. And intelligence at its best is, like every other human endeavor, it has its flaws.

So once again, failure to show the leadership that it takes to resolve issues causes consequences we can't imagine until they look us in the face. And that is what I wanted to talk about here tonight. We have talked about the issues with Mr. RANGEL and the Rangel rule. And we have talked about issues of other Members of this Congress: Ms. WATERS, MOLLOHAN, MURTHA, VISCLOSKEY, and all those guys. And I have talked about those issues and I have said, I don't know whether these accusations are true or not, but somebody needs to resolve them. If we are draining the swamp, someone needs to resolve those issues. If there is a lie going on to Congress and we are draining the swamp, somebody needs to drain that part of the swamp that has to do with this lie. That is what this is about. That is all I am trying to do. I am raising the question for you Members of this House and for the American public to think about.

What about this culture of corruption that obviously seems to be here? What about this issue of lying? It needs to be resolved. The security of our Nation is at stake.

I am not here by myself, and I have been talking way too long without recognizing a really good friend who has come down here to have a friendly visit about some of these issues that are unresolved, PHIL GINGREY from Georgia, one of my classmates and a good, close personal friend. And I yield to Mr. GINGREY.

Mr. GINGREY of Georgia. Madam Speaker, I appreciate the gentleman from Texas, Judge CARTER, yielding to me.

As the gentleman points out, this is a very, very serious time to be on the floor speaking to all of our colleagues on both sides of the aisle, and Representative CARTER and myself and others on our side of the aisle, as we bring these concerns to our fellow Members, Madam Speaker, it is not something that we do lightly. It is not something that we do lightly, and I hope my colleagues on both sides of the aisle understand that.

We have all grown up with the little sayings, the aphorisms or adages that you hear from your parents, or maybe at school or church, things like, If you live in a glass house, you shouldn't throw rocks. I remember my dad told me one time a story about Huey Long, the governor of Louisiana. I don't know whether it was in a reelection campaign or maybe even his first campaign for governor, he had a critic, maybe even an opponent in that race, a General Hugh Johnson, and General Hugh Johnson was awfully critical of Governor Huey Long and accused him of corruption and that sort of thing. Huey Long said to General Hugh Johnson something to the effect that, Don't criticize a speck in my eye if you have a plank in your own. In fact, Madam Speaker, that may be in Proverbs in the Bible as well. Maybe that is where

Governor Huey Long got that from. But the point is you are reluctant, aren't we, we are reluctant to bring criticism against our colleagues knowing that we are not perfect. No one, indeed, is; except the one true Savior.

So it is a very serious thing when we come and express concern on the House floor about the action of our colleagues. But yet we are here tonight. We are obviously here tonight, and we are speaking about that. Judge CARTER, Madam Speaker, started off talking about the seriousness of the consequences of our integrity or lack of integrity as he talked about what happened years ago, and I remember it, too, in regard to the Korean Conflict, and then brought us into current time and talked about what is going on in North Korea now and what is going on in Iran.

The intelligence that we receive about things that are really bad things occurring across the globe has got to be wisdom, and it has got to be honest. You can't modify those two terms and say it is conventional wisdom or it is relative honesty. Wisdom and honesty don't have modifiers. It is either wisdom or it is not. It is either honest and truthful or it is not.

So as Judge CARTER talks about this situation with our distinguished Speaker of the House of Representatives in regard to whether or not what she said about the CIA was honest and truthful, or whether the CIA was honest and truthful in regard to their response, in fact John Podesta, I think, basically said, Look, the CIA spoke the truth.

□ 2100

The consequences, Madam Speaker, are so serious to this Nation, and indeed, to the world, that it is important. If you ask any citizen of this country and you say, "Who do you think you depend on most to tell the truth, would it be the Speaker of the House or the Director of the Central Intelligence Agency?" I'm not sure how most people would respond, Madam Speaker. I'm not sure how I would respond. You expect both of them, at that level of government, to be honest and truthful.

So it is disturbing to me as a Member of the House of Representatives, it's disturbing to me as a citizen of this country, as a dad, as a granddad, as a husband, as a father, to find out that maybe the Central Intelligence Agency is not telling the truth. And even worse than that, Madam Speaker, that possibly there is a pattern of the Central Intelligence Agency not telling the truth. That is just about as frightening a concept as you can possibly imagine.

What can we rely on? Should we have done what we did in Operation Enduring Freedom in regard to taking out al Qaeda and the Taliban and that regime change back in 2001, 2002 before Representative CARTER and I became Members of the Congress?

You know, it's a very, very disturbing thing, and that's why we're

here tonight. And again, it is painful, but I'm not standing up here, Madam Speaker, I'm not standing up here saying that our Speaker, the Speaker, the first female Speaker in the history of this body who is now serving her third year as Speaker of the House of Representatives, I'm not saying that she was dishonest. I just simply am here to say we need to know, the American people need to know. And if the CIA lied once, even, but certainly if there was a pattern of giving misleading information to members of the Select Committees on Intelligence, then we've got some serious problems, Madam Speaker, we have some serious problems, and something needs to be done about that and needs to be done right now. Because, as Judge CARTER was saying, these things that are going on in Iran, in North Korea, and in other parts of the world, this can't wait. If we've got a problem, we need to solve this right now. So that's why we're here tonight.

And again, I appreciate my colleague from Texas for doing this gutsy thing because he's not perfect, Madam Speaker, and I'm not perfect. And again, I may have a little speck in my eye, you know, and the house I live in may have too much glass in it, but on the other hand, if we see things, and again, I'm not suggesting anybody—certainly not suggesting that our Speaker, the Speaker was lying, but if there's a problem, it needs to be brought forward for the betterment of this body. We owe that to the American people. We owe that to the American people.

Unfortunately, Madam Speaker, it seems that our House Committee on Standards of Official Conduct, the Ethics Committee, has been dysfunctional since the day I came here 7 years ago. I'm in my fourth term, Madam Speaker, and that body has been dysfunctional since the day I came here. It's supposed to be bipartisan. You have five members of each party, and yet we seem to be just sweeping things under the rug and not addressing problems like we should.

I'm going to yield back to the gentleman who controls the time here in just a second, but the point is just exactly what he said at the outset, Madam Speaker. I remember it so painfully well, because back in 2006, when we Republicans still were in the majority, I mean, every day, every evening during Special Order hours the then minority party, the Democrats, just pounded, pounded over and over again what they called a "culture of corruption." And we did, on our side of the aisle, Madam Speaker, have a few Members—thank God not many, but three or four. That is too many, of course. One is too many—that were not conducting themselves in the manner that this House demands, that the sanctity of this House demands.

And by campaigning on that, along with, of course, the unpopularity of a prolonged conflict in Iraq and too

much spending, absolutely too much spending, but of course it seems like a penny ante compared to what's going on now, but it caused us to lose our majority status, Madam Speaker, and it's painful. It's painful to find ourselves in this situation and to think that, Madam Speaker, and the Democratic minority at the time talked about, Ladies and gentlemen of the United States, you give us an opportunity, you let us control, and we will drain the swamp. We will end this culture of corruption.

And here again, I am mighty disappointed. We're not seeing any end to the culture of corruption, and it seems like more and more is being swept under the rug. And it shouldn't happen on either side of the aisle, and so that is why we're here. Again, it's painful, and we're not trying to hurt anybody. We're just trying to help the American people.

And I yield back to my colleague from Texas.

Mr. CARTER. And I thank my friend.

Let me say first, not being a Biblical scholar, but that's from The Sermon on the Mount. Jesus talks about trying to get the cinder out of your neighbor's eye before you take the plank out of your eye. And that's fine.

I know that most everybody thinks this is a very contentious place, and so when people start talking about these things, they think, oh, it's that same old stuff. I want you to know that the announced date of the firing of that rocket by North Korea is Independence Day, July 4. That is the day they say they are going to shoot a rocket at Hawaii.

Now, I'm assuming that the White House and the Select Committees on Intelligence of the House and Senate are very, very interested in knowing accurate information about what's going to be on the nose of that rocket when it's fired because, quite frankly, if you want to restart the Korean War, how spectacular could it be that they will have an armed missile fired at one of our States and then invade across the 38th parallel. It could be disastrous.

Now, that's not my imagination working. It's happened before. I mean, the invasion took place. That's what started the Korean War. They've got one of the largest armies in the world. They're saying that they have canceled the armistice. Now, under technical rules of war, canceling an armistice reinstates the war. We're not treating it that way because regular rules of war kind of have been changed, not by what's written in the books but by usage. So we never really called it a war. We called it a conflict and so forth, like we've done in so many other things we do. But the reality is they said the armistice is off, which means that we should be technically back fighting. They said they're going to fire a missile on our Independence Day, the 4th of July.

Now, why do I bring that up? Because by my watch, this is the 23rd day of

June. We've got to be able to trust our Intelligence Committee and our intelligence community in, what? That's the next 10 days. In the next 10 days we have to be able to have that confidence in them. And we've already got the third person in line for the Presidency of the United States telling this body that the intelligence community lied about what they said about a briefing.

Now, you know what? I'll even give you the way it could be handled. I mean, this place is full of things that go on that are very confusing. It could be: I made a mistake. I didn't understand the briefing. Yeah, I heard it, but I didn't realize what he was saying. There's lots of things to be said. But to sit here with this—it's trying to just go away. The President isn't talking about it anymore so it will just go away. But it's not going to go away if, on the 4th of July and the missile is on its way, we have the decision to make, do we take it down, shoot down that missile as it heads towards Hawaii, which it probably can't get there, but if it can, do we shoot it down or do we let it fall in the ocean and take our chances? Or do we let it fall on one of the islands in Hawaii and take our chances? Or what are we going to do?

Intelligence community, how safe do you think that launch is? They give us the facts. Now, the meeting is behind closed doors and somebody says, Well, yeah, they tell us it's got a nuclear warhead on it. But they lied to PELOSI. Are they lying to us? Do we want that? Is that good governance of this country?

And the reason you have to raise this issue is because there's so much politics that's involved around this. It's all about politics as well as what really happened. And at this point, with somebody announcing on the 4th of July they're firing a long-range missile, you've got to put politics aside at that point in time and say, Trust the community. They don't lie, because they're usually going to tell us what is happening with that missile. That's my whole thinking of this deal.

And the truth is, what I've been trying to talk about since day one of this conversation I've had when I brought up the Rangel rule and all these other things, is that if we, as Members of this House, have questions that we think need to be resolved, we have only one place to go, and that's to our colleagues in this House and say, These issues need to be resolved.

If there is nothing to them, we need to find out there's nothing to them, but they need to be resolved. And if you're draining the swamp, that means you're going to address issues as they come up. If something stinks over in this part of the swamp, you drain that swamp and find out what's stinking. That's what she meant when she said "draining the swamp."

Now, we pointed out parts of the swamp which our colleagues on the other side seem to be dwelling in right now, by accusation only, by press accu-

sation. Let's clear those people's names. If there's nothing in that swamp, let's drain it. Let's find out. And that's the responsibility of the leadership of the majority and that's the responsibility of the Ethics Committee, and that's why we keep talking about those ethical issues.

Unfortunately, there may be more. We have to be prepared to do what we promised the American people, and the first thing we need to address is this issue of whether or not the community was lying to the American people.

I see we are joined by my good friend and loyal stalwart who always shows up when he sees me all by myself with PHIL on the floor, my friend STEVE KING from Iowa.

I will yield to you whatever time you would like to have, Mr. KING.

Mr. KING of Iowa. I thank the judge from Texas for yielding and for also organizing this Special Order, and the gentleman doctor from Georgia as well, who has been persistent and relentless here standing up for truth, justice, and the American way, and fiscal responsibility, constitutionality.

And as I'm reading The Washington Post language, the statement that came from our Speaker on November 8, 2006, "The American people voted to restore integrity and honesty in Washington, D.C., and the Democrats intend to lead the most honest, the most ethical, and the most, perhaps, moral Congress in history." And "the most honest, most open, and most ethical Congress in history" is that language.

I heard that constant drub of criticism that was coming here for several years. The 30s group came down here to the floor almost every night and made those kind of allegations. And I was looking at people over on this side of the aisle that were clearly committed to this cause and people that I would trust with everything I have, working hard, struggling to represent the American people. They took that kind of criticism, and some of the American people bought that kind of promise.

□ 2115

But today they know different. Today they know this Congress doesn't meet that standard.

The other statement here on National Public Radio: "Under strong attack from Republicans, House Speaker PELOSI accused the CIA and Bush administration of misleading her about waterboarding detainees in the war on terrorism."

Again: "They mislead us all the time. I was fighting the war in Iraq at that point too, you know."

Not really. Not really, Mr. Speaker. Here's what I remember. I remember when Speaker PELOSI grasped the gavel up here in January of 2007, and from that point in that Congress, she led at least 45 votes here on the floor of the House of Representatives that were designed to either unfund, underfund, or undermine our troops. And that's all a matter of record. It's all on a spread-

sheet in my office, and I can lay it all into this CONGRESSIONAL RECORD, and actually I probably put it all into the CONGRESSIONAL RECORD at one point or another. But this isn't fighting the war in Iraq. She was fighting against the war in Iraq. And the goal was to get our troops out of there, declare defeat, and bring disgrace down upon the Bush administration for whatever that motive might be. But it was clear in the rhetoric that came that it wasn't in support of victory in Iraq, but every move, all 45 votes, as a matter of CONGRESSIONAL RECORD, undermined our troops.

And yet President Bush issued the surge order, and the surge strategy has clearly been a success. I traveled to Iraq with the gentleman from Texas, and I recall some real hot days over there. And I can remember that there was a time when we couldn't go to places like Ramadi or Fallujah because they were too dangerous, and I can remember coming back 6 months later and going shopping in Ramadi. And I can remember coming back a little later and meeting with the mayor of Fallujah, who declared Fallujah to be a city of peace. This all happened because of the nobility and the sacrifice and the courage and the bravery and the dedication of our U.S. military.

And you cannot talk about our military without talking about the Commander in Chief, and it was President Bush who gave the order. And now we have reached this point where we have achieved as a Nation a definable victory in Iraq. And it's definable in a lot of ways, but it wasn't because of this quote that we're reading here about the Speaker fighting the war in Iraq at that point too, you know. No. She was fighting against it here on this floor, and it's a matter of record, and that point can't be allowed to pass.

So what has been achieved is a definable victory that's there. The ethnosectarian deaths have dropped 98 percent from their top. The civilian deaths have dropped 90 percent. Our American casualties there over the last year, and my data will be brought up to date on the 30th of this month, but as of the last day of June last year, and I pray to God that we don't have any more casualties there for all time, but the roughly accidental deaths in Iraq to Americans are roughly equivalent to those deaths that are hostile deaths, categorized as hostile deaths.

Now, that is a very good statistic if you are looking at war zone statistics. If you are at as great a risk from getting killed in a rollover of your Humvee as you are by the enemy, there has been a lot of progress that's been made there; a lot of progress made in the local governments with free elections. They've had a number of free elections and ratified a constitution. The last election they had was at least as peaceful as our last election and probably at least as legitimate as our last election as well. I think there is a lot to be celebrated in Iraq in the Middle East.

And I didn't mean to divert from the subject matter, but I think we should raise up to the CIA subject and ask what about the national security of the United States of America when the Speaker of the House declares those who are briefing her up in the secure room on the fourth floor to be a group of felonious liars that have continually, according to her, misled the Congress of the United States of America and lied to the Speaker of the House. And why would the Speaker go back up and be briefed again by people that she declared to be liars, and how could anyone separate the CIA from the other 14 members of the intelligence community? Would anyone actually go brief the Speaker after they had been declared to be a liar, summarily declared to be a liar, with no evidence, with no proof, simply an allegation?

Now, in this country if you believe that someone is not telling the truth, you don't raise that subject. You just accept what they say without challenging them unless you can prove they're wrong. That's the way it is in a Western Christendom, as Winston Churchill declared Western Civilization. And I believe it's rooted in the Book of John when Christ stood before the high priest Caiaphas and Caiaphas said, Did you really do those things? Did you really preach these things? And Jesus said, Ask them. They were there. This all happened openly. And the guard struck Jesus for his insolent answer, supposedly. And Jesus said, If I speak wrongly, then you must prove the wrong, but if I speak rightly, why do you strike me?

If someone speaks wrongly, the one who challenges their integrity has the responsibility to prove they're wrong. Jesus said that to the high priest. The least we could do is ask the same standard of our Speaker to prove the wrong of the CIA.

And this will not go away. We cannot tolerate a situation where there's a mistrust between the highest levels of intelligence-gathering services in the United States of America that gather the intelligence information, that direct our military, our overt and our covert operations, and that go in and preempt terrorist strikes against Americans and other free people in the world and to have them intimidated by an allegation of telling a lie, which would be a felony, and there's a specific section in the code punishable by 8 years in the Federal penitentiary if a member of the intelligence community should lie to the United States Congress. And there it is: title XVIII, U.S. Code 1001, 8 years in the penitentiary for that. It's very specific.

So this has got to stop. It's got to be resolved. And this Congress has got to bring it to a head.

I appreciate the gentleman from Texas for having this Special Order and raising these issues, an opportunity to echo this out to the American people.

Mr. CARTER. I thank my friend.

Now I yield again to my friend from Georgia. He seems like he has something he wants to say.

Mr. GINGREY of Georgia. Of course I appreciate the gentleman's yielding, and once again I appreciate his having the courage, as well as the courage of my colleague from Iowa, Representative STEVE KING, to come to the floor and to talk about issues like this. As I said earlier in my remarks, it's very painful, very hard to do, but it is something that has to be done.

If the CIA, as I said before, if they are lying to someone who is third in line to the President, the Speaker of the House, and there's a pattern of that lying, we have got some serious problems. And it would seem to me that something of this magnitude would rise to the level of an Iran Contra issue or, indeed, a Watergate issue where you absolutely have to know who's lying, who knew what and when and who's telling the truth and who is not telling the truth. And we all know the consequences of those actions.

Again, I'm not suggesting, Mr. Speaker, that our Speaker, the Speaker, has lied. In my earlier remarks this evening, I misstated something. I said John Podesta. John Podesta is not the Director of the CIA. That's Leon Panetta. So we all have senior moments. I'm maybe a little older than the Speaker. I certainly look older. She's a very attractive Speaker, as we all know. But she could have had a senior moment in regard to this.

And, Mr. Speaker and my colleagues, don't you know that after this happened and she said that, don't you know that there was a meeting of the powers that be with the Speaker and with the CIA, with the Director of the CIA, and information was presented which would have shown that she either misspoke or didn't misspeak. And if she misspoke, how simple, Mr. Speaker, how simple it would have been to just say, ladies and gentlemen, not of the Congress, not of the House of Representatives, but more importantly ladies and gentlemen of the country, I was wrong about that. I didn't deliberately lie. I was just wrong about that. I didn't remember. I didn't remember that briefing. Or the opposite, that the CIA was wrong and didn't inform. And that puts the issue to rest.

Mr. Speaker, that's all our minority leader, the gentleman from Ohio, JOHN BOEHNER, the respected leader of the Republican House conference, that's all he said that should be done. Let's get to the bottom of this thing, put it to rest, and tell the truth. The truth will always serve you well, and the truth is not painful.

Mr. CARTER. Reclaiming my time, I don't want to keep belaboring this issue, but I think somebody ought to be thinking about it before they light the first firecracker on the 4th of July, that we have a country that has basically said as far as they are concerned they're back at war with us, telling us they're going to fire a missile at one of

our 50 States and they're going to do it on the 4th of July.

Now, let's assume that we are going to get some intelligence on that. Let's start off with them saying it doesn't carry a warhead, let it go forward. And then the man that's going to have to make the decision is going to be the President of the United States. This is not a decision you do by committee. That's why we have an executive branch. He will collect that data, and then the question is do we shoot it down. We're pretty sure it doesn't carry a nuclear missile. But somewhere in the back of his mind he says, wait a minute. Wait a minute. They lied to NANCY PELOSI. How do I know they haven't done their work and they're telling me this to feel good about it? Maybe there is a missile on board. Or he thinks, I don't know what to do because I don't know whether I can trust my intelligence.

But he knows that the firing of our missile, which, by the way, according to my friend TRENT FRANKS, we have got missiles that can take this thing down. So let's assume we execute one of those and we bring it down. And the North Koreans say, that's it, act of war, and here they come swarming across the 38th parallel into South Korea and they are marching that 80 miles to Seoul. And we get accused of starting a war. Or worst case scenario say, well, we can't trust the intelligence, don't shoot it down, and it hits the big island of Hawaii and goes boom. And now we're in it, and it's nuclear or maybe less than nuclear. Who knows. The point of this conversation is intelligence matters.

Mr. GINGREY of Georgia. If the gentleman would yield.

Mr. CARTER. I yield.

Mr. GINGREY of Georgia. I thank the gentleman.

We were just before the Rules Committee, Mr. Speaker, submitting an amendment to the Defense Authorization Act of 2010, our National Defense Authorization Act, something like \$525 billion. But \$1.2 billion, as the gentleman from Texas was alluding to, was cut from the missile defense program. It was cut from the missile defense program at a time when Kim Jong Il is firing missiles and testing nuclear weapons, violating the nuclear test ban treaty. And our intelligence is telling us, as the gentleman from Texas just said, that these ballistic missiles that they're testing could reach Hawaii. Well, we are getting that information, Mr. Speaker, not necessarily from the CIA but from all of our intelligence agencies. Heck, there are 16 of them, and most of them are within the Department of Defense. The Defense Intelligence Agency is an example.

And, of course, we have a National Intelligence Director, which was insisted upon by the 9/11 Commission and the families of the victims. So, you know, it seems now to me, Mr. Speaker, that we are kind of getting a little

loosey-goosey about all this stuff and thinking gosh, you know, the Speaker of the House said that the CIA lies. You can't trust them. So maybe that's why we are so ready to cut missile defense. We don't believe the intelligence.

Mr. CARTER. All the time she says they lie. All the time. It's not just this instance. Her statement was they lie to us all the time.

Mr. KING.

Mr. KING of Iowa. I thank the gentleman from Texas for yielding.

You've raised a scenario here that disturbs me a great deal about what happens to the indecision when you don't trust your intelligence community because of an allegation that's made by the person that's third in line from the President of the United States. This isn't somebody sitting on a street corner somewhere. This is the person third in line to the President of the United States. The indecision that could come because of the doubt that's been planted, and every day that goes by there's no doubt because it's not resolved.

Let me submit another way that this hurts America's security beyond this point that you made, Judge, about the indecision that could allow a missile to land and hit the United States or to do an early strike, because we don't really know. But here's another scenario.

□ 2130

This cloud has been cast over the intelligence community, and it echoes over the top of our entire defense network that's there. There are people in this Capitol that work to please the Speaker, and many of them are staff.

And these are staff that are on committee. They are the Speaker's staff. They are in a position to write these bills in the middle of the night that get dropped on us about the time that the rooster crows in the morning. And then we are to figure out what's in them and what's not in them on a closed rule or a modified closed rule, and the Rules Committee deciding the debate now is in the Rules Committee.

And so we don't even get any debate here on the floor on the \$1.2 billion, an opportunity to put people on the record—we may not, I think we probably will not, at least get that vote, but to put people on record and find out what this Congress thinks the collective wisdom of the American people is to be reflected here. And we can see the funding for the defense intelligence all the way across the board systematically and summarily undermined and reduced by staff people who are protected because we can't even offer the amendments here on floor, who are seeking to please the Speaker because she has made a comment into the record.

And how do you fix that lack of trust? It undermines the resources, I believe, going into the intelligence community that's there, and it causes others to look more critically upon the

intelligence group all together with the CIA and others, which undermines the support of the public, undermines the support of Congress and undermines the resources that they will have to use.

And if we have people whose lives are out there on the line every day, and we do, they have got to be questioning themselves as to why do they do this. Do they really want to put themselves up for this kind of scrutiny, this kind of allegation. And if I were Leon Panetta, and if I was seeking to send somebody up here to brief the Speaker, I don't think you would ask for volunteers, because I don't think you would get any.

I think that has to be a direct order from the CIA. If you like your job, brief the Speaker. You might have it when you are done.

Mr. CARTER. As much as we don't want to get off process, so everybody is clear, let's put it this way: If you are listening to what we are talking about here today and you would like for us to have this addressed by the Members of the House, it takes the ability under the rules to raise the issue. And if we have what they call a closed rule or a modified closed rule, where only certain agreed-to amendments to a bill can come forward, we hate to talk about process, but that's how we are prevented from asking the questions that I would hope that many of the people that might be watching this would say somebody ought to ask the whole House about this.

Do we need that missile defense Mr. GINGREY mentioned? I kind of think we do. I would like my Member of Congress to do something about that. Maybe they might even go to the trouble to write their Member of Congress and say I would like to see you vote on this, vote in favor of it. But how are they going to see it if we are closed off from even offering it on this beloved floor, which is, of course, this sacred people's House. And that's why we think the rules ought to be open.

Mr. GINGREY of Georgia. Just briefly, that is exactly right, that people in these 435 congressional districts, Republican or Democrat, they need to know how their Member would vote on an issue such as that, something that important to this country in this time, they need an opportunity to hear that debate on this floor. You know, up or down, they need to know how their Member votes, and the point made by the gentleman from Texas is absolutely on target, and I just wanted to emphasize that.

Mr. CARTER. I think most everybody understands that these bills that come before this Congress have sometimes a thousand, well you saw the one JOHN BOEHNER dropped on the floor—it's about that thick.

I mean, they have got thousands of pages of things in them. So how you vote on a bill doesn't necessarily tell you what's in the weeds, like a couple of million dollars for missile defense, a

couple billion dollars for missile defense. It doesn't tell you that. And if it's not discussed, you don't know and there is not any way we can tell you.

That's why the openness of this House is so important, why an open rule is so important.

Mr. KING of Iowa. I thank the gentleman from Texas, and I think I am watching the clock tick down here, and I will just conclude in a couple of minutes.

But as I said, I just came from the Rules Committee. And there is really not room in there for a tripod and a camera and not really room for the press to operate the way they need to, and there is not room there for staff to come and make sure they are there to run the errands we need.

I know the gentleman from Georgia knows this very well. He served on the Rules Committee. It occurs to me that if the debate is where the rules will take place in this Congress, let's move the Rules Committee down to the floor of the House of Representatives. And let's elect the members of the Rules Committee from the full House and let's make sure they are equally represented between Republicans and Democrats and put the C-SPAN cameras on them and have an opportunity to have a full-throated debate on every amendment that would be offered to the Rules Committee as if this were actually the full House.

Because they are functioning, with the function of the House of Representatives in the Rules Committee, we have got to turn the sunlight on what's going on up there. Either that, or we are going to have to go back to the open rule process that has been the long-standing tradition here in the United States Congress. This is unprecedented to see the systematic destruction of deliberative democracy taking place up there on the third floor out of sight of the public eye.

Mr. CARTER. Well, we have raised a lot of issues, we have talked about a lot of things. I think we expressed our personal concern about this issue of the veracity of our CIA and whether or not they have been lying to the Congress and to the Speaker of the House, the third most powerful person and the most important person in line for the presidency.

These are issues, as the ethics issues we have raised previously, issues that have places they could be resolved, either in the leadership of this House or the Ethics Committee, they need to be resolved, Madam Speaker. We need these issues resolved, and I would finalize this argument by saying, especially this intelligence issue, before the world blows up in our face.

I want to thank our colleagues for being here with us and for helping me with this today. And I really value their opinions, and I appreciate them expressing it.

Now, we will yield back the balance of our time, Mr. Speaker.



## HEALTH CARE

The SPEAKER pro tempore (Mr. MAFFEI). Under the Speaker's announced policy of January 6, 2009, the gentlewoman from Maine (Ms. PINGREE) is recognized for 60 minutes as the designee of the majority leader.

Ms. PINGREE of Maine. Mr. Speaker, it's a great honor to be here tonight. The freshmen members like to take a little bit of time and come to the floor and talk about issues that we find are of great concern both to our country and back home in our district. And so tonight I am going to be joined by a couple of my freshmen colleagues and we want to devote our time to talk about the issue of health care. Given the late hour, we may not see as many of our colleagues as we would at other hours of the day, but we know this is an important issue any hour of the day, and I am very happy to be here and to have this opportunity to talk a little bit about it.

This is certainly an important time about the—for the issue of universal access to health care and expanding the access to health care. I don't know about other Members, but I would think it's a universal feeling out there that this is the number one issue for so many Americans.

I started campaigning a long time ago. I got sworn into office last January. And I can say, during the entire time I was campaigning and since I have been elected to office, for so many people, this is their number one issue.

I hear this from individuals who don't have health care coverage, people who have insurance and don't find that their company is there when they need it. I hear it from big business owners who are challenged by the cost of health care, from small business owners who don't know if they can continue to cover their employees.

It is a universal issue. I hear it from providers, from doctors and nurses and others who say, You know, when I signed up to take care of people, to make sure that their health care needs were going to be met, I didn't expect a system that would fall apart in the way that it has. This is, as I say, a universal issue. People say to me, Health care ought to be a basic right. It is extremely important that this Congress does something about the issue of health care, and we want to see you do something.

The good news is that this Congress is working very hard on putting together legislation. The President budgeted \$634 billion for health care reform in the budget that we have already passed, and the Speaker of the House is committed to passing a bill by the end of July. The President has asked us for a bill on his desk this fall.

The discussion draft was released in the House just this Friday, and I, personally, can say that I am happy to see a lot of the good things that are included in there, a public plan option, better insurance regulation, insurance companies won't be able to cut people

out who have preexisting conditions, reasonable amount of cost-sharing and emphasis on prevention and wellness, investments in Medicare and Medicaid, many of the things that we have been talking about and that I hear about all the time from constituents in my district are in this bill.

More than anything else, people say to me you need to pass universal access to health care. You need to do something now. And I feel like we are right here in the middle of this, and we are moving forward on this.

In my own district, like many other of my freshmen colleagues, every chance I get during the break, on weekends, we have been meeting with groups of individuals. And as I said, this spans from constituents who I meet in the grocery store, who tell me about their individual challenges, to doctors, nurses, providers, nontraditional providers, to chambers of commerce. And, once again, what I hear is they all want change, and they want things to move forward.

I had the good fortune of being a State legislator in the past, and this was, back when I first ran for office in 1992 as a State legislator, again, one of our number one issues. And it's amazing to me now, 17 years since then, it hasn't gone away, in spite of the many things we attempted to do in my home State, the State of Maine, to take on the pricing of prescription drugs to attempt to expand access to more individuals in our State. On each and every one of those we made progress but we haven't gone far enough.

And when I hear from my colleagues, my former colleagues in the State legislature, my daughter, who is the Speaker of the House—and as you can imagine, I am very proud of her—the one thing they say to me is, You have got to do something about this. We have tried as hard as we can in our home State, but we can't go it alone. States across the country are feeling the exact same challenge, but they want now to have us at the congressional level to do something about this.

Now there are many things that we could talk about tonight. We even have a few charts and graphs, but let me just get started by recognizing my good friend and colleague, Mr. BOCCIERI from Ohio. I know he is hearing about this quite a bit in his home district, and it would be great if you could just talk a little bit about some issues and concerns and then we can keep going on this topic.

Mr. BOCCIERI. I thank the gentlelady from Maine not only for her extraordinary work on the House floor here but also on the Rules Committee. We appreciate your efforts to help move the country forward. There is no question, perhaps, the biggest issue that we will address in our freshmen tenure and perhaps for the time that we serve here in the United States Congress is health care. And there is perhaps arguably no more important issue that we could tackle as a Nation than

to get our health care costs under control.

And I know the gentlelady from Maine is hearing what I am hearing back in my district, and that is that people, working families in our district, are one accident, one medical emergency, one diagnosis away from complete bankruptcy. And, in fact, in 2007, 60 percent of all bankruptcies were due to medical costs, some accident that a family had sustained or some unsustainable costs that had arisen because they had contracted a disease or some sort of cancer. And we need to do our part here in Congress to make sure that we are working on this issue and getting these costs under control.

They predict right now that 16 percent of our gross national product is for paying health care. And that in a few decades that cost could grow as high as half of our gross national product. That is absolutely unsustainable for our future.

And we have an obligation to make sure that our country can be competitive, that we can have a workforce that is not only well educated and trained but has access to the basic fundamentals of prevention and healthy lifestyles and access to seeing the doctor that they choose.

And when I speak to my constituents back in Ohio, in northeast Ohio, I talk about the five Ps of health care, the five Ps, the fact that we need to cover all people. Now, when we talk about covering all people, we need to understand that by not doing so it's actually costing all of us paying into the system more money. Those 46 million uninsured or underinsured people who can't seek access to their doctor because their health care effectively ended when they got their pink slip at the job, because they can't afford a COBRA payment, they are uninsured or underinsured.

And when they use the hospital emergency room as their primary care physician, they are costing all of us paying into the system four if not five times more by using the hospital room, the emergency room as their primary care physician. We need to cover all people.

And to those Americans who might be listening tonight, we need to understand that the American taxpayer right now is paying to make sure that every man, woman and child in Iraq has access to universal health care coverage. Now, it's inconsistent that we would pay for Iraqis to see the doctor they want to but yet not Americans.

The second P is that we have portability, that our workers, when they get that pink slip, God forbid, that they can take their health care from job to job to job. Portability, covering all people.

The third P that we have in our five Ps is making sure that we provide incentives for prevention, because prevention should be tied into all of this

with respect to healthy lifestyles ending the chronic diseases that plague so many.

□ 2145

And we have to end preexisting conditions—insurance companies using as a notion of disqualifying people from seeing their primary care physician the notion of preexisting conditions. And when that worker in a factory in Canton, Ohio, loses their job and they get hired by another factory with another set of health care principles and another set of health care opportunities, and they were a diabetic, God forbid, it becomes a preexisting condition now that they are seeking treatment from their physician for routine coverage that would have been covered previously.

We need to end preexisting condition. Portability, covering all people, adding prevention, and making sure that physicians and doctors are making and prescribing the types of health care that our patients should seek. Those are the five Ps that I hope we have in this great and robust dialog here on Capitol Hill.

So I thank the gentlelady from Maine for bringing this issue, and I hope that we have a very spirited discussion about how we can move this issue down the field.

Ms. PINGREE of Maine. We're joined by another one of our colleagues, but you mentioned some of the cost issues. Since we have a couple of charts, I thought I might just put them up here right now.

You talked a little bit about the expenses of health, and here's one that shows how our national health expenditures have really just, as they say, gone off the charts. This is one of those charts, actual and projected, that shows that we can no longer afford this.

People always say to us, How are you going to pay for health care? I say, when I talk to businesses, individuals, I say, How are we going to afford the system the way it is? And this is one of the charts that really, really shows that.

Let me just show another one right now. I think this is one that we don't have to tell any of our constituents. We, again, hear it all the time. We hear it from business owners who say they're worried that they can't cover the cost of their employees anymore or they have really cut back. But here's one that just shows, since 2000, health care premiums have doubled while wages have only gone up by just 3 percent.

So it is no wonder that people everywhere we go are saying to us, We're just dropping our coverage. They're just going without coverage or they're going for the \$10,000 deductibles. How many constituents have you seen that say, I've got a \$10,000 deductible and a very expensive plan, and I spend the whole year paying that \$10,000. Why do I even have insurance? That's just

something I feel like I hear all the time.

Why don't we welcome our other colleague, the other night owl here, Congresswoman HALVORSON from Illinois. And we're just so pleased to have you join us and hold forth.

Mrs. HALVORSON. Thank you. I want to thank Representative PINGREE for leading this hour tonight. It's great to join you, as well as our other colleague, Mr. BOCCIERI.

Health care has been a topic that comes up every year, but yet nobody finds the time to really, really put their nose to the grindstone and get something done about it. It's probably the top issue to all Americans every day, talking about how are they going to afford these skyrocketing costs. It's also an important topic for businesses across our country and especially for our national budget.

Tonight, I want to focus, I think, on the urgent need for health care reform. And it's a personal story for me. It's personal to me and my constituents who are struggling with the medical costs, and it's personal for so many Americans that are struggling with these health care costs across our country.

I know what it's like for someone to struggle with health costs because of a lack of access to good health insurance. I've seen my parents take this battle on. Growing up, my dad was self-employed, and my parents just couldn't afford health care. Being self-employed, it was virtually an expense that we could not take on. In fact, I'm not even sure I remember going to the doctor. It was just something we didn't do.

Later on in life, my mom was only 49 when she was diagnosed with breast cancer. I can remember my parents spending all their time focusing on how to pay for the bills instead of focusing on her health. And it was very, very depressing for the whole family.

I can remember her talking about—and, remember, she was only 49. She's okay today, but I can remember her spending the next 15 years of her life just wishing and hoping she could make it until 65 so that she would have health care again, because virtually with that preexisting illness she could never have health care again. And that was so sad to our entire family.

And I'm not the only one that's been through it. I hear story after story after story, and certainly true with so many people with preexisting illnesses. My mom was very fortunate. She won her battle with breast cancer. But even today, many, many families find themselves in that same situation, and it shouldn't be that way. Even families who do have health insurance find these rising costs or they have the false sense of security that they have health insurance, only to find some of these costs and some of these tests, that they're denied.

So, in order to compensate for the care for the uninsured, families are

paying about \$1,000, each family, in additional costs each year in their own health care plans to cover those without insurance. So, it's obvious we need health care reform.

As Congress takes up this health care issue, we have to follow and focus on the following priorities. We need to reduce costs. We need to preserve everyone's choice of doctors and their plans. We need to improve the quality of care. These are the keys to successful reform health care and reforming of health care in America.

The cost for an average American, for businesses, and for our country are out of control, and they're still rising. As Representative BOCCIERI said, 15 percent of our gross national product, and it's going up every year. And it's just becoming one of the biggest burdens not only on families, but on businesses also. So we need health care reform. We need to reduce these costs.

Secondly, when we're talking about health care, I don't think there's anything more important than a person's relationship with their doctor. And we need the health care reform that's going to allow you to keep that relationship with your doctor and your health care plan if you like them.

Finally, we need to improve that quality of care and we need good access to preventive medicine and we need to encourage Americans to stay healthy. This is a cultural thing, and it's not going to happen overnight. But we really need to invest in health and wellness and help change the culture of our society.

So I'm just so glad that I have the opportunity to spend an hour here with my colleagues talking about some of the things that we need to do.

Representative, thank you for having us tonight to make sure that we talk about this very important issue.

Ms. PINGREE of Maine. Well, I know that not too many of the American people are still up and watching us on C-SPAN, but those who are and those who see this later I think will be just so grateful that they're hearing one more conversation about moving this forward.

What they don't want to hear from us is, Well, we talked it all over but we backed down. We just tinkered with it around the edges. We couldn't really pass anything. We couldn't find a way to get to a conclusion. That is definitely not what they want to hear from us.

They want to hear, you're on the floor, you're working hard, you're going to pass a health care bill before you go home on recess.

I just want to add one thing, then I hope you all continue with the stories that you're hearing from your district. Just as you said, there are so many families with those kinds of stories that say, We have never had health care coverage. I pulled a few out of our office this afternoon, and they're endless, the things that people tell you, the sad things that people come up and tell you.

Here's one that says, I earn \$20,000 a year. What good is a mandated policy that would cost me \$400 a month with a 5K deductible? I have been stripped of my wealth over the past 30 years and in nonadjusted dollars I made more when I was 24 years old than I make now as a 53-year-old. We need taxpayer-funded health care. If it's good enough for our elected officials—which we all know very well—it should be good enough for all of us. We want health care to pass right now.

Here's another person who said to me something that I mentioned before. I feel like I hear this a lot in Maine. People who are self-employed. We have a lot of fishermen and farmers, woodcutters in our area, who go out and get these plans with huge deductibles. It's all that they can afford.

Here's somebody who said, I can only afford a catastrophic plan with a \$15,000 deductible. It's essentially insurance to save my home if my wife or I get sick. I can't afford a colonoscopy, which would cost around \$3,000 to \$4,000. With a family history of colon cancer, the chances of my dying from this cancer are pretty good unless I was able to detect it early. But the health insurance industry doesn't care about my health. They only care about the profit and will help those who help them.

He is just feeling angry and saying, you know, you have got to do something about this now. That's one of the things that you mentioned.

We need a plan, and the proposals before us talk about wellness, early intervention, women getting mammography, getting those early checkups and treatments when you need it.

Before I turn it back over, I just want to share my own story, or a little bit of it anyway. I had a brother who died of melanoma, which is almost always a tragic and difficult form of cancer. He was diagnosed 20 years ago, so he would be about 60 years old today. He was 40 at the time.

But without going into all the details—and sadly, most of them haven't changed, but his employer dropped his coverage. He was unable to get the kind of coverage that he needed. He and his wife had to basically turn over all their assets so they could be eligible for Medicaid.

I can guarantee you that my brother spent the 18 months of his illness worrying about how he was going to provide for his family when he was gone. That shouldn't be. It shouldn't have been that way 20 years ago. It's shocking to me to think that this is 20 years later and, really, people have the same problems, or worse.

We haven't fixed the system. It's only gotten more difficult.

So, hold forth.

Mr. BOCCIERI. The gentlelady from Maine is absolutely correct about how this dilemma that is facing our country has impacted many families not only across our districts but across the country. We have a responsibility and

an obligation to fix this issue so that we can remain competitive as a country and help our citizens.

Now, I want to tell you about a personal story myself. As an Air Force pilot who was deployed all over the world, I had to get shots so that I wouldn't get sick when I went overseas. I received a couple of anthrax shots as part of our mobility deployment, and I was having these terrible reactions. My knees were swelling up. They were getting red. So the flight surgeon suggested that I should go see a rheumatoid specialist. I waited nearly 3 months to get in to see this rheumatoid specialist, and then I waited 2½ hours in the doctor's office when I finally got there.

When the nurse ushered me into the doctor's waiting room there, I sat on the table for about 20 minutes. The doctor came in. He did some movements with my knee and he said, Son, you're getting older. I said, Doctor, I could have made that diagnosis. But, I said, These are recurring as a coincidence to these shots that I have been getting.

So he went in the corner, wrote a prescription, and said, Call me in a month after taking these pills to see if this works. I said, Doctor, I'm 30-something years old. I'm in good shape. I want to figure out why this is happening. We went back and forth for a couple of minutes and he said, Son, I have got to get down the room to see 15 other patients so that I can keep the lights on in this building. And I thought to myself, Is that what we have reduced health care to? Is that what we have enabled our system to give and administer to our citizens? They deserve better.

And that's why our choices for the bills that we are introducing are going to add some significant improvements. One, we're going to make sure that Americans have more choices to see the doctor that they want, to develop and sign onto the plans that they want and to make sure, number two, the number two guidepost we have is that bureaucrats and bean counters are not deciding the type of health care that our citizens should get.

And, lastly, we want to make sure that families understand that there's enough money in the system. We hear from the other side about how are we going to pay for this. This is going to be more resources coming down here to Capitol Hill and being disbursed out.

We know this much, that one-third of the \$2.5 trillion that we spend every year on health care, one-third of that never reaches the doctors, never reaches the patients. It's lost somewhere out in the administration of the system.

□ 2200

We know one-third of that money could be given and could be used to cover the 46 million uninsured and underinsured. So conceivably there is enough money in the system to pay for

those people who are uninsured and underinsured. In fact, we hear that families have found that nearly 7 percent, in 1987, 7 percent of their median household income was being used and devoted for health care. And now it has grown to nearly 20 percent. In fact, Americans spend more than any industrialized country on health care, nearly \$7,000 over the aggregate for a year, for a family, for a working family. And yet our health care and our life expectancy is on par with Cuba. It is on par with Cuba.

So we have got to make systematic and fundamental changes, as the gentlewoman said, to focus on prevention. Four cents of every dollar is only focused on prevention. Yet we have some of the worst chronic diseases that continue over this period.

So we want to stress that folks will have more choices, that bureaucrats and bean counters won't decide, but doctors and physicians will decide the type of health care that they get, and there is enough money in the system to pay for itself. Those are the three guideposts; those are the three beacons that we are using as we drafting the legislation here in the House.

I yield back.

Ms. PINGREE of Maine. I just want to reinforce one of the points you made about what you hear from physicians. I don't know about you guys, but I feel like every time I sit down and meet with a group of doctors, I feel like I'm in a completely different era than when I first ran for office in 1992. When I was first elected to be a State senator and I would meet with my local group of physicians, the first thing they would say was, you just keep your hands off health care reform. We are perfectly happy with the way it is going.

I would meet the occasional member of the practice who would say, I have got a few sources of dissatisfaction, but I mostly would meet with resistance. And when I recently met with a group of physicians in my district, I thought I was in a completely different country. Just as you said, it was physicians who are saying, I don't have any time with my patients. I signed up to make people well. And now I feel like I turn people away. I can't take low-income patients because I can't afford it. I have a room full of people that just fill out the paperwork for the insurance companies, and then half the time, the things that I know my patients should have are denied. And the kind of treatment that they should be getting, they are not able to get because they are turned down time after time.

I know people are going to find this hard to believe, but a group of Maine physicians, the Maine Medical Association affiliate, actually took a poll of themselves recently; and almost 50 percent, about 50 percent of them said they were in favor of single-payer health care. Now we are not even debating single-payer health care in the current bill. But the idea that physicians now who once said to me, keep

your hands off medical insurance and the health care system, are now saying, I can't take it anymore. I cannot run a practice. I can't be the kind of doctor I wanted to be. And I hear exactly the same thing from nurses, from everyone in the medical profession who just say, This is not working. How soon can you get it repaired so I can really give the care that people want? And I'm sure that you all have had similar or other experiences you want to share.

Mrs. HALVORSON. And I think the reason being is because they spend so much time on paperwork, and it is so much like a fee for service. They want to take care of people. That can't even keep them healthy. They spend all their time just curing ailments. So I think as the culture changes how we want to keep people healthy has not been very good for the doctors. Just like with the hospitals, they are seeing so much uncompensated care, they can hardly keep their doors open. In my district, several hospitals have already closed. They are just not able to keep the doors open because people are just not paying their bills. So they feel that if everybody has some sort of insurance, maybe they would get something.

When we talk about reform, do you know how much money we would save if hospitals didn't have to do all that cost shifting? They could spread the costs instead of charge people more who have insurance.

One of the other things we haven't talked about yet is Medicare part D and how our seniors who fall into that doughnut hole very seldom come out of that doughnut hole. And that is something that I brought up last week and that is one of my priorities. It is a huge challenge facing our senior citizens. And I have been working with AARP on trying to figure out how do we close that doughnut hole.

In fact, out of the entire country, Illinois has more seniors who fall into that doughnut hole than anybody else in the country. Thirty-two percent of our seniors fall into that doughnut hole. And very few of them ever come out. So we are working together. We need to do something about helping them. Lately, as you have heard, the pharmaceutical companies are coming out talking about how. So I think we will be able to come up with a very good compromise on how we can all work together to help them. I think that we have to think about that.

We think all of a sudden our seniors have Medicare or Medicare part D and that they are taken care of. Nobody thinks about the fact that once you hit a certain point you are on your own until you get to another point. There is a lot of money in there that you are going to have to pay on your own besides the cost of the premium. So there is a lot that we have to think of. And at the same time, I think there is a lot of places where we can find reform.

Ms. PINGREE of Maine. I will just jump in on that only because the issue of the pricing of prescription drugs is a

big part of my own personal history in politics and one of my great concerns. I think I have the oldest population in the Nation in the State of Maine. So between MIKE MICHAUD and me and the two United States Senators, we cover some of the oldest Americans, and we are about 38th in per capita income. So we have a tremendous number of people who really struggle to make that decision every month: Do they pay for their medication or put food on their table or pay their heating oil bill?

Now, everyone may not agree with my particular perspectives on this, but I think one of the big mistakes when the Medicare part D bill was passed was that Congress specifically prohibited negotiating with pharmaceutical manufacturers for a better price. So here we are, the biggest purchaser of prescription drugs in the world on the Medicare plan; and when the bill was passed, and luckily none of us were there so we don't have to take responsibility for that, but there was no provision for negotiating for drugs.

Now, every other country in the world negotiates for a good price for prescription drugs. So in a sense, it is like we pay the highest prices in the world so that we subsidize everybody else. And I won't go on to my giant rant, but this was one of the bills that I passed when I was a State legislator on helping to regulate the pricing of prescription drugs.

I will just say that one of the ways I really got involved in that and very interested in it was because Maine is a border State, we have a lot of seniors who get on buses, bus trips for seniors and go to Canada to buy their medication. And you can buy medicine in Canada, sometimes it is exactly the same drug that you would buy just across the border for one-third or one-quarter of the price. And it is not because it is a subsidized price up there, because these aren't people with the Canadian health care plan, but because the Canadian Government negotiates for a good price.

So in my opinion, and I have signed on to H.R. 684, which is by our good friend and colleague, Representative BERRY, that bill would force us to look at this and to do something about the pricing of prescription drugs. And I think that is one other thing we have to address if we are really going to bring down the cost of health care, the one thing we know is that when people take their medications, they stay much healthier, whether you are a senior citizen or a person with a high cholesterol rate hereditarily and you need to keep it down.

So we know the importance of medication, and we know one way to drive down the cost of health care is to make sure that medicine is affordable. That is true of seniors and all people. And it is certainly one of the issues that concerns me and one of the things that I promised my constituents back home that even though we had passed this bill in Maine, I would take it on as an

issue here in the United States Congress. And I know many share the same concern.

Mr. BOCCIERI. Well, I applaud the gentlelady's perspective because there is no question that getting costs under control are the most important facet of any health care reform package. And we talk about the health care delivery system. Really, we have sickness delivery system where we are actually doing a fee for service where folks are paid with the number of patients that they see in their hospital or their doctor's office. Well, how about providing incentives to say that, well, we didn't see any patients today because they are all healthy? What a novel idea that would be to provide incentives for prevention.

This is the type of plan we are embracing here. Our plan talks about prevention. It talks about rewarding citizens who are living healthy life styles, doctors who are able to have this relationship, as the gentlelady from Illinois suggested that we have to have a relationship with our doctor not necessarily one where you come in, you bounce in for 5 minutes, and he writes you a prescription, and you are out the door. That is not health care. That is not health care. That is not even health care delivery. To me that is something so far disconnected.

So our plan is going to make sure that we have more choices, better time with our doctors, more choices in the types of who we get to see and who we are able to see and to make sure that doctors and physicians are describing and predicting giving and subscribing the type of health care that we should have.

□ 2210

We should not have a bean counter at an insurance company deciding whether we should have an MRI, or a bureaucrat in Washington deciding if we should get this procedure or prescription drug. It should be left to physicians and doctors and our health care professionals.

And our plan will address the amount of money that we spend on health care. By getting costs under control, covering all people and making sure all people have access to health care, we actually will reduce the cost of health care because that diabetic that lost their job in Canton, Ohio, now can't get the syringes that they need to give themselves insulin, and they can't buy their prescriptions, and all of a sudden they need to go to the emergency room because of an ulcer on their foot, and they are using the emergency room as their primary care physicians. And that is costing all of us in the system four if not five times more.

By getting those costs under control, we will save money in the long run, more choices, better accessibility to the doctors we want to see, and making sure that we have the opportunity to contain these costs, keep them under control and making sure that doctors

and health care professionals are prescribing health care and not bean counters.

This is what our plan addresses, and this is a matter of our competitiveness of the country and having citizens that are healthy. And the well-being of our Nation is at stake here.

Ms. PINGREE of Maine. I am going to read a quote from one of the letters that I brought in because it reinforces your point. This person is talking about their issues with the health care system. It is a Maine constituent. It says: My wife and I struggled to get our provider to pay for special infant formula that our oldest son needed to live due to his protein intolerance. This was despite our specialist doctor showing us a letter in which the insurance company had agreed in arbitration from a previous case to pay in full for the formula in cases like our son's.

This is clearly one of those examples where it is a bureaucrat or a bean counter who is denying it just to save the insurance company some money.

This same person also says in another example my brother-in-law was denied cancer treatment that his doctors had recommended, and only began his treatment after the insurance company overturned the decision on appeal. The delay may prove fatal to him.

Both of you have said this over and over again, people want to go to their doctor or their primary care provider and get the advice they need, follow the treatment plan that they recommend, and not be told by a bureaucrat in Washington or an insurance company that they can't do it just because they are trying to save money on your health. I agree with you, we need cost-saving measures, but not on people's essential treatment.

Mrs. HALVORSON. That is so true. We hear story after story in our district office. I have a letter that was especially devastating to me. It caused me to actually put in a resolution or sponsor a bill. This constituent was a widowed mother of two. She was actually denied private health insurance because she attended grief counseling. Her husband, who was the primary wage earner, died suddenly at their home in front of the family. As a way to cope with the situation, she enrolled the family in group therapy. And at the same time, she was also faced with trying to find new health coverage for herself and her children because her husband just died in front of the family. While searching for that new private insurer, she was denied over and over again because she was participating in that grief counseling. So that is why I filed H.R. 2236, which we called the Grieving Families Insurance Protection Act, because we do not think health insurance companies should deny you health coverage due to family members needing grief counseling at awful times like this.

Ms. PINGREE of Maine. They really wouldn't allowed her to have insurance coverage, and that was their stated reason?

Mrs. HALVORSON. She could not get health coverage because she was attending grief counseling, so they would not give her health care. And isn't that a shame. This poor family, actually the father, the husband, died right there in front of them. The family obviously needed some help, and they couldn't get it.

So these are the kinds of things that we should never be putting people through. That is the other thing, it is not just people not having health care. I don't want people to have health care and give them that false sense of security because then they think they automatically will be taken care of, and we need to make sure that people are being taken care of and they have health care, not just necessarily health insurance.

Mr. BOCCIERI. Let me add something to the gentlelady's remarks. We talk about this notion of 46 million uninsured and underinsured folks. Let's explain for a minute what uninsured and underinsured means.

Uninsured means you have absolutely no health care coverage. If you were injured or had to seek routine medical care, you couldn't go to a physician unless you paid out of our pocket.

Underinsured are people who don't have quite enough insurance because they got caught in that preexisting net, that factory worker who lost their job and their health insurance with that pink slip, got rehired down the line but because they were a diabetic, that condition was preexisting, so they can't seek treatment. They are underinsured because they don't have enough insurance to cover all of their medical needs.

We found in a medical study that was published last year that health care insurance companies spend \$84 billion every year to block, deny, and screen patients from seeing their physicians; \$84 billion. In that same study it showed that only \$77 billion would be required to cover all of those 46 million uninsured or underinsured. It actually would be cheaper to cover all of the folks who are actually costing us more by not seeing their primary care physician.

So we have an opportunity now with the bill that we have rolled out to end preexisting conditions, which have been one of the biggest albatrosses in health care in my opinion for such a long time; not being able to see the doctor because you have a condition that existed prior to your employment at some factory.

So this is something that affects middle class Americans all over the United States. I think if we address this, preexisting conditions, portability from job to job, covering all people so they are not using their primary care physician in the emergency room versus seeing the doctor that they want to see, and making sure that we provide incentives for prevention so that people are living healthy life-

styles and we are able to provide prevention and allowing physicians to make those medical diagnoses, that is what is going to be the cure for our health care dilemma here.

Ms. PINGREE of Maine. Preexisting conditions, it is kind of shocking when you hear those stories. I heard about a State the other day that didn't have a requirement that insurance cover you in spite of a preexisting condition. And someone told me about an insurance company that considered women of childbearing age a preexisting condition. So that didn't mean you had a child, it meant you could potentially get pregnant. You may have already decided never to have a child, and why shouldn't your insurance company cover you, but they weren't going to take any chances. Why don't they just say we only want healthy people who promise never to get sick. And if you get sick, we will deny you coverage.

I come from the State of Maine, where the State legislature has already required that insurance companies cover you in spite of preexisting conditions, and that is really a great reform. Maine is one of the leaders in health care reform. We have a very high number of people who have some form of insurance coverage. Many of them are on Medicaid or our MaineCare system. But the fact is, what my colleagues in Maine tell me, and I certainly felt when I was in the State legislature, is States can't go it alone. Many States in the country have passed these kinds of regulations, but then it makes it hard to compete with the State next door that doesn't bother doing any of that, or charges all the sick people more than the people who are well, and doesn't have a community rating kind of plan.

One of the issues that we are facing now, particularly in States that are having a hard time holding their own budgets together, is they are saying to us: Let's make this universal. Let's make it the same kind of coverage from State to State. And you mentioned portability. There are a lot of people now, and I forgot what somebody called the term, it is something like job lock, people who stay in their job because they are terrified to leave that job because they can't go without health insurance, or their spouse is sick or one of their children is sick.

□ 2220

I meet people who say, you know, I've got a great idea for starting my own business. I'm ready to go out on my own, and I could create a job vacancy for somebody else here who would really like to come and work at this company because I'm ready to go do something else. But they can't take that risk. People who have just enough set aside to retire who say, I am ready to retire, but I don't dare be out there without health care coverage, so they don't retire at 57 or 58. And in this economy, where we can use any job we can find, having health care coverage

would do more to boost the economy, I think, than many other things.

I often say about the State of Maine, where, as I mentioned, a lot of people are self-employed, we have a lot of fishermen, or they run a small business or some kind of little entity that they are making enough money, people say to me all the time, We make enough to get by. We do okay. We own our own home. We make our own home repairs. We're doing all right, but it's health care coverage that we're worried about, our health care coverage that we can't afford and then we go without.

And exactly what you mentioned earlier, those are the very people who, when they do get sick, have to go to the emergency room, who often depend—and they hate it, they depend on charity care at the hospital, uncompensated care. And I have the same situation, a lot of rural hospitals who depend on fund-raising drives just to keep the doors open, who are desperately coming down to see us all the time to say, We can't keep the hospital open. What are we going to do? And that is a vital part of our infrastructure.

Mrs. HALVORSON. And something else that we haven't talked about is the outreach that I've tried to do—and I know a lot of Members of Congress have done—is with our FQHCs, our Federally Qualified Health Centers. There is a very important place for them because there is so much that they can do in the meantime for those who don't have insurance or those who aren't able to get the health care they need. I've toured so many of them in my district. They do a wonderful job. And so, in the meantime, we should be doing everything we can to make sure that people have a place to go where they can have a medical home, where they can feel comfortable and take their children.

I know in Illinois we have FamilyCare, where every child has health care. There are things, but we should not be doing this State by State. We spend a lot of time and effort doing these things State by State. That is part of the reason I ran for Congress. Even though I was a State senator and I spent so much time working on health care, we knew this was a Federal issue. So this is something that needs to be done on a national level, and it's something that everybody working together is going to be able to get accomplished.

Mr. BOCCIERI. Will the gentlelady yield? I know that there might be some apprehension out there from our seniors about health care reform. And let me stress to you that our plan allows you to keep the doctor that you want to keep. If you like the doctor that you're seeing, you can continue seeing that doctor. If you don't like the doctor that you're seeing and you would like to get into a different plan, it will allow you to go into a different plan.

There will be more freedom under this bill. There will be more freedom under these proposals. And we're going

to make sure that physicians are telling our seniors, health care professionals are telling our seniors the type of health care that they need, whether this MRI was authorized, whether this cancer treatment was necessary and prudent. We want health care professionals to do that. We do not want bean counters making decisions based upon what the bottom line and dollars are going to be.

Now, the gentlelady was talking about what she did in the State legislature. In Ohio, we had a very similar situation where insurance companies were delaying payments to doctors who ultimately run a business. When you see your primary care physician, they have staff. They have a payroll. They have to keep the lights on. They have to pay utility bills just like any small business. But when you do look-backs and you suggest whether this MRI was really necessary or authorized, whether this x-ray was necessary or authorized and you delay those payments over a time period, the physician can't keep the lights on in the building, and that should end. We passed a bill in the State legislature called Prompt Pay to make sure that insurance companies were making best efforts to pay those bills on time so doctors could keep the lights on.

Additionally, we were doing health care simplification so that we could involve a little bit of health care IT, medical IT, so that when you roll into a hospital, God forbid, after an accident that's in your region, when they pull up your name, when they pull up your identification, they're able to identify who you are and your health care records.

The military has been doing this for years. In fact, on our military identification card, we have the medical technology to pull up all my medical records. If I rolled into a hospital or to a VA facility or to a military hospital, on my card, they would scan it in and my complete medical history would come up. And on that, you would be able to tell whether you were diabetic, what type of treatments you've had. And that ultimately is going to cost hospitals less because they're not going to run these battery of tests to see if this person is a diabetic because they know that John Doe, when they came in, has a medical history and it's on their card.

Perhaps this is something we should do. We're doing it in the military. It's something that we ought to explore for Americans so that they can have quick access to their medical records.

I yield to the gentlelady.

Ms. PINGREE of Maine. You know, absolutely. I think it's one of the reasons why earlier this year we went along with the President's proposal and invested so much in health information technology. It has been clear to people for a long time that so many different insurance companies and so many different kinds of forums just make it difficult for practitioners to run a busi-

ness and hospitals to operate, and as you said, for people to get the kind of medical care that they really need.

Well, we are at about time to wrap up here. I will just kind of go over again from my perspective, and certainly will let the gentleman from Ohio close with a few thoughts as well, but I just want to emphasize again that from my perspective, in my home State—and really what I hear across the country and everywhere I go—people say, Can you get a health care plan passed? Are you going to do something about all of the things that we've been talking about tonight? People want the coverage, they want a choice. As we've said many times, if you like your plan, you can keep it; if not, there will be real alternatives.

They want affordability. People are willing to buy health care, but they want to know that they can afford it. This plan that has just been released has a shared responsibility from employers and individuals alike. It has real components to control costs. It makes a serious investment in prevention and wellness and invests in the health care workforce, something we haven't talked much about tonight. But I know I come from a State where there is a tremendous shortage of health care practitioners—doctor, nurses, those people that are needed to do this job to make sure that we can have good care, and that is part of the legislation is to really look at investing in our workforce.

I feel very hopeful, I feel hopeful that we have already moved us forward as far as we can, that there is a sense around here really from both sides of the aisle that we don't have to debate anymore whether or not there is a problem with the system. We may have differences about how we go about fixing it, but there is a real commitment to go ahead and fix it.

And I am very impressed with the President, who has just made it clear that this is something he wants to do on his watch. He wants to do it in the first year, and I think this is a tremendous commitment to really pass a health care package that works for America and get on with it.

And I yield to the gentleman from Ohio.

Mr. BOCCIERI. I thank the gentlelady for assembling this dialogue on health care. This is very important. And we know those Americans who might be listening in, those folks who are still awake after perhaps punching the time clock and working long hours, we want you to know that we are working on this issue. But we have studied it long enough. We've talked about it long enough. Now it's time to take action. Leadership is defined by action, not position, but by action. And what I applaud this President for is his bold efforts to step forward and take action on an issue that remains a dilemma for America. This is about us, as a Nation, being competitive with our foreign competitors. This is about how much



we spend on delivery of health care and making sure that all Americans have access to the quality of care that we want, not just because you can afford it but because you're American. And let me just say these things:

Number one, if you like your doctor, you will keep your doctor. If you don't like the plan that you're in, you can move to another. There is going to be freedom of choice, and there will be broad choices in the plan that has been unveiled in this Chamber.

Number two, we want to make sure that health care professionals and physicians and doctors and nurses are prescribing health care and administering health care and not necessarily the bean counters or bureaucrats that we find too often who are making health care decisions for too many Americans.

And the third issue that we need to emphasize is that there is enough money in the system already to pay for health care. The 46 million uninsured and underinsured folks who are out there, we know that there is enough money in the delivery of health care—\$2.5 trillion we spend every year, 16 percent of our gross national product. We spend more than any other industrialized nation in the world, but yet have a life expectancy on par with Cuba. There is enough money in the system that is out there that we can make sure that 46 million uninsured or underinsured people have access to health care.

□ 2230

How are we going to do that? With the five P's. Making sure that all people have access to health care. If they don't, it is going to end up costing all of us more because when they use the hospital room as their primary care physician, they will actually cost all of us more.

Making sure they have a portable plan that allows them to take it from job to job. End this notion of preexisting conditions, that if you're working at one place and you go to another job that somehow being pregnant or being a diabetic or having a chronic disease somehow eliminates you from seeking health care from this new provider. End preexisting conditions.

Making sure that we provide incentives for physicians to not only enter the field but also that physicians are making the health care decisions.

And, lastly, prevention, prevention, prevention. Four cents of every dollar that we spend on health care is for prevention.

We can do a better job. We have to do a better job. The President has called us to action. The Nation has suffered for too long under a system that has excluded a few and allowed others to seek access. And this delivery system that we have should be about health care and not a health sickness plan that we have that's a fee for service but that encompasses all the things that we talked about here tonight.

I thank the gentlewoman from Maine for allowing me to be a part of this.

Ms. PINGREE of Maine. I thank my colleagues from Ohio and Illinois for being willing to be here.

#### MAN-MADE GLOBAL WARMING THEORY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from California (Mr. ROHRBACHER) is recognized for 60 minutes.

Mr. ROHRBACHER. Mr. Speaker, as I stand here on the floor of the House tonight, I am reminded of the television series the "Twilight Zone." And these days I half expect Rod Serling to appear from behind a curtain and announce, "This is the Twilight Zone." Yes, there is an almost bizarre sense of unreality here in the Nation's Capital.

The transformation of private liability into public debt on a massive scale. The unprecedented level of deficit spending, debt piled upon debt, borrowing from China to give foreign aid to other countries. The willingness to pass draconian restrictions and controls on our national economy and on the lives of our people. And while seeking to save us from a recession, Congress shovels hundreds of billions of dollars into the financial industry, much of which has ended up in the pockets of fat cats and wheeler-dealers who have been giving themselves multi-million dollar bonuses even as they drove their own companies into bankruptcy. The giveaway and the lack of oversight has been mind-boggling. And we don't know where hundreds of billions of dollars have gone, and we don't know to whom. Yet we know that the taxpayers are now on the hook for this increase in our national debt.

We have watched as this has been happening, and, of course, there are so many things that are being done here today to our people. But we also note how much is not being done that needs to be done to protect our people, which is just as mind-boggling.

Our Nation's borders leak like a spaghetti strainer. Millions of people illegally continue to pour into our country to consume our limited health care. And, by the way, we just heard a lot about health care. Why are we not hearing that we should not be picking up the tab for the tens of millions of illegals that have come into this country? But that's not part of the discussion. But millions of people are flowing into our country, and they are consuming the limited health care, education, and other social service dollars that we have. We have limited money; and yet they are taking that money, and they're taking jobs from our people.

And sometimes they come here and they commit crimes against our people. And our government just sits and lets it happen even while we are passing all these hundreds of millions on to wheeler-dealers in the financial industry. We can't even come to grips with our illegal immigration problem. We can't even build a fence.

In California we can't even build a new water system in the middle of a drought. This we are told is because of a tiny fish, the delta smelt. So our people will have to suffer because of concern over a little tiny worthless fish that isn't even good enough to be used as bait.

So last week even amidst California's tremendous difficulties, with drought conditions and a shortage of water at near crisis, this House, the House of Representatives, voted not for the people of California but for a fish. No water for our people because if we would give it to the people, that little fish might be affected in a detrimental way.

Perhaps the most damaging of the weird policies that I have described is America's longtime commitment not to develop its own domestic energy resources. Even as high energy prices have brought suffering and economic hardship to our people, we have not been developing our own resources. Even as we see dollars being siphoned from the pockets of our people and deposited in coffers overseas, enriching foreigners, some of those foreigners who hate us, while our hard-earned dollars are being extracted from us, massive deposits of domestic oil and gas worth trillions of dollars are untouched, untapped, and unused.

Even as California sinks into an economic catastrophe, off the coast are huge caverns filled with massive deposits of oil and gas just sitting there. And even as California cuts and cancels public services to our own people, billions of dollars of tax revenue could be derived by utilizing that oil and gas that's just sitting there right off our shore. Yet the State of California lets it sit there while our people suffer and the State goes broke. Trillions of dollars have been sent overseas for energy, while at home no new oil refineries, no hydroelectric dams, no nuclear power plants.

As I say, all of this seems a bit bizarre. And it may be a bit bizarre, but it is not meaningless nonsense. Those who have insisted upon these antidomestic energy development policies know exactly what they're doing. They want to change our way of life whether we like it or not. So a few decades ago, they grabbed onto a theory, a theory that the world is heating up because humankind uses carbon-based fuels. Read that oil, gas, and coal. This theory gives them the ability to stampe politicians and even stampede scientists with a certain amount of prodding and promises of being excluded from grants or promises to receive grants, but that theory gives them the ability to get these people, whether they are scientists or politicians, to support draconian policies and mandates, changes in our economy and lifestyle that they otherwise would never dream of considering and supporting.

All of this is in the name of protecting us from a climate calamity: man-made global warming. Well, the

Good Book says: "The truth shall make you free." A caveat might be: "And a lie can destroy your freedom." Man-made global warming has given respectable cover to advocates of a tax and regulatory policy that no one would even consider except, of course, unless it's to take care of an emergency.

□ 2240

In reality, the effort behind the man-made global warming juggernaut is the biggest power grab in history. It gives politicians who always wanted to control the behavior of normal people a seemingly legitimate reason to do so, even over those normal people's objections. This power grab was set in motion in the very first days of the Clinton administration in 1993.

When the Clinton administration took over, one of the first actions that the administration was to do was to fire Dr. William Happer, a man who dared challenge Vice President Gore. Yes, Dr. Happer believed in science, not in the junk science of radicals, and he was skeptical, although not an advocate of either side of the global warming debate.

He didn't fit in, so out he went. From there on, the pattern was very clear, and it's very clear. In order to receive even one penny of Federal research money, a scientist would have to tow the line on the man-made global warming theory. Any dissident would be quickly squashed or at least be cut off from any Federal research funding. That went on for 8 years.

So when approaching this concept of man-made global warming, we must examine the science behind it. So let's state right off, the unconscionable intimidation of the science community during the Clinton years has ensured that bad science permeates the entire argument of the alarmists who are perpetuating this man-made myth. This man-made myth global warming is based on bad science, and it's very easy to discern this by the Herculean efforts made by the man-made global warming advocates to cut off all debate on this issue.

So not only did we see people in the scientific communities being intimidated with the promise of having their research funds cut off, but now, after this, and after the presentation of the global warming alarmist alternative, let's say, alternative projects and alternative policies, that there has been an intense effort to cut off debate on the issue of man-made global warming itself. That is why in Congress they are now trying to quickly slip by a drastic life-altering legislation that is based on the science of man-made global warming. And they want to do this without confronting the basic science.

So, if we want to take a look at the science of global warming, the first thing to notice is why have those people who believe in global warming spent so much effort and so much time and been so abusive in trying to cut off

debate? Has anyone ever heard the slogan, case closed?

Come on, if you really are honest, admit that is an attempt, and it was a huge attempt, to cut off debate. The debate is over.

How many heard that? Again, an attempt, not to discuss the issues, not to have an honest discussion of the science, but never to discuss the science. That is what the language—and that is the language of the debate. And what we have here is a language of debate and discussion restriction, not the language being used by the advocates of global warming for let's have an honest discussion, the words they used are aimed at limiting and restricting and cutting off debate. Case closed.

Al Gore never takes any questions. Do you know that, when he goes out and speaks and goes to universities, not only does he not debate, which would be a good idea, he refuses to take questions.

I don't know how many times have we heard, every prominent scientist agrees, so you must be a kook if you disagree. Well, every prominent scientist doesn't disagree and the names of hundreds, of those people in the scientific community, people who are heads of universities like Richard Lindzen, one of the great scientist from MIT, from all over the world there are major scientists who have put themselves on the record and taken great risk in doing so, telling them that they are, no, very skeptical and have serious doubts about the man-made global warming theory.

The name calling and stifling in this debate by the man-made global warming advocates has been shameful and a disservice to democracy. If someone so much as tries to make a joke, it is reported as if it is being serious. The people who do that are themselves admitting that they cannot stand a major scientific and truthful scrutiny and exchange of ideas.

So what about the science? Let's take a look, and I would challenge any Member of Congress to come here and debate me on the science of this issue.

First, let's talk about the so-called global-warming cycle that's being caused by human activity. That's the bases of what this whole issue is. We know that there have been weather and climate cycles throughout the history of the world, going back to prehistoric times. The global warming alarmists now are using a low point of a 500-year cycle of cooling, and that was at the end of the Little Ice Age, as the baseline for determining if humankind is making the planet hotter at this time.

So, let's get back to it. There have been all of these cycles through the history of the planet, and this cycle, there is a cycle that is going on. But to analyze that cycle, those people are saying man-made global warming, as differentiated from all the other cycles, are using the 1850s as their baseline, and that is at the 500-year low in

the temperature of the Earth. It was the end of what they call the Little Ice Age.

Is that good science? Should we really be upset when there is a 1- or 2-degree rise from a 500-year low point in temperatures? So, come on, let's answer that scientific question. Let's not call me names, which is what's happened over and over again, as if I don't believe in science, and I am some sort of Neanderthal, or that I am any number of pejorative names. Let's look and be honest.

Those people using names do not understand the issues and are afraid to discuss the science and the issues at hand. They are doing a disservice to our country, and they are exposing themselves as being people who do not believe in the very issue they are advocating because they can't defend it.

So, science question number one: Are they not using an unreasonably cooler moment as the baseline for analysis? Is that not an unreasonable thing to do, to start your settings and use as a baseline a 500-year low in temperature when trying to tell us that we should be concerned about the warming trend that's going on?

Question number two: What about those other weather cycles that we have had long before humankind emerged on this planet? A thousand years ago, even after we had people, things were much warmer than now. Iceland and Greenland were farmed by Norsemen. Farms, there were farms there. It was a time period a thousand years ago when there were not only cattle, but there were plants going there.

Vineland, was actually—people thought Vineland was something that Leif Erickson made up. No, there was a place, a Vineland, back in Nova Scotia, and in those days grew grapes. Well, that's because the weather was warmer then, and there was a cycle, as I say. Was that cycle—as I say, was that cycle—was the decline in temperature by the Little Ice Age, was that caused by human beings?

What about all the other cycles taking place. Were those caused by human beings? If we see that there were cycles that even happened before prehistoric man even existed, well then there must be some other explanation. Well, what is that explanation?

So, if there were cycles before human beings were forced on the planet, what is the other explanation? Well, it seems to many scientists who believed this that the cycles of climate have followed solar activity.

That's why, and I get that, the sun is the biggest force of energy on the planet, and they believe that many scientists believe that it's solar activity and not human activity that's creating this cycle, just as it did the other cycles that we have gone through long before human beings even existed on the planet.

And that also explains why we have cycles, monitoring those on Earth,

that have been observed on other planets. That's right, on other planets.

□ 2250

In recent years, we have been treated to the outcries of agony about the melting that is taking place in the Arctic. This is being used to touch people's hearts to get them alarmed so they will accept the draconian controls that will come from those people who are advocating policies to deal with man-made global warming.

They're saying, Oh, it's our activity that's causing the ice caps to melt. Well, who hasn't seen these pictures of these polar bears? The poor polar bears on the ice floe, obviously a victim of man-made global warming.

Well, not so fast. Yes, the ice cap is retreating. There's no doubt about that. But what about the ice cap on Mars? Yes. Right now, at the same time we have our ice cap that is retreating, the ice cap on Mars is retreating at exactly the same time, and it seems to be mirroring, paralleling what's going on on the Earth. Doesn't that indicate that it might be the Sun and not somebody driving an SUV or using modern technology that is creating such a cycle; it's creating the situation that left the bear in a warmer climate?

Well, if so, let us note this. If it is indeed caused by the Sun, and yet we have had all this propaganda to touch our hearts and get us to think, not to feel about the poor polar bear, let us note that if it is the Sun and it's not us, then that polar bear is the victim and has nothing to do with man-made global warming, but is being challenged, just like animals have been challenged throughout the history of our planet by planet cycles.

By the way, let me just note this. How many have not heard the polar bear is becoming extinct? The polar bears are not becoming extinct. In fact, the number of polar bears on this planet has dramatically expanded.

There are four to five times the number of polar bears on the world than there were in the 1960s. But you would believe from what you have seen and the movies and the ice caps melting and Al Gore showing, by the way, a false—a piece of Styrofoam that was breaking off in a movie, presenting to us as if that's the ice caps breaking off the Arctic. You'd think that it was that the polar bears were doomed and that we were to blame for it.

Well, here's another scientific challenge. Okay. If we have cycles already, if the ice is melting on Mars, just as it is here, what is the science behind this claim that mankind is causing the climate cycle, if there is a climate cycle, and what climate cycle it is?

So, let's have an answer to that. Let's not call me names. Let's not just say, Oh, the polar bear—I remember reading this on the Internet—the polar bear is near extinction, when it is clear from many other sources, which I will be happy to provide, that the polar

bear population is actually going up. Besides that, that's not the point.

The point is that the polar bear is, whatever condition it's in, is not due to the fact that human beings can drive in automobiles or that we have to change our lifestyle and be controlled by the government in order to protect the polar bear from climate changes that our activities bring about. Man-made global warming theory?

And my colleague from Texas, if he would like to step in for a few words, I'd be very happy to have him.

Mr. GOHMERT. I certainly appreciate my friend from California yielding. With regard to the polar bears, in the Natural Resources Committee we have been hearing that by 20 years ago we were up to under 12,000 polar bears in the whole world, and now we know there are over 25,000 polar bears in the world. They're doing pretty well.

But as we know—and there's some friends here from Texas—in Texas we have a problem with overpopulation of deer because they don't know when to stop overpopulating, and so we have seasons to help keep them from starving themselves to death.

So it is a little misleading to see the ice cap breaking off and the starving mother bear and the cub. That's heartbreaking. And, apparently, it's heartbreaking enough that millions of people—or at least millions of dollars come flowing in.

You kind of hate if you've got millions of dollars coming in from people that feel bad about the polar bears—by the way, the Bush administration was asked to say that the polar bears should be on the endangered species list. But the Bush administration knew they were increasing, just like you were saying, and so what they did was compromised and allowed polar bears to be listed as threatened, even though they're increasing in population.

I'm pleased the polar bears are doing well. Hopefully, we won't have to open up additional seasons, that they will moderate their behavior.

But we also saw with the caribou and people talking about how terrible it is to produce oil in Alaska. And we heard that if they ever put that pipeline up to Prudhoe Bay, it would kill off the last 2,900 caribou that were in the area, that we just couldn't do that. It would destroy their mating habits.

Turns out, caribou now, when they want to go on dates, invite each other to go to the pipeline on cold winter nights because that oil is warm going through the pipeline and it makes them amorous. And now we're up to 30,000 caribou in that herd. So it turns out man and caribou and polar bears can do just fine.

But it does remind one a little bit of the scare that went across the Nation about chlorofluorocarbons just as the Freon patent was coming up, and lo and behold we had to outlaw CFCs that were destroying the ozone layer. It turned out we found out that one eruption of Mount St. Helens put a thou-

sand years' worth of CFCs in the atmosphere—one eruption.

So sometimes I think that we think much too highly of ourselves as human beings and the effect that we have on the world and on the globe, when actually we do need to be good stewards of this wonderful planet, but we also should not be fearmongers that scare people out of doing things to help themselves and their families.

I appreciate so much my friend from California and his yielding.

Mr. ROHRBACHER. Thank you. I appreciate my friend from Texas reminding us of a past scare that proved not to be based on science. I remember about cranberries. Couldn't eat cranberries for 2 years because that caused cancer. I remember when they took cyclamates off the market to the cost of a billion dollars for the industry, then, 20 years later, found out that that was not legitimate.

I remember during the Reagan years, the same sort of intensity now being used on global warming was used to advocate we have to have massive controls on our economy based on controlling acid rain. And what happened to that? Ronald Reagan held firm. There was a scientific research project that went through for a \$500 million research program that showed that, yeah, there's a little bit of a problem with acid rain, but not very much. In fact, it was not the threatening force that we were told at that time, which would have cost tens of billions of dollars if we tried to use their agenda, what was being put forward in order to "stop acid rain."

Well, the man-made global warming theory, again, is like that. It is based on another scientific factor, and that is CO<sub>2</sub>. So let's talk about CO<sub>2</sub>.

CO<sub>2</sub> is a part of what is in the atmosphere. CO<sub>2</sub>, carbon dioxide, is a miniscule part of our atmosphere. So, CO<sub>2</sub> is, yes, part of the atmosphere, but it was always considered a very small part of the atmosphere.

Let me just make sure we get this right. That CO<sub>2</sub>, most people believe that it is a large part of the atmosphere, because I have asked them, but in reality it is less than .04 percent. So what we're saying is much less than one-tenth of 1 percent of the atmosphere is CO<sub>2</sub>.

□ 2300

So at that rate, basically when we take a look at that, one-tenth of 1 percent and 80 percent of the CO<sub>2</sub> in the atmosphere is not traced to human activity. There has been, over the years, times when CO<sub>2</sub> was going up. Now we are being told that the rise of CO<sub>2</sub> is causing the atmosphere to warm. But we have times when CO<sub>2</sub> was going up, but it didn't seem to affect the climate and the planet. For example, if man-made CO<sub>2</sub> causes warming, then why is it that when mankind was using much more CO<sub>2</sub> in the 1940s, 1950s and 1960s, as the CO<sub>2</sub> was rising, there was an actual cooling going on in the climate?

Okay, so let's hear the science about CO<sub>2</sub>. Why is everyone afraid to try to look at the specific science? If CO<sub>2</sub> causes warming, why is it, when there were dramatic times of CO<sub>2</sub> increase that the Earth got cooler? I had one person suggest that the pollution in the atmosphere completely overwhelmed the greenhouse effect during that particular time period. Well, if that is true, then what we have to say is the Clean Air Act of 1970 is directly responsible for man-made global warming. And does anyone believe that? No, of course not. By the way, anyone telling a joke or trying to make humor is always reported as if that person is being serious.

So here is another scientific challenge. The recent studies show that over 80 percent of America's temperature and weather stations, the monitors who have been collecting the information that is being passed on to us by the global warming, man-made global warming advocates, that 80 percent of these stations have been compromised and are faulty in the information they are providing. The numbers have been skewed. They are suspect because the monitors have been placed in locations that do not meet the National Weather Service basic standards. In other words, the equipment is being compromised. The figures coming out of the equipment cannot be relied upon. And our system, with its 80 percent of the monitors that do not meet the standards, has been heralded as the best in the world.

So think about that, what is going on in the rest of the world. What we are talking about here is we are talking about a 1-degree, of course, rise in temperature, from the depths of the mini-ice age, and yet now we have these monitors that even by today's standards are substandard. And that is by today's standards, not back in the 1860s and not in other parts of the world.

So how is that for a scientific challenge?

If the data is being based on monitors that don't meet scientific standards either today or in the past, how could we pass laws with taxes and controls on our people if the so-called problem is based on bogus or absolutely unscientifically obtained numbers? And even with the current methods of collecting data, we have been warned time and again of dire predictions.

So the numbers themselves are suspect. But those people who have been warning us about those numbers over the last 20 years have been spreading incredible alarm, as exemplified by Vice President Gore and others. The temperatures, we were told over and over again, were going to climb. And they were going to continue to climb, and then it would reach a tipping point, and then the temperatures would really jump up. Well, wake up. Let's talk reality here. Again, let's talk science. Let's quit saying "case closed." Let's not give speeches but never take any questions. Let's quit

saying that all the scientists agree when there are scientists all over the world disagreeing.

They were wrong. When they said that there was going to be a continued climb in the temperature, they were 180 degrees wrong, much less having reached a tipping point which then jumped the temperature of the world by even a larger amount.

It has not gotten warmer for over a decade. And it looks like it is still getting cooler. Now, that is totally contradictory to the predictions of the alarmists and those media people around the world who pushed that idea. It is totally contradictory to what was aggressively told to us, to what was foisted off on the American people and people throughout the world. They were totally, 180 degrees wrong.

Please let's talk about the science here. Come and talk to us about why, if your major prediction was that the Earth was going to continue getting warmer because of this CO<sub>2</sub> that comes out of the engines that we use and the coal and the oil and natural gas, if that was what you were saying and that you were very aggressive in your advocacy of this, now that it hasn't happened, come and talk to us. Don't dismiss us. Don't try to pass a piece of legislation here based on the alarms that went off 15 years ago that have been proven not to be true.

So that is another scientifically based challenge, again, not just ignored; but I would say that this is the arrogance behind never answering these types of science charges remains evident. Please don't ignore it anymore. Please let's respect each other, and let's get away from this basic idea that you can just shut off debate. But let's pay attention to what the debate was like before, if there was any debate. There was just a one-sided debate, because people weren't able to get any government grants, so we had a one-sided drumbeat going on. But those people were aggressive in that man-made global warming was being caused by CO<sub>2</sub>, and we have got to control human beings for this.

Well, by the way, they don't even use the words "global warming" any more. Think about that. We have a situation that people who were just aggressively talking and putting down anybody who disagreed with them about man-made global warming, now they use the word "climate change." Now if I am proven wrong in a point, if I were to be proven wrong in any point of this speech, I will apologize, and I will change my position. I won't try to change my wording so it sounds like I was never wrong in the first place. These people were wrong. Remember it. Every time they say "climate change," remember that that is an admission that they didn't know what they were talking about before. Man-made global warming. Their dishonesty is underscored every time they use the phrase "climate change."

Now, no matter if it gets warmer or if it gets cooler, they can tell us that

that backs up their theories, and we should do what they say, because now whether it is warmer or cooler, they have been proven right because they were saying and they were predicting nothing. Well, they believe they should have the power to tax and control us, even though the preponderance of evidence shows that the cycles that we are talking about were not global warming cycles created by human activity or even a cooling cycle created by human activity, but instead something that is based on solar activity.

Let me note this, the gang that told us that human activity was causing the planet to warm and to dramatically heat up, now I say they are using the word "climate change," is an admission of something. But what is it an admission of? They were saying "global warming," and now they are saying "climate change." It is basically an admission that, yes, for 10 years the world has been getting cooler. So if human activity through CO<sub>2</sub> was making it warmer, then maybe it is a good thing that human beings will mitigate the cooling cycle.

Now they are sort of admitting we are in a cooling cycle because they are saying global "climate change" and not "warming." So if they said that our activities were going to make it warmer, and now they have admitted they were wrong because they are using a different word, and it is actually getting cooler, then will the human activity that they were complaining about before that was making it warmer, well, logically then shouldn't Al Gore and these other people be advocating more fossil fuel use? Anybody who advocated global warming before and now says "climate change" is admitting that it is cooler now, that maybe we are in a cooling trend.

Well, if they believed that human activity made things warmer, maybe they should be advocating that we use more fossil fuel to mitigate the problem of a declining temperature of the planet.

□ 2310

So all of Al Gore's scientific mumbo jumbo is deceptive, and the contention that all of the prominent scientists that agreed with him was not true, wasn't true then, and it is especially not true now, and I would like to add to the RECORD, Mr. Speaker, a long list of prominent scientists who opposed the man-made global warming theory.

Temperature predictions have been wrong. The CO<sub>2</sub> premise is wrong, and we now find out that the monitors that were used to collect the data that were placed next to the air-conditioning exhaust vents in parking lots and on top of buildings near to heat sources, which of course made all of their data unreliable, we now know that was done wrong. And we also know the methodology of using computer models has been questionable from the very beginning.

We know the saying garbage in and garbage out. But let's look at the computer models we have been told are the basis for all of these predictions, many which we now know are wrong. No one was permitted to hear the questions, and no one was permitted to ask follow-up questions. And what about the information that was fed into the computer?

We weren't actually able to find out exactly what the basis of and what was going into those computer models. That was kept from us as well. But we do know that the projections have been wrong. We know there has been an attempt to stifle and shut up debate. People have been called names. Grants have been denied and personal attacks have been evident. All of this has been wrong.

So let's review the scientific challenges of man-made global warming, of the man-made global warming theory, which they have even given up because they now note that it is getting cooler, which is contrary to all of their predictions, because now they use the word "climate change."

I have issued a challenge to any of my colleagues to debate me on this issue. No one has come forward. And yet these very same people who refuse to debate the science will vote for draconian legislation that will implement the recommendations of global warming alarmists, even though these people have not stepped forward to debate, they will vote for the program that these alarmists have been advocating.

I am afraid that we should have some confrontation of ideas here and an honest discussion, and this issue has not been honestly discussed in terms of the science.

The baseline comparison, I just noted, started in a 500-year decline. It was based at the bottom of a 500-year decline in temperature. Science measurements were partly or severely flawed by monitoring systems that do not meet minimum acceptable standards. And past climate cycles were frequent even before the emergence of mankind, cycles like the retreating of polar ice caps that we are shown all of the time to touch our hearts so we won't think but will feel. Those solar ice caps and the retreat of the solar ice caps are very similar to the cycles on other planets, especially the planet Mars, for example, suggesting that solar activity rather than human activity is the culprit.

Increasing levels of CO<sub>2</sub> did not cause warming back in the 1940s, 1950s, 1960s, and even the 1970s, when there were large increases of CO<sub>2</sub>, yet we are told now that the CO<sub>2</sub> was causing the world to get warmer. But yet more CO<sub>2</sub> has even been produced and for 10 years we haven't had a warming. Now that man-made global warming has been driven into the public consciousness, the alarmists have the leverage here in Washington.

I could talk all night long, but no one is going to confront the science on this,

as rotten as the science is. So right here there is a price to pay when the American people have been lied to in a big way. If the truth will set you free, lies will enslave you. There is a price to pay. Like, for example, the millions of children dying in Third World countries of malaria, all because we wanted to prevent the use of DDT. Why did we want to stop DDT? Because bird eggshells were thinning out, we believed, because of DDT. And thus, millions of children in the Third World have lost their lives to malaria because birds were more important to those who made policy than the millions of children in the Third World who were going to die as a result.

Remember, there is a serious price to pay for listening to irrational alarmists. And now all of this confronts us, and there is a bill to be voted on this week called the American Clean Energy and Security Act of 2009. I call it the Destroy American Jobs and Use Candles Act.

It is a bill, of course, that is based on the theories of the man-made global warming alarmists that I have just demonstrated is totally flawed and wrong science, and a science that these people refuse to get up and defend.

This bill, of course, comes at exactly the wrong time, and its negative consequences will be ever more severe in economic hard times as we are suffering right now than they would be if we were in times of prosperity.

Even if it were true that man-made use of CO<sub>2</sub> was causing a warming, a global warming, this wouldn't be the time to try to implement it, at a time when we are going into such a recession and depression.

Maybe we are like the Third World children in the minds of the people who are going to vote for this horrible legislation. Maybe the birds are more important than the suffering of our own people. Maybe it is more important to posture yourself as a friend of the planet than it is to try to take care of the people of this country and try to alleviate their suffering.

So let's be clear. Our unemployment is currently at 9.4 percent, and that is expected to rise into double digits. There are unsubstantiated boasts coming about jobs saved through the Stimulus Act, but that doesn't help the 345,000 Americans who lost their jobs just last month. It doesn't put food on their table.

Our projected Federal deficit this year is going to reach \$1.8 trillion, almost \$2 trillion, which our children are going to have to pay for. We are going to have to service that debt. When the interest rate goes up, it will destroy all of our discretionary money. We will soon auction off an unprecedented \$104 billion of debt. That \$104 billion has \$11 billion in interest. That is \$11 billion that we are going to pay, and that is just thrown away. Wait until the interest rates go up. This \$11 billion will not save anybody's job or pave any roads or provide any health care. It will just be

used to continue our massive level of deficit spending.

And yet, excessive taxation and regulation mandates are now being proposed in Washington to deal with man-made global warming, which is a total fraud, as I have demonstrated, and which they admit because they are unwilling to debate the basic facts of global warming, the scientific facts that I have over and over again, myself and Senator INHOFE and others, have over and over presented, but instead we are called names and belittled by this arrogant group that just has in mind they want to tax and regulate and control us, and they always have.

So here and now we are asked to pass this economy-killing bill in the name of stopping man-made global warming.

What's in the bill? I don't have to go into total detail here, but let's just mention that Chairman WAXMAN was asked about a certain section of the bill. And he said, and this was in committee, Why are you asking me? I certainly don't know everything that is in my bill.

I would suggest if you are writing a bill that will have such profound repercussions for decades to come by killing our economy and subduing our people, that is an unacceptable answer.

□ 2320

We know that there are many dangers that are going to be unleashed by this legislation, and it's an economy-killing piece of legislation. Its aim supposedly is to reduce CO<sub>2</sub> emissions—and let's again say this. CO<sub>2</sub>, 80 percent of it in the atmosphere is traced not to human activity, it's a minuscule part of the atmosphere. Yet the goal of this draconian legislation, this oppressive, anti-economy legislation is to reduce emissions to around 80 percent of the current level of the world level by 2020. From there, it would be gradually reduced further. In order to do this, the Federal Government would issue permits that companies would use in exchange for the right of emitting CO<sub>2</sub>.

Now, let's make this very clear; CO<sub>2</sub> does not harm human beings. CO<sub>2</sub>, we pump it into these greenhouses to make tomatoes grow better. I am all in favor of controlling pollution, pollution of the water, of the air, of the ground. CO<sub>2</sub> is not a pollutant that hurts human beings, but that's what we are being asked to focus on and that's what this legislation that will destroy the jobs of the American people focuses on.

Well, one wonders who will decide who will receive the vouchers that are going to be given out. Apparently, 85 percent of the vouchers for the next few years will just be given out by the government, and those vouchers will be used to give permits to people who want to do business that produces CO<sub>2</sub>. Who is going to get those? This is an invitation for corruption, an invitation for corruption. We don't even know where the money went from the TARP bill where we spent hundreds of billions of dollars.

So let's remember that this bill will have a dramatic impact on our economy and the American family. There will be over \$1,600 in new taxes per American family by this legislation. And all the jobs will then go to India and to China. That's what we're doing. We're taxing our people, regulating our business, and encouraging our businessmen then to go to China and to India. It will destroy millions of jobs by 2012.

Electricity rates will go up 90 percent above the inflation rate. We will incur \$33,000 worth of additional Federal debt for every man, woman, and child in America because of this legislation. And gas prices will rise over 50 percent, natural gas prices well over 50 percent.

And who will be helped by this? The Chinese and the Indians. That's what we're going to get out of this legislation. What did you expect from legislation that was designed to meet a phony problem, man-made global warming, which I have just demonstrated doesn't exist.

So, why is this happening? Why are we on the verge of passing legislation? Why have people even advocated man-made global warming? Well, this has all come about because there are people in our country and throughout the world who want to control the American people. They have wanted to do this forever. They have wanted to change our lifestyles whether we like it or not. But this is a democracy, and they had to scare us and they had to skew the argument. They had to beat down anybody who wanted to offer alternative arguments in order to get us to this point of passing legislation that will dramatically control our people and control industry and put us under a burden of taxation and regulation that will destroy the meaning of opportunity in America in the years to come.

Now, why do they want to do this? Because they want to build a whole new world based on benevolent control of people like themselves. And that's where the real threat comes in. The real threat comes in that this is not just the idea of centralizing power in the Federal Government—which in and of itself is contrary to what America is supposed to be all about. We're supposed to let local government and State governments control many things, but this is a centralization of power into the hands of global government.

Yes, you hear global answers, We're global this and global that. What that means is international organizations like the United Nations—which is filled with corrupt governments and representatives from corrupt governments, filled with representatives from governments that are despotic gangsters who murder their own people. We should not be transferring power globally. That is the worst possible scenario. But this, too, like the man-made global warming theory, is their dream, the dream of a planet being planned

out by benevolent people, as if people on the international scale and Washington, D.C., are naturally more competent and more benevolent than the people themselves or the people in local government.

What can we expect? Yes, as this moves along, this is the first major step. This bill that will be coming up this week, the cap-and-trade bill based on fraudulent science, this will be the first step towards what? Towards centralizing money and power in the Federal Government.

The next step is centralizing that power globally, all in the name of benevolent ends, all in the name of stopping this horrible threat that's hanging over our heads, man-made global warming. Of course, they don't use that anymore. Again, remember, every time the word "climate change" is used is an admission that the people who advocated man-made global warming were wrong all along.

So I would suggest that this is the time for the patriots to stand up to the globalists. This is the time for us to say, We don't want this legislation. It will be harmful to our families. It will centralize power and money and resources in the Federal Government. It will destroy our economy at a time when people need jobs and a stronger economy. It will actually help the Chinese and the Indians more than us, all in the same benevolent-motivated activity, which is very similar to the ending of the use of DDT, which caused millions of children in the third world to die.

I don't care if people are benevolent. I don't care what their motives are, if their motives are benevolent. What is important is whether they're rational and whether they're right. I have pointed out in this speech numerous examples where the science is wrong, and I would suggest that the theory that big government controlling our lives as the way to solve our problems is also wrong. It will lead us not to more prosperity and not to more liberty, but a diminishing of the liberty and prosperity of our people.

Again, wake up America. It's time for the patriots to act. We still have time to turn this around. We have seen \$4 trillion being given out, \$4 trillion of private liability put on our shoulders as public debt in this last year. This is a tremendous centralization of power.

We will not give up our freedom and let this happen. We are not powerless. This is still a democracy. People need to call their Member of Congress. They need to call their Senator and say man-made global warming was a hoax. It was not something that we should be basing a centralization of wealth and power in the Federal Government, and certainly not something that we should be getting involved in in order to enrich the power of the United Nations and other international bodies.

I would invite my fellow Americans to get involved in the system. If one does not get involved in the system, we

will not go the right way. And I will say that in our country's history, it has always been the intervention of the American people at the right moment that has kept us on the right track. It wasn't just sitting back and allowing special interests—like are so evident in this cap-and-trade legislation that will be voted on later on this week—to write the legislation, to control what sounds like a benevolent-sounding initiative which will wreak havoc on the life of the American people. They want to control us and change our lifestyle. Let them convince us. Don't let them control us and take away our democratic rights.

Mr. Speaker, as I stand here on the floor of the House tonight, I am reminded of the television series, *The Twilight Zone*. These days I half expect Rod Serling to appear from behind a curtain and announce that "This is the *Twilight Zone*." Yes, there is an almost bizarre sense of unreality here in the Nation's Capitol: The transformation of private liability into public debt on a massive scale, the unprecedented level of deficit spending, debt piled on debt, borrowing from China to give foreign aid to other countries, the willingness to pass draconian restrictions and controls on our national economy and on the lives of our people.

While seeking to save us from recession, Congress shovels hundreds of billions into the financial industry, much of which has ended up in the pockets of fat cats and wheeler-dealers who've been giving themselves multi-million dollar bonuses even as they've driven their own companies into the ground. The give-aways and lack of oversight have been mind boggling. We don't know where hundreds of billions of dollars went and to whom, yet now the taxpayers are on the hook for this increase in our debt.

We've watched as nothing has been done to protect the well being of our people.

Our nation's borders leak like a spaghetti strainer, millions of people illegally continue pouring into our county to consume our limited healthcare, education, and other social service dollars, and yes, to take jobs from our people, and in some cases commit crimes against our people. Our government lets it happen. We can't even build a fence.

In California we can't even build new water systems in the middle of a drought, this we are told because of a tiny fish—the delta smelt—so our people will suffer because of concern over a little, tiny, worthless fish that's not even good enough to use as bait. So last week, even amidst California's tremendous difficulties, with drought conditions and a shortage of water at near-crisis, this House voted not for the people, but for fish. No water for our people if that little fish might be affected.

Perhaps the most damaging of the weird policies I've described is America's long time commitment not to develop our domestic energy resources. Even as high energy prices have brought suffering and economic hardship to our people. Even as dollars have been siphoned from our pockets and deposited in coffers overseas, enriching foreigners, some of whom hate us. While our hard-earned dollars are being extracted from us, massive domestic deposits of oil and gas worth trillions of dollars are untouched, untapped, unused. Even as California sinks into an economic catastrophe—off the coast, are huge caverns filled



with massive deposits of oil and gas sitting there? Even as California cuts or cancels public services, billions of dollars of tax revenue from that oil and gas sits right off shore, yet the state of California lets it sit while our people suffer and the state goes broke. Trillions of dollars have been sent overseas for energy while at home, no new oil refineries, no hydro electric dams, no nuclear power plants.

As I say all of it's a bit bizarre. But it is not meaningless nonsense. Those who've insisted on these anti-domestic energy policies know what they are doing. They want to change our way of life whether we like it or not. So a few decades ago they grabbed onto a theory that the world is heating up because humankind uses carbon based fuel—oil, gas, coal, etc. This theory would give them the ability to stampede politicians, even scientists, into supporting draconian policies and mandates, changes in our economy and our lifestyle. All in the name of protecting us from a climate calamity: Man-made Global Warming.

The good book says "the truth shall make you free"; a caveat might be "and a lie can destroy your freedom." Man-made Global Warming has given respectable cover to advocates of tax and regulatory policies that no one would even consider, except, of course, unless it is an emergency. In reality, the effort behind the Man-made Global Warming juggernaut is the biggest power grab in history. It gives politicians, who've always wanted to control the behavior of normal people, a seemingly legitimate reason to do so . . . even over their objections. This power grab was set in motion back in the very first days of the Clinton administration in 1993.

When the Clinton Administration took over, one of the first actions of that administration was to fire Dr. William Happer, a man who dared challenge Vice President Gore. He believed in science, not the junk science of the radicals. He didn't fit, so out he went. From there the pattern became all too clear. In order to receive even one penny of federal research funds, a scientist would expect to toe the line of Man-made Global Warming alarmism. Any dissent would be quickly quashed, or at least cut off from any federal research funding. So when approaching this concept of Man-made Global Warming we must examine the science behind it. So let's state right off, the unconscionable intimidation of the science community during the Clinton years has ensured that bad science permeates the entire argument of those alarmists perpetuating this man-made myth.

That it is based on bad science and lies is easy to discern by the herculean effort Man-made Global Warming advocates have made to cut off debate. That is why in Congress they are now trying to quickly slip by drastic life altering legislation based on the Man-made Global Warming theory without confronting the basic science. How many of us have heard "Case closed?" "This debate is over." That is the language of debate and discussion restriction.

Case closed. Al Gore takes no questions. Every prominent scientist agrees so you must be a kook to disagree. The name calling and stifling of debate by the Man-made Global Warming advocates has been shameful and a disservice to democracy.

So what about the science?

First, about the so-called warming cycle caused by human activity—we know that there

have been weather cycles and climate cycles throughout the history of the world. The Global Warming alarmists are now using a low point of a 500 year cooling cycle, the end of the Little Ice Age, as their baseline for determining if humankind is making the planet hotter. Should we really be upset when there is a 1 or 2 degree rise from a 500 year low point in temperatures?

So science question number one: are they not using an unreasonably cooler moment as a baseline for analysis? Question number two: what about the other weather cycles that have had nothing to do with human activity? A thousand years ago things were much warmer than now. Iceland and Greenland were farmed by Norsemen. What about the many other cycles, many of them to prehistoric times, even before man? So, all of a sudden it's man's fault?

So, if these cycles were happening before humans were a force on the planet, isn't it likely there is another explanation for the cycles? Well, it seems to many scientists that cycles of climate follow solar activity. That's why cycles mirroring those on earth have been observed on other planets.

In recent years we've been treated to outcries of agony about the melting taking place in the Arctic. Who has not seen the pictures of the poor polar bear on the ice flow, obviously a victim of Man-made Global Warming? Well not so fast. Yes, the ice cap is retreating. There's no doubt about that. But what about the ice cap on Mars? There is an ice cap on Mars and it is retreating at exactly the same time as our ice cap is retreating. Doesn't that indicate that it might be the sun and not driving SUVs or modern technology that's creating such cycles, including the one that we are already in?

So, if a polar bear is hurt it is not caused by human activity. And by the way, the polar bear population has dramatically expanded—there are 4 to 5 times the number of polar bears as there were in the 1960s.

So here's another scientific challenge: were there already cycles? And if polar ice on Mars is retreating as well, aren't cycles likely the result of solar activity? Let's have an answer to that.

The Man-made Global Warming theory has been focused on CO<sub>2</sub>. Let's talk about the science of this. CO<sub>2</sub> is a miniscule part of our atmosphere, and if you ask the ordinary person, they think it's 20 percent of the atmosphere. Well, actually it's less than 0.04 percent. Much less than 1 tenth of 1 percent of the atmosphere is CO<sub>2</sub>. And of that, at least 80 percent of the CO<sub>2</sub> in the atmosphere is not traced to human activity.

There have been, over the years, times when CO<sub>2</sub> was going up and down dramatically but did not affect the climate of the planet. For example, if Man-made CO<sub>2</sub> causes warming, why, as CO<sub>2</sub> levels were rising dramatically in the 1940s, fifties, sixties and seventies why, if the CO<sub>2</sub> was rising in those decades, why was there actually a cooling of our climate in those decades?

Okay. Let's hear the science. Come on. Why is everyone afraid to take on these scientific answers? I had one person suggest to me that the pollution in the atmosphere completely overwhelmed the "Greenhouse Effect" during this period. If that's true, then The Clean Air Act of 1970 is directly responsible for Man-made Global Warming. Does anyone believe that?

And here's another scientific challenge. A recent study shows that over 80 percent of America's temperature and weather stations have been compromised and are faulty in the information they're providing.

The numbers have been skewed. They are suspect because the monitors have been placed in locations that do not meet the National Weather Service basic standards. In other words, the equipment is compromised; the figures coming out of the equipment cannot be relied upon. And our system, with 80 percent of our monitors that do not meet the standards, has been heralded as the best in the world. So think about that. What's going on in the rest of the world when we're talking about a one-degree rise in temperature since the end of the little ice age?

So how about that as a scientific challenge? If the data is based on monitors that don't meet scientific standards, how can we pass laws with taxes and controls on our people, even if the so-called problem is based on a bogus number?

And even with the current methods of collecting data, we have been warned time and again with dire predictions. Over the last 20 years, spreading the alarm, told us, Vice President Gore and others.

The temperatures were going to continue to climb and then we would reach a tipping point and temperatures would jump dramatically. Well, wake up. Quit talking theory.

The Global Warming alarmists' predictions were wrong, 180 degrees wrong. It has not gotten any warmer for over a decade and it looks like we're even still getting cooler. That is totally contradictory to the predictions that alarmists like VP Gore and others aggressively made to us. OK, this is yet another science-based challenge.

Don't ignore it, please pay us more respect than just changing your basic mantra from "Man-made Global Warming" to "climate change."

If I am proven wrong on a point, I will apologize and change my position. I won't try to change my wording so it sounds like I was never wrong in the first place.

These people were wrong. Remember it. Every time they say "climate change" remember these were the same people who were talking about Man-made Global Warming. Their dishonesty is underscored every time they now use the phrase "climate change." Now, no matter if it gets warmer or colder, they want us to give them the power to tax and control us even though the preponderance of evidence now suggests that cycles come from solar activity.

Let me note this, this gang told us human activity was causing the planet to warm. Now they are using the words "climate change," which is an admission that the Earth is getting cooler. So if human activity was making it warmer, then maybe it is good that human beings will mitigate a cooling cycle with the human activity that, according to Al Gore and others, was making it warmer. Logically, they should now be advocating we use more fossil fuel.

So Al Gore's scientific mumbo-jumbo was deceptive, the contention that all of the prominent scientists agreed with him was not true then and especially not true now. I'd now like to add a long list of many prominent scientists who oppose the Man-made Global Warming theory. The temperature predictions have

been wrong, and the man-made CO<sub>2</sub> premise is wrong.

Now we find out that the monitors used to collect the data were placed next to air-conditioning exhaust vents, and in parking lots, and on top of buildings, and near other heat sources which, of course, made all of their data totally unreliable.

We also know the methodology of using computer models has been questionable from the very beginning. We all know the saying: garbage in, garbage out. But no one was permitted to hear the questions; no one was permitted to ask follow-up questions; and to this day no one has been permitted to view the assumptions and calculations that went into the incorrect computer models used to justify the alarmist campaign that is now being used to justify punitive taxes and controls on our people.

The projections have been wrong. The attempt to stifle debate and shut up those people who disagree by calling them names, denying grants, and making personal attacks has been wrong.

So, let's review the scientific challenges to the Man-made Global Warming theory. I have issued challenges to any of my colleagues to debate the science of this issue, not one of those who now seem willing to vote for draconian legislation to implement the recommendations of the Global Warming alarmists have ever stepped forward. What is it they don't want to confront?

Baseline comparison is at the bottom of a 500-year decline in temperature. The science measurements were partly or severely flawed by a monitoring system that does not meet minimum acceptable standards. Past climate cycles were frequent even before the emergence of mankind. Cycles like the retreating polar ice caps are parallel to similar cycles on Mars suggesting solar activity, rather than human activity, is the culprit. Increasing CO<sub>2</sub> levels did not cause warming, which can be shown in the 1940s, 1950s, 1960s, and 1970s where there was an increasing level of CO<sub>2</sub>, but yet it was getting cooler.

Now that Man-made Global Warming has been driven into the public consciousness, the alarmists have the leverage right here in Washington. There is a price to pay, like the millions of children dying in Africa of malaria because we prevented the use of DDT. We did this so that bird egg shells would be thicker. The birds were more important to them than millions of third world children. So remember, there is a serious price to pay for listening to irrational alarmists.

And now all of this confronts us. There is a bill to be voted on this week—the “American Clean Energy and Security Act of 2009” though I would call it the “Destroy American Jobs and Use Candles Act.” It is a bill that comes at exactly the wrong time, and its negative consequences will be ever more severe in economic hard times as we are now suffering. Maybe we are like the 3rd world children in their minds. The birds are more important than our own suffering people.

So let's be clear. Our unemployment is currently at 9.4%, and that is expected to soon rise over double digits. There are unsubstantiated boasts of jobs saved through the stimulus act, but that doesn't help the 345,000 Americans who lost their jobs last month put food on the table for their families. Our projected federal debt for this fiscal year reaches to one point eight trillion dollars!

We will soon auction an unprecedented \$104 billion in debt. \$104 billion with \$11 billion in interest. That's \$11 billion just thrown away. It will not save jobs; it will not repave roads; it will not provide healthcare. It will just be used to continue our massive level of spending.

And yet excessive taxation regulation mandates are now being proposed in Washington, and they will have severe consequences.

So here we are, and now we are asked to pass an economy killing bill, in the name of stopping Man-made Global Warming. What's in this bill? Well don't ask the bill's author. During markup of this bill, Chairman WAXMAN, when asked about a section of the bill claimed, “You're asking me? I certainly don't claim to know everything that's in this bill.” Well I would suggest, that if you are writing a bill that will have profound repercussions for decades to come, that is an unacceptable answer.

Of course, we know the aim of this bill is to reduce carbon dioxide emissions. As I have already said, this goal is foolhardy at best. It will reduce emissions of a harmless gas, while neglecting to address the dangerous pollutants that have had a demonstrated negative effect on human health.

The current proposal would reduce allowable CO<sub>2</sub> emissions to around 80 percent of the current level by 2020. From there it would gradually decrease further. In order to control this, the federal government would issue permits that companies would use in exchange for the right to emit CO<sub>2</sub>. These permits could be traded, bought and sold. Companies which emit more CO<sub>2</sub> than they have allowances for would face heavy fines. The sale of these revenues will supposedly cover the cost of the bill. It is surprising then, that 85% of these allowances will be given out for free during the next twenty years. What?!? One wonders who will decide who receives what will become yet another government subsidy, or a political giveaway. According to recently released numbers by the nonpartisan Congressional Budget Office, this bill gives away \$821 billion worth of allocations to who the hell knows who, while consumers are going to pay \$846 billion more in carbon energy costs. We have no idea where those funds will go. The last time we passed legislation with no idea what we were voting on, AIG got big bonuses. Who will win big under this bill is still unclear, but what is clear is who will lose: The American worker.

But even if we believe all of the arguments made by those who would foist this bill on us, it will still not accomplish any meaningful CO<sub>2</sub> reduction. Remember, 80 percent or more of the CO<sub>2</sub> in the atmosphere is not linked to human activity. We must ask ourselves if the cost of this bill, over \$1600 in new taxes per American family, is warranted given the fact that the U.S. share of CO<sub>2</sub> emissions is falling as China and India's emissions are rising. So again, is it really worth it? Both of these countries have already stated publicly that they will not match these suicidal policies being proposed. All this bill will do is further encourage manufacturing to leave the United States for these countries. All of this will cost America. All of this, to decrease worldwide temperatures by less than one degree over the next 20 years, that might take us a little close to the 500-year low in global temperatures.

So it will not do what the bill's sponsors claim it will. But what this bill will also do is re-

duce our gross domestic product by over \$7 trillion and destroy nearly 2 million jobs by 2012. It will raise electricity rates by 90 percent above inflation, incur \$33,000 worth of additional Federal debt for every man, woman and child in America. Gas prices will rise over 50%. Natural Gas prices will rise by 50% as well. And it will help the Chinese and other people steal our businesses from us. This is the real climate change calamity.

So yes, this bill costs on average 1.1 million jobs a year. Between 2012 and 2035 the US GDP will lose \$9.4 trillion. All of this leads me to ask this simple question Mr. Speaker: What is worse: Living under Man-made Global Warming, or living under Man-made Global Warming legislation? I would suggest the latter.

For decades, phony, frightening predictions, false climate assumptions and inaccurate information fed into computer climate models have been foisted on the American people, including our young people, and people throughout the world. Even worse, honest discussion on these issues of climate have been stifled, and critics have been silenced in order to create an illusion of a consensus that the climate is going haywire and that we're in for a Man-made Global Warming calamity. So why is this? Why do we have this specter of Man-made Global Warming being portrayed as a global calamity in the making? Well, it's being used to stampede the public and, yes, stampede officials into accepting what appears to be the biggest power grab in history. One doesn't have to be a conspiracy nut to realize there are a significant number of people who really believe in centralizing the power of government into the hands of elected and even unelected officials, centralizing that power in Washington and elsewhere. And these unelected officials, who now will be given so much power, are expected to be competent and expected to be well motivated. They are expected to prove that by doing the things that are consistent with the goals and the values of the people who are pushing to centralize power in their hands.

That we have a group of leftists who believe in centralizing power should not surprise anyone. But what we have here is the leftist politics in this country who believe in centralizing power anyway.

Global and international bodies and our own government and our own Congress will be given the right and power to intervene in our lives to prevent Man-made Global Warming. That's what it's all about, globalism. If man makes it, man must then be controlled. That's why it was so important for them to steamroll over anybody who is in opposition and wanted to ask some questions. They want nobody to ask questions about their theory about Man-made Global Warming because they believe men and women, people, need to be controlled. That is part of their theory of government. It will make it a whole new, more benevolent world. Unfortunately, a lot of the government they are talking about is not the American Government. We are talking about international mandates from unelected bodies that we will then pass on power and authority to, which is supported by many of the people right here in this Congress.

Of course, the proposal before us will destroy the economy, and the irony of it is that it will have nothing to do with saving the planet, but will in fact perhaps make the environment of our planet worse, rather than better.

That is why they have tried to stifle the debate and the attempt to push climate change legislation has never been more intense. People in Washington, we don't need to be told that there has been an attempt to stifle debate. But I would ask that the American people think about what they have heard about the Man-made Global Warming theory over these 15 years, but especially over these last 4 years. The attempt to ramp up these scare tactics is at an all-time high.

But mark my words, the real calamity will not be an out-of-control climate caused by humans; the real calamity brought on by Man-made Global Warming will be the economy-killing taxes and regulations that are put in place to solve a nonexistent problem. That economic decline that we're talking about is just Round one, however. Round two is easy to predict.

For example, in the future, we are going to face all kinds of mandates and controls from the Federal Government and the international. Some of these would be, for example, mandated increases in parking fees. Do they tell you that now? All your local communities are going to have to raise your parking fees. And there will be major impediments to the private use of automobiles. And then, of course, they've got to end frequent flyer miles and they've got to end discount air travel because, believe it or not, and nobody has ever been telling you this, they believe that airplanes are the biggest CO<sub>2</sub> footprint of all. That's right. Your frequent flyer miles and your discount tickets have got to go. Of course, the elite will be able to fly around in their private planes giving a donation by supposedly planting trees somewhere and thus they can fly in their private planes. But the rest of us cannot go to see our sick relatives on a discounted ticket. No one has heard about this. Nobody has heard about these types of controls that are going to be mandated on our own people by the United Nations perhaps. What has been the purview of local government will be transferred to much higher authorities. Local government will be required to follow international guidelines, climate guidelines, when it comes to building, zoning, even local planning.

This is part of our liberty. Where we live, what we eat, how we run our lives, this is what is at stake. It's called liberty. This is a fight between the globalists, who found a vehicle to try to gain power and grab power, and those people who do believe in liberty and justice. We call them patriots. We call them people around the world who do believe in these Western values of dignity for the individual and freedom and justice.

If you aren't frightened by this, you should be. We have a fanatical movement of steely-eyed zealots who cannot admit they made a mistake, who always attack the other person rather than trying to have honest discussions of issues. Couple that with self-serving interests, and there are many self-serving interests who are involved in this. They now have joined in a political coalition that believes they have the right to run the economy, run business, run local schools, and run our lives. They have been looking for an excuse to assume power.

We must stand up and defeat this power grab. Wake up America! Your freedom and prosperity are at stake.

I yield back the balance of my time.

**REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2647, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2010**

Ms. PINGREE of Maine, from the Committee on Rules, submitted a privileged report (Rept. No. 111-182) on the resolution (H. Res. 572) providing for consideration of the bill (H.R. 2647) to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2010, and for other purposes, which was referred to the House Calendar and ordered to be printed.

**REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2892, DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2010**

Ms. PINGREE of Maine, from the Committee on Rules, submitted a privileged report (Rept. No. 111-183) on the resolution (H. Res. 573) providing for consideration of the bill (H.R. 2892) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes, which was referred to the House Calendar and ordered to be printed.

**SPECIAL ORDERS GRANTED**

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. CONNOLLY of Virginia) to revise and extend their remarks and include extraneous material:)

Ms. WOOLSEY, for 5 minutes, today.

Mr. GEORGE MILLER of California, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. BRADY of Pennsylvania, for 5 minutes, today.

(The following Members (at the request of Mr. MORAN of Kansas) to revise and extend their remarks and include extraneous material:)

Mr. FLEMING, for 5 minutes, today.

Mr. INGLIS, for 5 minutes, today.

Mr. GINGREY of Georgia, for 5 minutes, today.

Mr. SOUDER, for 5 minutes, today, June 24, 25 and 26.

**BILLS PRESENTED TO THE PRESIDENT**

Lorraine C. Miller, Clerk of the House reports that on June 19, 2009 she presented to the President of the United States, for his approval, the following bills.

H.R. 2346. Making supplemental appropriations for the fiscal year ending September 30, 2009, and for other purposes.

H.R. 2344. To amend section 114 of title 17, United States Code, to provide for agreements for the reproduction and performance of sound recordings by webcasters.

H.R. 837. To designate the Federal building located at 799 United Nations Plaza in New York, New York, as the "Ronald H. Brown United States Mission to the United Nations Building".

H.R. 2675. To amend title II of the Antitrust Criminal Penalty Enhancement and Reform Act of 2004 to extend the operation of such title for a 1-year period ending June 22, 2010.

H.R. 813. To designate the Federal building and United States courthouse located at 306 East Main Street in Elizabeth City, North Carolina, as the "J. Herbert W. Small Federal Building and United States Courthouse".

**ADJOURNMENT**

Ms. PINGREE of Maine. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 30 minutes p.m.), the House adjourned until tomorrow, Wednesday, June 24, 2009, at 10 a.m.

**EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL**

Reports concerning the foreign currencies and U.S. dollars utilized for speaker-authorized official travel during the first quarter and second quarter of 2009 pursuant to Public Law 95-384 are as follows:

**REPORT OF EXPENDITURES FOR OFFICIAL TRAVEL, DELEGATION TO DENMARK, EXPENDED BETWEEN MAY 26 AND MAY 29, 2009**

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Hon. Steny Hoyer .....	5/26	5/29	Denmark .....	.....	1,529.64	.....	7,039.27	.....	.....	.....	8,568.91
Hon. Mariah Sixkiller .....	5/26	5/29	Denmark .....	.....	1,529.64	.....	7,039.27	.....	.....	.....	8,568.91
Austin Burnes .....	5/26	5/29	Denmark .....	.....	1,529.64	.....	7,039.27	.....	.....	.....	8,568.91

REPORT OF EXPENDITURES FOR OFFICIAL TRAVEL, DELEGATION TO DENMARK, EXPENDED BETWEEN MAY 26 AND MAY 29, 2009—Continued

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Committee total											25,706.73

<sup>1</sup> Per diem constitutes lodging and meals.

<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. STENY H. HOYER, Chairman, June 6, 2009.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO CANADA—U.S. INTERPARLIAMENTARY GROUP, CONFERENCE HELD IN LA MALBAIE, QUEBEC, CANADA, EXPENDED BETWEEN MAY 15 AND MAY 18, 2009

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Hon. James Oberstar	5/15	5/18	Canada		1,004.03						1,004.03
Hon. Cliff Stearns	5/15	5/18	Canada		599.29						599.29
Hon. Bart Stupak	5/15	5/17	Canada		393.00		1,008.41				1,401.41
Hon. Candice Miller	5/15	5/17	Canada		393.00		1,167.68				1,560.68
Peter Quilter	5/15	5/18	Canada		472.18						472.18
Robyn Wapner	5/15	5/18	Canada		472.18						472.18
Mary McVeigh	5/15	5/18	Canada		472.18						472.18
Dr. Kay King	5/15	5/18	Canada		472.18						472.18
Carl Ek	5/15	5/18	Canada		472.18						472.18
Jason Lamote	5/15	5/18	Canada		472.18						472.18
Shanna Winters	5/15	5/17	Canada		314.79		1,357.35				1,672.14
Committee total					5,537.19		3,533.44				9,070.63

<sup>1</sup> Per diem constitutes lodging and meals.

<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. JAMES L. OBERSTAR, Chairman, May 17, 2009.

REPORT OF EXPENDITURES FOR OFFICIAL TRAVEL, DELEGATION TO JORDAN, QATAR, UNITED KINGDOM, EXPENDED BETWEEN MAY 7 AND MAY 12, 2009

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Hon. Nancy Pelosi	5/07	5/08	Jordan		354.00		(3)				354.00
Hon. Rush Holt	5/07	5/08	Jordan		354.00		(3)				354.00
Hon. Brian Monaghan	5/07	5/08	Jordan		354.00		(3)				354.00
Hon. Wilson Livingood	5/07	5/08	Jordan		354.00		(3)				354.00
John Lawrence	5/07	5/08	Jordan		354.00		(3)				354.00
Wyndee Parker	5/07	5/08	Jordan		354.00		(3)				354.00
Andrew Hammill	5/07	5/08	Jordan		354.00		(3)				354.00
Bridget Fallon	5/07	5/08	Jordan		354.00		(3)				354.00
Hon. Nancy Pelosi	5/08	5/11	Qatar		1,073.00		(3)				1,073.00
Hon. Rush Holt	5/08	5/11	Qatar		1,073.00		(3)				1,073.00
Hon. Brian Monaghan	5/08	5/11	Qatar		1,073.00		(3)				1,073.00
Hon. Wilson Livingood	5/08	5/11	Qatar		1,073.00		(3)				1,073.00
John Lawrence	5/08	5/11	Qatar		1,073.00		(3)				1,073.00
Wyndee Parker	5/08	5/11	Qatar		1,073.00		(3)				1,073.00
Andrew Hammill	5/08	5/11	Qatar		1,073.00		(3)				1,073.00
Bridget Fallon	5/08	5/11	Qatar		1,073.00		(3)				1,073.00
Hon. Nancy Pelosi	5/11	5/12	United Kingdom		452.00		(3)				452.00
Hon. Rush Holt	5/11	5/12	United Kingdom		452.00		(3)				452.00
Hon. Brian Monaghan	5/11	5/12	United Kingdom		452.00		(3)				452.00
Hon. Wilson Livingood	5/11	5/12	United Kingdom		452.00		(3)				452.00
John Lawrence	5/11	5/12	United Kingdom		452.00		(3)				452.00
Wyndee Parker	5/11	5/12	United Kingdom		452.00		(3)				452.00
Andrew Hammill	5/11	5/12	United Kingdom		452.00		(3)				452.00
Bridget Fallon	5/11	5/12	United Kingdom		452.00		(3)				452.00
Committee total											15,112.00

<sup>1</sup> Per diem constitutes lodging and meals.

<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

<sup>3</sup> Military air transportation.

HON. NANCY PELOSI, Speaker of the House, June 12, 2009.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2358. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Alkyl Amine Polyalkoxyates; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2008-0738; FRL-8418-6] received June 12, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2359. A letter from the Majority Co-Chair and Minority Co-Chair, Commission on Wartime Contracting in Iraq and Afghanistan, transmitting the Commission's Interim Report describing the Commission's origins, its

plan of work, its review of existing knowledge and results of investigations so far, and items on the agenda for further investigation; to the Committee on Armed Services.

2360. A letter from the General Counsel, Department of Defense, transmitting legislative proposals to be incorporated as part of the National Defense Authorization Bill for Fiscal Year 2010; to the Committee on Armed Services.

2361. A letter from the General Counsel, Department of Defense, transmitting a legislative proposal to be a part of the National Defense Authorization Bill for Fiscal Year 2010; to the Committee on Armed Services.

2362. A letter from the General Counsel, Department of Defense, transmitting a legislative proposal to be a part of the National Defense Authorization Bill for Fiscal Year 2010; to the Committee on Armed Services.

2363. A letter from the General Counsel, Department of Defense, transmitting a legislative proposal to be a part of the National Defense Authorization Bill for Fiscal Year 2010; to the Committee on Armed Services.

2364. A letter from the General Counsel, Department of Defense, transmitting a legislative proposal to be a part of the National Defense Authorization Bill for Fiscal Year 2010; to the Committee on Armed Services.

2365. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility [Docket ID: FEMA-2008-0020; Internal Agency Docket No. FEMA-8069] received June 17, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2366. A letter from the Associate General Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule — Real Estate Settlement Procedures Act (RESPA): Rule To Simplify and Improve the Process of Obtaining Mortgages and Reduce Consumer Settlement Costs; Withdrawal of Revised Definition of "Required Use" [Docket No.: FR-5180-F-06] (RIN: 2502-AI61) received June 2, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2367. A letter from the Legal Information Assistant, Department of the Treasury, transmitting the Department's final rule — Fair Credit Reporting Affiliate Marketing Regulations; Identity Theft Red Flags and Address Discrepancies under the Fair and Accurate Credit Transactions Act of 2003 [Docket ID: OCC-2009-0001 (RIN: 1557-AD14)] received June 8, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2368. A letter from the Senior Counsel for Regulatory Affairs, Department of the Treasury, transmitting the Department's final rule — TARP Standards for Compensation and Corporate Governance (RIN: 1505-AC09) received June 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2369. A letter from the Assistant to the Board, Federal Reserve System, transmitting the System's final rule — Reserve Requirements for Depository Institutions [Regulation D; Docket Nos.: R-1334 and R-1350] received June 4, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2370. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; District of Columbia; Reasonably Available Control Technology Under the 8-Hour Ozone National Ambient Air Quality Standard [EPA-R03-OAR-2008-0595; FRL-8918-1] received June 12, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2371. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Virginia; Northern Virginia Reasonably Available Control Technology Under the 8-Hour Ozone National Ambient Air Quality Standard [EPA-R03-OAR-2007-0287; FRL-8918-2] received June 12, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2372. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Inclusion of CERCLA Section 128(a) State Response Programs and Tribal Response Programs [EPA-HQ-SFUND-2009-0144; FRL-8919-3] (RIN: 2050-AG53) received June 12, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2373. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Rulemaking to Reaffirm the Promulgation of Revisions of the Acid Rain Program Rules [EPA-HQ-OAR-2008-0774; FRL-8917-6] (RIN: 2060-AP35) received June 12, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2374. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Prevention of Significant Deterioration (PSD) and Nonattainment New

Source Review (NSR): Aggregation [EPA-HQ-OAR-2003-0064; FRL-8904-5] (RIN: 2060-AP49) received May 13, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2375. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — In the Matter of Amendment of Section 73.622(i), Final DTV Table of Allotments, Television Broadcast Stations. (Bismarck, North Dakota) [MB Docket No.: 08-134 RM-11466] received June 17, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2376. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — In the Matter of Amendment of Section 73.622(i), Final DTV Table of Allotments, Television Broadcast Stations. (Canton, Ohio) [MB Docket No.: 08-126 RM-11458] received June 12, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2377. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — In the Matter of Amendment of Section 73.622(i), Final DTV Table of Allotments, Television Broadcast Stations. (Spokane, Washington) [MB Docket No.: 08-129 RM-11461] received June 12, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2378. A letter from the Office Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Consideration of Aircraft Impacts for New Nuclear Power Reactors [NRC-2007-0009] (RIN: 3150-AI19) received June 17, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2379. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Revision of Fee Schedules; Fee Recovery for FY 2009 [NRC-2008-0620] (RIN: 3150-AI52) received June 17, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2380. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Army's proposed Letter(s) of Offer and Acceptance to Chile for defense articles and services [Transmittal No. 09-16], pursuant to 22 U.S.C. 2776(b)(1); to the Committee on Foreign Affairs.

2381. A letter from the Secretary, Department of the Treasury, transmitting as required by Executive Order 13313 of July 31, 2003, a six-month periodic report on the national emergency with respect to the Western Balkans that was declared in Executive Order 13219 of June 26, 2001, pursuant to 50 U.S.C. 1641(c); to the Committee on Foreign Affairs.

2382. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to North Korea that was declared in Executive Order 13466 of June 26, 2008, pursuant to 50 U.S.C. 1641(c); to the Committee on Foreign Affairs.

2383. A letter from the Secretary, Department of the Treasury, transmitting as required by Executive Order 13313 of July 31, 2003, a six-month periodic report on the national emergency with respect to the risk of nuclear proliferation created by the accumulation of weapons-usable fissile material in the territory of the Russian Federation that was declared in Executive Order 13159 of June 21, 2000, pursuant to 50 U.S.C. 1641(c); to the Committee on Foreign Affairs.

2384. A letter from the Chairman, Council of the District of Columbia, transmitting a

copy of D.C. ACT 18-104, "WMATA Compact Consistency Temporary Amendment Act of 2009", pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

2385. A letter from the Secretary, Department of Agriculture, transmitting the Department's semiannual report from the office of the Inspector General for the period ending March 31, 2009, pursuant to Public Law 95-452; to the Committee on Oversight and Government Reform.

2386. A letter from the Acting Assoc. Gen. Counsel for General Law, Department of Homeland Security, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

2387. A letter from the General Counsel, Department of Housing and Urban Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

2388. A letter from the General Counsel, Department of Housing and Urban Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

2389. A letter from the Acting Chairman, Equal Employment Opportunity Commission, transmitting the Commission's semiannual report from the office of the Inspector General for the period ending March 31, 2009, pursuant to Section 5(b) of the Inspector General Act of 1978, as amended; to the Committee on Oversight and Government Reform.

2390. A letter from the Executive Director, Interstate Commission on the Potomac River Basin, transmitting the Commission's audited Sixty-Eighth Financial Statement for the period of October 1, 2007 to September 30, 2008 pursuant to the Federal Managers' Financial Integrity Act and the Inspector General Act of 1978, as amended; to the Committee on Oversight and Government Reform.

2391. A letter from the International Roll Call, transmitting a presentation that compares their Legislative clients' use of four (4) available display technologies; to the Committee on House Administration.

2392. A letter from the Staff Director, Commission on Civil Rights, transmitting notification that the Commission recently appointed members to the California Advisory Committee; to the Committee on the Judiciary.

2393. A letter from the Staff Director, Commission on Civil Rights, transmitting notification that the Commission recently appointed members to the New Hampshire Advisory Committee; to the Committee on the Judiciary.

2394. A letter from the Staff Director, Commission on Civil Rights, transmitting notification that the Commission recently appointed members to the Tennessee Advisory Committee; to the Committee on the Judiciary.

2395. A letter from the Staff Director, Commission on Civil Rights, transmitting notification that the Commission recently appointed members to the Georgia Advisory Committee; to the Committee on the Judiciary.

2396. A letter from the Acting Administrator, Department of Transportation, transmitting the Federal Aviation Administration's Capital Investment Plan (CIP) for fiscal years 2010-2014, pursuant to 49 U.S.C. app. 2203(b)(1); to the Committee on Transportation and Infrastructure.

2397. A letter from the Acting Administrator, General Services Administration, transmitting informational copies of

prospectuses and fact sheets that support the U.S. General Services Administration's Fiscal Year 2010 Capital Investment and Leasing Program; to the Committee on Transportation and Infrastructure.

2398. A letter from the Secretary, Department of Veterans Affairs, transmitting a draft bill to authorize \$1,196,230,000 for the Department of Veterans Affairs (VA) major facility construction project for Fiscal Year 2010 and \$196,227,000 for major facility leases for Fiscal Year 2010; to the Committee on Veterans' Affairs.

2399. A letter from the Acting Administrator, Department of Homeland Security, transmitting a draft bill "to authorize the Transportation Security Administration to adjust the fee imposed on passengers of air carriers and foreign air carriers to pay the costs of aviation security, and for other purposes"; to the Committee on Homeland Security.

2400. A letter from the Chairman, Federal Deposit Insurance Corporation, transmitting in accordance with the provisions of section 17(a) of the Federal Deposit Insurance Act, the Chief Financial Officers Act of 1990, Pub. L. 101-576, and the Government Performance and Results Act of 1993, the Corporation's 2008 Annual Report; jointly to the Committees on Financial Services and Oversight and Government Reform.

2401. A letter from the Secretary, Department of Energy, transmitting the Department's 2008 report entitled, "Department of Energy Activities Relating to the Defense Nuclear Facilities Safety Board", pursuant to Section 316(b) of the Atomic Energy Act of 1954; jointly to the Committees on Energy and Commerce and Armed Services.

2402. A letter from the Chairman, Labor Member and Management Member, Railroad Retirement Board, transmitting the Board's 2009 annual report on the financial status of the railroad unemployment insurance system, pursuant to Public Law 100-647, section 7105; jointly to the Committees on Transportation and Infrastructure and Ways and Means.

2403. A letter from the Director, Executive Office of the President, Office of National Drug Policy, transmitting the Office's 2009 National Southwest Border Counternarcotics Strategy, pursuant to Public Law 109-469, section 1110; jointly to the Committees on Armed Services, Homeland Security, Oversight and Government Reform, Energy and Commerce, the Judiciary, and Appropriations.

2404. A letter from the Honorable Tim Murphy (R-PA) and the Honorable Neil Abercrombie (D-HI), transmitting a draft bill entitled, "H.R. 2227, the American Conservation and Clean Energy Independence Act of 2009"; jointly to the Committees on Natural Resources, Oversight and Government Reform, Energy and Commerce, Ways and Means, Science and Technology, Transportation and Infrastructure, Education and Labor, Rules, the Budget, and the Judiciary.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SKELTON: Committee on Armed Services. Supplemental report on H.R. 2647. A bill to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2010, and for other purposes (Rept. 111-166 Pt. 2).

Mr. OBEY: Committee on Appropriations. Report on the Revised Suballocation of

Budget Allocations For Fiscal Year 2010 (Rept. 111-174). Referred to the Committee of the Whole House on the State of the Union.

Mr. RAHALL: Committee on Natural Resources. H.R. 556. A bill to establish a program of research, recovery, and other activities to provide for the recovery of the southern sea otter; with an amendment (Rept. 111-175). Referred to the Committee of the Whole House on the State of the Union.

Mr. RAHALL: Committee on Natural Resources. H.R. 934. A bill to convey certain submerged lands to the Commonwealth of the Northern Mariana Islands in order to give that territory the same benefits in its submerged lands as Guam, the Virgin Islands, and American Samoa have in their submerged lands; with an amendment (Rept. 111-176). Referred to the Committee of the Whole House on the State of the Union.

Mr. RAHALL: Committee on Natural Resources. H.R. 1018. A bill to amend the Wild Free-Roaming Horses and Burros Act to improve the management and long-term health of wild free-roaming horses and burros, and for other purposes; with an amendment (Rept. 111-177). Referred to the Committee of the Whole House on the State of the Union.

Mr. RAHALL: Committee on Natural Resources. H.R. 762. A bill to validate final patent number 27-2005-0081, and for other purposes (Rept. 111-178). Referred to the Committee of the Whole House on the State of the Union.

Mr. RAHALL: Committee on Natural Resources. H.R. 1275. A bill to direct the exchange of certain land in Grand, San Juan, and Uintah Counties, Utah, and for other purposes; with an amendment (Rept. 111-179). Referred to the Committee of the Whole House on the State of the Union.

Mr. DICKS: Committee on Appropriations. H.R. 2996. A bill making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes (Rept. 111-180). Referred to the Committee of the Whole House on the State of the Union.

Ms. DELAURO: Committee on Appropriations. H.R. 2997. A bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes (Rept. 111-181). Referred to the Committee of the Whole House on the State of the Union.

Ms. PINGREE of Maine: Committee on Rules. House Resolution 572. Resolution providing for consideration of the bill (H.R. 2647) to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2010, and for other purposes (Rept. 111-182). Referred to the House Calendar.

Mr. PERLMUTTER: Committee on Rules. House Resolution 573. Resolution providing for consideration of the bill (H.R. 2892) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes (Rept. 111-183). Referred to the House Calendar.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. GEORGE MILLER of California (for himself and Mr. ANDREWS):

H.R. 2989. A bill to amend the Employee Retirement Income Security Act of 1974 to provide special reporting and disclosure

rules for individual account plans and to provide a minimum investment option requirement for such plans, to amend such Act to provide for independent investment advice for participants and beneficiaries under individual account plans, and to amend such Act and the Internal Revenue Code of 1986 to provide transitional relief under certain pension funding rules added by the Pension Protection Act of 2006; to the Committee on Education and Labor, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SKELTON (for himself, Mr. TOWNS, Mr. SPRATT, Mr. WAXMAN, Mr. RAHALL, Mr. MARKEY of Massachusetts, Mrs. DAVIS of California, and Mr. LYNCH):

H.R. 2990. A bill to provide special pays and allowances to certain members of the Armed Forces, expand concurrent receipt of military retirement and VA disability benefits to disabled military retirees, and for other purposes; to the Committee on Armed Services, and in addition to the Committees on Oversight and Government Reform, Natural Resources, and Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CUMMINGS:

H.R. 2991. A bill to amend title 49, United States Code, to provide authority to the Secretary of Transportation to guarantee sureties against loss resulting from a breach of the terms of a bond by an eligible small business concern, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. COLE (for himself and Mr. JORDAN of Ohio):

H.R. 2992. A bill to amend the Internal Revenue Code of 1986 to prohibit the use of public funds for political party conventions; to the Committee on House Administration.

By Mr. COLE (for himself and Mr. JORDAN of Ohio):

H.R. 2993. A bill to amend chapters 95 and 96 of the Internal Revenue Code of 1986 to terminate taxpayer financing of presidential election campaigns; to the Committee on Ways and Means, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BOUCHER (for himself and Mr. STEARNS):

H.R. 2994. A bill to reauthorize the Satellite Home Viewer Extension and Reauthorization Act of 2004, and for other purposes; to the Committee on Energy and Commerce.

By Mr. DAVIS of Alabama (for himself, Mr. BOUSTANY, Mr. CASSIDY, Mr. BACHUS, Mr. CAO, Mr. MELANCON, Mr. BRALEY of Iowa, Mr. FLEMING, Mr. SCALISE, and Mr. BOSWELL):

H.R. 2995. A bill to amend the American Recovery and Reinvestment Tax Act of 2009 to clarify the low-income housing credits that are eligible for the low-income housing grant election, and for other purposes; to the Committee on Financial Services.

By Mr. WAXMAN (for himself and Mr. MARKEY of Massachusetts):

H.R. 2998. A bill to create clean energy jobs, achieve energy independence, reduce global warming pollution and transition to a clean energy economy; to the Committee on Energy and Commerce, and in addition to the Committees on Foreign Affairs, Ways and Means, Financial Services, Education



and Labor, Science and Technology, Transportation and Infrastructure, Natural Resources, Agriculture, Oversight and Government Reform, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. BALDWIN (for herself, Mr. PALLONE, Mr. TIM MURPHY of Pennsylvania, and Mr. SCHRADER):

H.R. 2999. A bill to amend the Public Health Service Act to enhance and increase the number of veterinarians trained in veterinary public health; to the Committee on Energy and Commerce.

By Ms. LEE of California:

H.R. 3000. A bill to establish a United States Health Service to provide high quality comprehensive health care for all Americans and to overcome the deficiencies in the present system of health care delivery; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. BALDWIN (for herself, Mr. WAXMAN, Ms. LEE of California, Mr. HONDA, and Ms. VELÁZQUEZ):

H.R. 3001. A bill to address the health disparities experienced by lesbian, gay, bisexual, and transgender Americans, to eliminate the barriers they face in accessing quality health care, and to ensure that good health and well-being is accessible to all; to the Committee on Energy and Commerce, and in addition to the Committees on Armed Services, the Judiciary, Ways and Means, Oversight and Government Reform, House Administration, Education and Labor, Veterans' Affairs, Transportation and Infrastructure, Intelligence (Permanent Select), and Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BOEHNER (for himself and Mr. CANTOR):

H.R. 3002. A bill to protect all patients by prohibiting the use of data obtained from comparative effectiveness research to deny coverage of items or services under Federal health care programs and to ensure that comparative effectiveness research accounts for advancements in personalized medicine and differences in patient treatment response; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. CAPPS (for herself, Mr. ROGERS of Michigan, Mrs. DAVIS of California, Mrs. CAPITO, Mrs. NAPOLITANO, Mr. BERMAN, Mr. HARE, and Ms. SCHAKOWSKY):

H.R. 3003. A bill to amend the Public Health Service Act to establish the School-Based Health Clinic program, and for other purposes; to the Committee on Energy and Commerce.

By Mr. GINGREY of Georgia (for himself, Mr. BROUN of Georgia, Mr. KING of Iowa, Mr. BRADY of Texas, Mr. PAULSEN, Ms. FALLIN, Mr. BARTLETT, Mr. PITTS, Mrs. BLACKBURN, Mr. CULBERSON, Mr. LAMBORN, Mr. BONNER, Mr. FRANKS of Arizona, Mr. BILBRAY, Mr. JONES, Mr. WESTMORELAND, Mr. WAMP, Mr. SESSIONS, Mr. NUNES, and Mr. SMITH of Nebraska):

H.R. 3004. A bill to amend the Internal Revenue Code of 1986 to exclude from gross in-

come gain from the conversion of property by reason of eminent domain; to the Committee on Ways and Means.

By Mr. GRAVES:

H.R. 3005. A bill to expedite the increased supply and availability of energy to our Nation; to the Committee on Energy and Commerce.

By Mr. GRIJALVA (for himself, Mr. FATTAH, Ms. CLARKE, Mr. HARE, Mr. DAVIS of Illinois, Mr. LEWIS of Georgia, Mr. YARMUTH, Mr. LANGEVIN, and Mr. SESTAK):

H.R. 3006. A bill to provide grants to States to ensure that all students in the middle grades are taught an academically rigorous curriculum with effective supports so that students complete the middle grades prepared for success in high school and postsecondary endeavors, to improve State and district policies and programs relating to the academic achievement of students in the middle grades, to develop and implement effective middle grades models for struggling students, and for other purposes; to the Committee on Education and Labor.

By Mr. KANJORSKI:

H.R. 3007. A bill to provide fiscal assistance to local governments; to the Committee on Oversight and Government Reform.

By Mr. KISSELL:

H.R. 3008. A bill to establish a National Strategic Gasoline Reserve, and for other purposes; to the Committee on Energy and Commerce.

By Mr. ROSS:

H.R. 3009. A bill to promote alternative and renewable fuels and domestic energy production, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WU:

H.R. 3010. A bill to amend the Elementary and Secondary Education Act of 1965 to reduce class size through the use of fully qualified teachers, and for other purposes; to the Committee on Education and Labor.

By Mr. TURNER (for himself, Mr. LATOURETTE, Mr. PITTS, Mr. BARTLETT, Mr. SHADEGG, Mr. BROUN of Georgia, Mr. PRICE of Georgia, Mr. BISHOP of Utah, Mr. KING of Iowa, Mr. GINGREY of Georgia, Mr. POSEY, Mr. FRANKS of Arizona, Mr. BONNER, Mr. GOHMERT, Mr. SAM JOHNSON of Texas, Mrs. BLACKBURN, Mr. TIAHRT, Mr. Latta, Mr. HELLER, Mr. ROGERS of Alabama, Mr. LEE of New York, Mr. MILLER of Florida, Mr. GARRETT of New Jersey, Mr. WESTMORELAND, Mr. MARCHANT, Mr. GARY G. MILLER of California, Mr. CALVERT, Mr. GALLEGLY, Mr. REHBERG, Mr. ALEXANDER, Mrs. SCHMIDT, Mr. PENCE, Mr. BURTON of Indiana, Mr. SOUDER, Mr. BOOZMAN, Mr. DAVIS of Kentucky, Mr. SENSENBRENNER, Mr. PLATTS, Mr. LINDER, Mr. WAMP, Mr. AKIN, Mr. KINGSTON, Mr. MARIO DIAZ-BALART of Florida, Mr. MCKEON, Mr. KLINE of Minnesota, Mrs. CAPITO, Mr. TERRY, Mr. BACHUS, Mr. LAMBORN, Mr. ROE of Tennessee, Mr. FLEMING, Mr. CULBERSON, Mr. YOUNG of Alaska, Mr. TIBERI, Mr. STEARNS, Mr. YOUNG of Florida, Mr. HUNTER, Mr. SHUSTER, Mr. MICA, Mr. COFFMAN of Colorado, Mr. LUETKEMEYER, Mr. KING of New York, Mr. BARRETT of South Carolina, Mr. COLE, Mr. SESSIONS, Mr. OLSON, Mr. HALL of Texas, Mr. FORBES, Mr. AUSTRIA, Mr. REICHERT, Mr. WILSON of South Carolina, Mr. ROGERS of Kentucky, Mr. JONES, Mr.

BOEHNER, Mr. BOUSTANY, Mr. DUNCAN, Ms. FOX, Mr. SHIMKUS, Mr. POE of Texas, Mr. HERGER, Mr. HOEKSTRA, Mr. MANZULLO, Mr. BURGESS, Mr. LEWIS of California, Mr. FLAKE, Mr. LUCAS, Mr. CARTER, Ms. GRANGER, Mr. WALDEN, Mr. LANCE, Mr. HENSARLING, Ms. GINNY BROWN-WAITE of Florida, Mrs. MYRICK, Mr. COBLE, Mr. MCCLINTOCK, Mr. BILBRAY, Mr. NEUGEBAUER, Mr. NUNES, Mr. MCCAUL, Mrs. BACHMANN, Mr. GRAVES, and Mr. CANTOR):

H.J. Res. 57. A joint resolution proposing an amendment to the Constitution of the United States to prohibit the United States from owning stock in corporations; to the Committee on the Judiciary.

By Mr. FALEOMAVAEGA (for himself, Mr. MEEKS of New York, Mr. HONDA, Mr. KILDEE, Mr. PAYNE, Mrs. CHRISTENSEN, and Ms. BORDALLO):

H. Res. 574. A resolution expressing the sense of the House of Representatives that Peru should immediately cease any hostile activity against its indigenous peoples and instead engage in dialogue to address ongoing political conflict between state authorities and indigenous peoples; to the Committee on Foreign Affairs.

By Mr. GINGREY of Georgia (for himself, Ms. WATERS, Mr. BROUN of Georgia, Mr. KING of Iowa, Mr. BONNER, Mr. BRADY of Texas, Ms. FALLIN, Mr. AKIN, Mr. TIAHRT, Mr. GOHMERT, Mr. FRANKS of Arizona, Mr. SCALISE, Mr. THOMPSON of Pennsylvania, Mr. CULBERSON, Mr. LAMBORN, Mr. SAM JOHNSON of Texas, Mr. BILBRAY, Mr. JONES, Mr. WESTMORELAND, Mr. MCCAUL, Mr. ROHRBACHER, Mr. MACK, Mr. SIMPSON, Mr. JOHNSON of Illinois, Mr. WAMP, Mr. SESSIONS, Mr. NUNES, and Mr. SMITH of Nebraska):

H. Res. 575. A resolution expressing support for the private property rights protections guaranteed by the 5th Amendment to the Constitution on the 4th anniversary of the Supreme Court's decision of *Kelo v. City of New London*; to the Committee on the Judiciary.

By Mr. SESTAK (for himself, Mr. VAN HOLLEN, Mr. MCCAUL, and Mr. TIBERI):

H. Res. 576. A resolution expressing support for designation of September 12, 2009, as "National Childhood Cancer Awareness Day"; to the Committee on Energy and Commerce.

By Mr. SOUDER (for himself, Mr. BILBRAY, Mr. CARTER, Mr. PIERLUISI, and Mr. BURTON of Indiana):

H. Res. 577. A resolution recognizing the Nation's orthopedic industry for its continued legacy of innovation in providing devices that relieve the pain of, and restore mobility to, active duty armed service members, veterans, and patients of all ages from all walks of life; to the Committee on Energy and Commerce.

## MEMORIALS

Under clause 4 of Rule XXII, memorials were presented and referred as follows:

97. The SPEAKER presented a memorial of the State Senate and Assembly of the State Legislature of Nevada, relative to SENATE JOINT RESOLUTION No. 2 Urging the Nevada Congressional Delegation and Congress to take certain actions concerning wilderness areas and wilderness study areas; to the Committee on Natural Resources.

98. Also, a memorial of the State House of Representatives of Alaska, relative to House Resolve No. 9 Reaffirming support for the environmentally responsible development of

the Kensington Gold Mine; and urging the governor to encourage and facilitate the prompt continuation or reinstatement, reactivation, and period extension of permits authorizing the construction and operation of the Kensington Gold Mine upon a decision by the United States Supreme Court in favor of the Kensington Gold Mine; to the Committee on Natural Resources.

99. Also, a memorial of the State Senate and the Assembly of the State Legislature of Nevada, relative to Senate Concurrent Resolution No. 35 Urging Congress to enact legislation allowing states to collect sales taxes on remote sales, including sales on the Internet; to the Committee on the Judiciary.

100. Also, a memorial of the State House of Representatives of Alaska, relative to House Resolve No. 8 Requesting the United States Congress to permanently repeal the federal unified gift and estate tax; to the Committee on Ways and Means.

101. Also, a memorial of the State Senate and Assembly of the State Legislature of Nevada, relative to SENATE JOINT RESOLUTION No. 4 Urging Congress to fund fully and protect the future of the Medicare program; jointly to the Committees on Energy and Commerce and Ways and Means.

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 164: Mr. YOUNG of Alaska.  
 H.R. 179: Ms. HIRONO.  
 H.R. 186: Ms. LEE of California.  
 H.R. 197: Mr. STUPAK, Mr. BILBRAY, Mr. TERRY, Mr. TIM MURPHY of Pennsylvania, and Mr. AUSTRIA.  
 H.R. 209: Mr. SESTAK.  
 H.R. 303: Mr. STEARNS and Mr. SESSIONS.  
 H.R. 433: Mr. BARTLETT.  
 H.R. 442: Mr. TERRY.  
 H.R. 503: Mr. WILSON of South Carolina, Mr. McMAHON, and Mr. CHANDLER.  
 H.R. 510: Mr. LARSON of Connecticut.  
 H.R. 517: Mr. HALL of Texas.  
 H.R. 571: Mr. McCLINTOCK, Mr. MARKEY of Massachusetts, and Mr. OLVER.  
 H.R. 574: Mr. MARKEY of Massachusetts, Ms. MATSUI, and Mr. GRIFFITH.  
 H.R. 610: Mr. POE of Texas.  
 H.R. 621: Mr. COURTNEY, Mr. GENE GREEN of Texas, Mr. EHLERS, and Mr. JONES.  
 H.R. 669: Ms. DEGETTE.  
 H.R. 685: Mr. SOUDER, Ms. SCHWARTZ, Mr. MEEKS of New York, Mr. BISHOP of Georgia, Mr. BARROW, Mr. GONZALEZ, Mr. DOYLE, Ms. JACKSON-LEE of Texas, Mrs. MCCARTHY of New York, Ms. CORRINE BROWN of Florida, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CUMMINGS, Mr. THOMPSON of Mississippi, Ms. EDWARDS of Maryland, Ms. CLARKE, Ms. NORTON, Mr. BUTTERFIELD, Mr. LEWIS of Georgia, Mr. SCOTT of Georgia, Ms. MOORE of Wisconsin, Mr. RUSH, Mr. WATT, Mr. SCOTT of Virginia, Mr. HASTINGS of Florida, Mr. FATTAH, Mr. CLEAVER, Mrs. CHRISTENSEN, Ms. RICHARDSON, Ms. KILPATRICK of Michigan, Ms. WATSON, Ms. FUDGE, and Ms. WATERS.  
 H.R. 731: Mr. WILSON of South Carolina.  
 H.R. 745: Mr. LOEBSACK and Ms. BERKLEY.  
 H.R. 753: Mr. LEVIN.  
 H.R. 775: Mr. FOSTER, Mr. LEWIS of Georgia, Ms. RICHARDSON, and Mr. JACKSON of Illinois.  
 H.R. 816: Ms. RICHARDSON and Mr. BISHOP of Georgia.  
 H.R. 930: Mr. POMEROY.  
 H.R. 946: Mrs. DAHLKEMPER.  
 H.R. 950: Mr. TEAGUE.  
 H.R. 995: Mr. WELCH.  
 H.R. 1024: Ms. SLAUGHTER.

H.R. 1051: Mr. HODES.  
 H.R. 1064: Ms. KOSMAS and Mr. ALTMIRE.  
 H.R. 1067: Mr. SIREN and Mr. SHIMKUS.  
 H.R. 1074: Mr. TERRY and Mr. SMITH of Nebraska.  
 H.R. 1075: Mr. SESTAK.  
 H.R. 1077: Mr. TERRY and Mr. MCHUGH.  
 H.R. 1091: Mr. WEXLER.  
 H.R. 1101: Mr. MCDERMOTT and Ms. PINGREE of Maine.  
 H.R. 1137: Mr. TEAGUE.  
 H.R. 1147: Mr. AKIN, Ms. BORDALLO, Mr. BARTLETT, Mr. CUMMINGS, and Mr. SMITH of Nebraska.  
 H.R. 1177: Mr. CALVERT and Mr. LINCOLN DIAZ-BALART of Florida.  
 H.R. 1207: Mr. CANTOR, Mr. SPACE, Mr. CONYERS, Mr. SHERMAN, and Mr. SNYDER.  
 H.R. 1210: Mr. DOYLE.  
 H.R. 1215: Mr. ROTHMAN of New Jersey.  
 H.R. 1230: Mr. ALTMIRE, Ms. BALDWIN, Mr. MURPHY of Connecticut, and Mr. BARROW.  
 H.R. 1242: Mr. TANNER.  
 H.R. 1255: Ms. MOORE of Wisconsin, Mr. NUNES, Mr. GINGREY of Georgia, and Mr. SAM JOHNSON of Texas.  
 H.R. 1283: Mr. LARSON of Connecticut and Mr. LUJÁN.  
 H.R. 1293: Mr. STEARNS and Mr. BOOZMAN.  
 H.R. 1302: Mr. BOSWELL.  
 H.R. 1310: Ms. KILROY.  
 H.R. 1313: Mr. COURTNEY, Mr. MORAN of Virginia, and Mr. WILSON of South Carolina.  
 H.R. 1335: Mr. BISHOP of New York.  
 H.R. 1362: Mr. MCCOTTER.  
 H.R. 1398: Mr. ELLSWORTH.  
 H.R. 1422: Mr. HERGER.  
 H.R. 1428: Ms. BORDALLO.  
 H.R. 1441: Mr. LOEBSACK and Mr. CARNEY.  
 H.R. 1443: Mr. LOEBSACK and Mr. SCHIFF.  
 H.R. 1452: Mr. UPTON.  
 H.R. 1454: Mr. COFFMAN of Colorado and Mr. RUPPERSBERGER.  
 H.R. 1458: Mr. WILSON of South Carolina, Mr. BUTTERFIELD, Ms. JACKSON-LEE of Texas, Ms. MOORE of Wisconsin, and Mr. SPRATT.  
 H.R. 1470: Ms. MARKEY of Colorado.  
 H.R. 1478: Mr. NADLER of New York.  
 H.R. 1507: Mr. PAUL.  
 H.R. 1548: Mr. COBLE and Mr. SCHOCK.  
 H.R. 1585: Mr. SCOTT of Virginia, Mr. SCOTT of Georgia, and Mr. PALLONE.  
 H.R. 1587: Mr. YOUNG of Alaska.  
 H.R. 1616: Mr. LOEBSACK, Ms. SUTTON, and Ms. KILROY.  
 H.R. 1633: Mr. BISHOP of New York.  
 H.R. 1682: Mr. POE of Texas.  
 H.R. 1685: Ms. SCHAKOWSKY.  
 H.R. 1700: Mr. JACKSON of Illinois and Mr. MEEK of Florida.  
 H.R. 1705: Mr. HONDA.  
 H.R. 1751: Mr. DOGETT, Mr. SMITH of Washington, Mr. BLUMENAUER, Mrs. MALONEY, Ms. WATERS, and Mr. NADLER of New York.  
 H.R. 1758: Mr. SESTAK and Mr. MORAN of Virginia.  
 H.R. 1799: Mrs. LOWEY, Mr. GRIFFITH, and Ms. MARKEY of Colorado.  
 H.R. 1818: Mr. BISHOP of New York.  
 H.R. 1821: Mr. CONNOLLY of Virginia.  
 H.R. 1822: Mr. FLEMING.  
 H.R. 1849: Mr. SMITH of Texas.  
 H.R. 1897: Ms. BALDWIN, Mr. ELLSWORTH, Mr. PITTS, and Mr. JOHNSON of Georgia.  
 H.R. 2006: Ms. SCHWARTZ.  
 H.R. 2017: Mr. FARR, Mr. COURTNEY, Mr. RODRIGUEZ, and Mr. SPACE.  
 H.R. 2028: Mr. DAVIS of Kentucky.  
 H.R. 2049: Mr. ISRAEL, Mr. PLATTS, Mr. WU, and Mr. NEUGEBAUER.  
 H.R. 2058: Mr. HODES.  
 H.R. 2061: Mr. GOHMERT.  
 H.R. 2068: Mr. BUTTERFIELD.  
 H.R. 2093: Mr. FARR.  
 H.R. 2097: Mr. BROWN of South Carolina, Mr. HALL of New York, Mr. ROGERS of Kentucky, Mr. BERRY, Ms. MCCOLLUM, Ms. LEE

of California, Mr. SERRANO, Mr. SCHIFF, Mr. MORAN of Virginia, Ms. WASSERMAN SCHULTZ, Mr. PRICE of North Carolina, Mr. SALAZAR, Mr. PASTOR of Arizona, Ms. KAPTUR, Mr. DICKS, Mr. FATTAH, Ms. DELAURO, and Mr. HONDA.

H.R. 2102: Mr. VAN HOLLEN and Ms. BALDWIN.

H.R. 2110: Mr. COURTNEY and Ms. BERKLEY.  
 H.R. 2119: Mr. BURGESS.

H.R. 2156: Mr. MICHAUD, Mr. MCGOVERN, and Mr. PAULSEN.

H.R. 2159: Mr. ISRAEL.  
 H.R. 2190: Mr. KUCINICH, Mr. COHEN, Mr. ROTHMAN of New Jersey, Mr. JOHNSON of Georgia, and Ms. TSONGAS.

H.R. 2220: Mr. HUNTER, Ms. NORTON, Mr. DOYLE, Mr. LATHAM, Ms. BERKLEY, Mr. BOCCIERI, Mr. HARE, Mr. HASTINGS of Washington, Mr. CONNOLLY of Virginia, and Mr. SOUDER.  
 H.R. 2227: Mr. WOLF and Mr. DENT.  
 H.R. 2231: Mr. KUCINICH.  
 H.R. 2239: Mr. MASSA.  
 H.R. 2243: Ms. KOSMAS and Mr. SNYDER.  
 H.R. 2245: Mr. WU, Ms. JACKSON-LEE of Texas, Mr. CULBERSON, and Mr. BISHOP of New York.

H.R. 2246: Mr. MURPHY of Connecticut.  
 H.R. 2266: Mr. YOUNG of Alaska.  
 H.R. 2267: Mr. YOUNG of Alaska.

H.R. 2272: Mr. PRICE of North Carolina.  
 H.R. 2293: Mr. MCDERMOTT.  
 H.R. 2296: Mr. DAVIS of Kentucky and Mr. AUSTRIA.

H.R. 2304: Mr. RODRIGUEZ and Mr. WAXMAN.  
 H.R. 2315: Mr. SPACE.  
 H.R. 2329: Mr. MANZULLO, Mr. SHULER, and Ms. SCHWARTZ.

H.R. 2360: Mr. HALL of New York and Mr. LANCE.  
 H.R. 2389: Mrs. LOWEY.  
 H.R. 2390: Ms. LINDA T. SÁNCHEZ of California.

H.R. 2404: Mr. HASTINGS of Florida, and Mr. JOHNSON of Illinois.  
 H.R. 2408: Mr. UPTON, Ms. WOOLSEY, Mr. MAFFEI, Mr. HALL of Texas, Mr. WEXLER, Mr. PIERLUISI, Mrs. MCCARTHY of New York, Ms. KILPATRICK of Michigan, Mr. CONYERS, and Mr. PETERS.

H.R. 2413: Mr. SCHIFF, Mr. MCGOVERN, Mr. KING of New York, Mr. LINCOLN DIAZ-BALART of Florida, Ms. ROS-LEHTINEN, Mr. REYES, and Ms. DELAURO.

H.R. 2414: Mr. BLUMENAUER and Mr. FILNER.  
 H.R. 2421: Mr. SERRANO, Mr. SHIMKUS, and Mr. KING of New York.

H.R. 2427: Mr. JACKSON of Illinois.  
 H.R. 2438: Mr. PAUL.  
 H.R. 2456: Mr. MEEK of Florida, Mr. BRADY of Pennsylvania, Mr. BOOZMAN, Mr. MITCHELL, Mr. MCGOVERN, and Mr. RODRIGUEZ.

H.R. 2476: Mr. PERLMUTTER, Ms. MARKEY of Colorado, and Mr. McCLINTOCK.  
 H.R. 2478: Mr. JOHNSON of Georgia, Mr. BRADY of Pennsylvania, Mr. MARKEY of Massachusetts, Mr. CARTER, Mr. HALL of New York, Mr. GUTIERREZ, Mr. BONNER, Ms. HIRONO, Mr. ELLISON, Mrs. CAPPS, Ms. MATSUI, Mr. HASTINGS of Florida, Mr. TIERNEY, Ms. SUTTON, Mr. DELAHUNT, Mr. HOLT, Mr. OLVER, Mr. LYNCH, Mr. FILNER, Mr. ISRAEL, Mr. TAYLOR, Mr. MILLER of Florida, Mr. KANJORSKI, Mr. ROHRBACHER, Ms. GRANGER, Mr. EHLERS, Mr. MANZULLO, and Mr. DANIEL E. LUNGREN of California.

H.R. 2480: Mr. COURTNEY, Mr. SESTAK, Mr. FILNER, and Mr. HONDA.  
 H.R. 2488: Mr. NYE, Mr. EDWARDS of Texas, Mr. HASTINGS of Florida, Mr. SPACE, Mr. BISHOP of New York, and Mr. PATRICK J. MURPHY of Pennsylvania.

H.R. 2499: Ms. PINGREE of Maine, Ms. TITUS, and Mr. HIMES.  
 H.R. 2531: Mr. CARNAHAN.  
 H.R. 2539: Mr. MCCOTTER.

H.R. 2560: Mr. MICHAUD.  
 H.R. 2561: Mr. CARNEY, Mr. FOSTER, and Mr. FILNER.  
 H.R. 2568: Mr. ELLISON.  
 H.R. 2578: Ms. KAPTUR, Mr. MCCOTTER, and Mr. BURTON of Indiana.  
 H.R. 2614: Mr. MITCHELL.  
 H.R. 2619: Mr. BARTLETT.  
 H.R. 2648: Mrs. MALONEY, Mr. SNYDER, and Mr. PASTOR of Arizona.  
 H.R. 2672: Mr. ROE of Tennessee.  
 H.R. 2681: Mr. STARK.  
 H.R. 2692: Mr. YOUNG of Alaska.  
 H.R. 2697: Mr. ROGERS of Kentucky and Mr. SMITH of Nebraska.  
 H.R. 2708: Mrs. CHRISTENSEN.  
 H.R. 2710: Mr. RYAN of Ohio, Mr. POMEROY, Ms. DEGETTE, Mr. CARSON of Indiana, and Mr. ABERCROMBIE.  
 H.R. 2720: Mrs. MALONEY.  
 H.R. 2724: Mr. ELLISON, Ms. LEE of California, Mr. SIRES, Mr. PAYNE, and Mrs. NAPOLITANO.  
 H.R. 2743: Mr. TIM MURPHY of Pennsylvania, Mr. PERLMUTTER, Mr. SMITH of New Jersey, Mr. GRIFFITH, Mr. WILSON of South Carolina, Mr. MILLER of Florida, Mr. AUSTRIA, Mr. COFFMAN of Colorado, Mr. CULBERSON, Mr. ARCURI, Ms. LINDA T. SANCHEZ of California, Mr. ETHERIDGE, Ms. HERSETH SANDLIN, Mr. BACA, and Mr. SIMPSON.  
 H.R. 2746: Mr. PASCRELL, Mr. MCMAHON, Mr. HASTINGS of Florida, Mr. HIGGINS, Mr. KLEIN of Florida, and Mr. LYNCH.  
 H.R. 2752: Mr. HENSARLING and Mr. ROGERS of Kentucky.  
 H.R. 2754: Ms. SCHWARTZ.  
 H.R. 2770: Mr. WALZ.  
 H.R. 2777: Mr. COURTNEY.  
 H.R. 2784: Mr. YOUNG of Alaska.  
 H.R. 2786: Mr. YOUNG of Alaska.  
 H.R. 2796: Mr. FRELINGHUYSEN and Mr. AUSTRIA.  
 H.R. 2810: Ms. SCHAKOWSKY.  
 H.R. 2817: Mr. FILNER.  
 H.R. 2819: Mr. SERRANO.  
 H.R. 2828: Mrs. BLACKBURN.  
 H.R. 2831: Mr. PATRICK J. MURPHY of Pennsylvania.  
 H.R. 2835: Mr. POLIS of Colorado and Mr. DEFAZIO.  
 H.R. 2842: Mr. STEARNS, Mr. HALL of Texas, Mr. PAUL, Mr. TURNER, Mr. AKIN, Mr. BROUN of Georgia, and Mr. ISSA.  
 H.R. 2844: Mr. LOEBACK and Mr. POMEROY.  
 H.R. 2846: Mr. THORNBERRY and Mr. BARRATT of South Carolina.  
 H.R. 2850: Mr. ANDREWS, Mr. BOUCHER, Mr. BUTTERFIELD, Mr. DAVIS of Illinois, Ms. DEGETTE, Mr. GENE GREEN of Texas, Mr. GORDON of Tennessee, and Ms. SCHAKOWSKY.  
 H.R. 2875: Mr. SIMPSON.  
 H.R. 2882: Ms. RICHARDSON, Ms. HIRONO, and Mr. ROTHMAN of New Jersey.  
 H.R. 2891: Ms. SCHAKOWSKY.  
 H.R. 2894: Mr. VAN HOLLEN and Mr. RUPPERSBERGER.  
 H.R. 2902: Mr. FRANK of Massachusetts.  
 H.R. 2913: Mr. BILIRAKIS and Ms. CASTOR of Florida.  
 H.R. 2920: Mr. MURPHY of Connecticut.  
 H.R. 2941: Mr. SESTAK and Mr. CARNAHAN.  
 H.R. 2943: Mr. POLIS of Colorado.  
 H.R. 2956: Mr. HENSARLING.  
 H.R. 2969: Mr. COSTA, Ms. EDWARDS of Maryland, Mr. MORAN of Virginia, and Mr. GEORGE MILLER of California.  
 H.J. Res. 56: Mr. PITTS and Mr. MCCOTTER.  
 H. Con. Res. 49: Mr. MELANCON.  
 H. Con. Res. 74: Ms. WATSON and Mr. ELLISON.  
 H. Con. Res. 128: Mr. BOOZMAN.  
 H. Con. Res. 144: Mr. VISLOSKEY, Mr. RUSH, Mr. COURTNEY, Mr. HARE, Mr. LEWIS of Georgia, Ms. BERKLEY, Mr. SESTAK, Mr. CARNAHAN, Ms. SCHAKOWSKY, Ms. KAPTUR, Ms. HIRONO, and Mr. SMITH of Washington.

H. Con. Res. 146: Mr. FILNER.  
 H. Con. Res. 152: Mr. BERMAN.  
 H. Con. Res. 154: Mr. WEINER, Mr. SHERMAN, Mr. FRANK of Massachusetts, and Mr. CLEAV-ER.  
 H. Res. 69: Ms. RICHARDSON, Mr. LINCOLN DIAZ-BALART of Florida, Mr. CLEAVER, Mr. CONYERS, Mr. MARIO DIAZ-BALART of Florida, Ms. SCHAKOWSKY, Mr. SKELTON, and Ms. LEE of California.  
 H. Res. 111: Mr. CARNEY, Ms. KOSMAS, Ms. CLARKE, Mr. GALLEGLY, Mr. CONNOLLY of Virginia, Mr. MCCLINTOCK, Mr. BILBRAY, Mr. PATRICK J. MURPHY of Pennsylvania, Mr. MILLER of Florida, Mrs. CAPITO, Mr. HALL of Texas, Mrs. LOWEY, and Mr. BOUSTANY.  
 H. Res. 159: Ms. BALDWIN.  
 H. Res. 199: Mr. JOHNSON of Illinois.  
 H. Res. 209: Ms. ZOE LOFGREN of California.  
 H. Res. 244: Mr. AUSTRIA.  
 H. Res. 278: Mr. WU and Mr. TOWNS.  
 H. Res. 285: Mr. LAMBORN, Ms. BORDALLO, Mr. HUNTER, and Mr. MCMAHON.  
 H. Res. 288: Mr. FATTAH, Mr. SIRES, Mrs. CHRISTENSEN, Mr. PAYNE, Mr. HALL of Texas, and Mr. MICHAUD.  
 H. Res. 364: Mrs. HALVORSON.  
 H. Res. 397: Mr. JOHNSON of Illinois, Mr. GOODLATTE, and Mr. MCCLINTOCK.  
 H. Res. 412: Mr. SESTAK.  
 H. Res. 433: Mr. ROTHMAN of New Jersey and Mrs. LOWEY.  
 H. Res. 441: Mr. KUCINICH, Mr. COURTNEY, Mr. RYAN of Ohio, Mr. DAVIS of Illinois, Mrs. DAHLKEMPER, Mr. GUTIERREZ, Mr. KILDEE, Ms. ESHOO, Mr. MORAN of Virginia, Mr. COSTELLO, Mr. ROTHMAN of New Jersey, Mrs. NAPOLITANO, Mr. WILSON of Ohio, and Mr. STUPAK.  
 H. Res. 452: Ms. BORDALLO, Mr. MCGOVERN, Mr. SESTAK, and Ms. MOORE of Wisconsin.  
 H. Res. 476: Mrs. BLACKBURN.  
 H. Res. 491: Mr. BISHOP of New York.  
 H. Res. 494: Mr. LARSEN of Washington and Mr. PRICE of North Carolina.  
 H. Res. 497: Mr. MCCOTTER, Mr. STEARNS, Mr. JORDAN of Ohio, Mr. PENCE, Ms. FOX, Mr. CASSIDY, Mr. LATTA, Mr. BOOZMAN, Mr. MARIO DIAZ-BALART of Florida, Mrs. MCMORRIS RODGERS, Mr. OLSON, Mr. FORBES, Mr. DUNCAN, Mr. KING of New York, and Mr. BUYER.  
 H. Res. 507: Mr. BOSWELL, Mr. MCCOTTER, and Mr. SCOTT of Georgia.  
 H. Res. 512: Mr. KIRK, Ms. MOORE of Wisconsin, Mr. KRATOVIL, Mr. JONES, and Mr. HASTINGS of Florida.  
 H. Res. 543: Ms. TITUS, Mr. MINNICK, and Mr. BLUMENAUER.  
 H. Res. 547: Mrs. MCMORRIS RODGERS.  
 H. Res. 549: Mr. BURTON of Indiana.  
 H. Res. 550: Mr. LEWIS of Georgia, Ms. CORRINE BROWN of Florida, Mr. JOHNSON of Georgia, Mr. FATTAH, Ms. MOORE of Wisconsin, Mr. RUSH, and Ms. NORTON.  
 H. Res. 556: Mr. ROYCE.  
 H. Res. 566: Mr. GEORGE MILLER of California.

#### CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

The amendment to be offered by Representative SKELTON, or a designee, to H.R. 2647, the National Defense Authorization Act for FY10, contains the following congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of Rule XXI: Title II; Acct RDDW; PE or Project 1160405BB; Line 247; Description Advanced, Long Endurance Unattended Ground

Sensor; Amount \$8,000 (Dollars in Thousands); Member HARPER; Intended Recipient Mississippi State University; Intended Location of Performance; Starkville, MS.

The amendment to be offered by Representative PRICE of North Carolina, or a designee, to H.R. 2892, the Department of Homeland Security Appropriations Act, 2010, contains no congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(e), 9(f) or 9(g) of rule XXI.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the clerk's desk and referred as follows:

55. The SPEAKER presented a petition of the California Federation of Teachers AFT, AFL-CIO, relative to 2009 CFT RESOLUTION 35 Endorsing the Workers Emergency Recovery Campaign; to the Committee on Education and Labor.

56. Also, a petition of the Clayton County Public Schools Office of the Interim Superintendent in Jonesboro, Georgia, relative to a resolution fully supporting the intention "Sexual Abuse Awareness Month" and further supporting this "awareness" not only in the month of April but supporting this cause throughout the year for the protection of children from the spiritual, physical and mental harm that can be caused by sexual abuse and urging the State of Georgia, the United States Congress and the President of the United States to likewise support actions to protect children from the harm that is caused by sexual abuse; to the Committee on Energy and Commerce.

57. Also, a petition of the City of North Miami Beach, Florida, relative to RESOLUTION NO. R2009-29 URGING PRESIDENT OBAMA TO GRANT TEMPORARY PROTECTIVE STATUS TO HAITIANS IN THE UNITED STATES; to the Committee on the Judiciary.

58. Also, a petition of the American Bar Association, relative to a resolution relating to Juvenile Sex Offender Registration; to the Committee on the Judiciary.

59. Also, a petition of the American Bar Association, relative to a resolution relating to the Mediation of Criminal Matters; to the Committee on the Judiciary.

#### AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2647

OFFERED BY: Mr. SKELTON

AMENDMENT NO. 1: Page 72, line 18, strike "(h)" and insert "(d)".

At the end of section 414 (page 122, after line 14), add the following new subsection:

(c) CONFORMING AMENDMENT TO STATUTORY LIMITATION.—Section 10217(c)(2) of title 10, United States Code, is amended by striking "1,950" and inserting "2,541".

Page 260, lines 9 and 10, strike "by adding at the end the following new section" and insert "by inserting after section 235, as added by section 242(a) of this Act, the following new section".

Page 260, line 11, strike "235." and insert "236.".

Page 262, before line 1, strike "235." and insert "236.".

At the end of subtitle A of title X (page 323, after line 12), add the following new section: **SEC. 1003. ADJUSTMENT OF CERTAIN AUTHORIZATIONS OF APPROPRIATIONS.**

(a) AIR FORCE RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.—Funds authorized to

be appropriated in section 201(3) for research, development, test, and evaluation for the Air Force are reduced by \$2,900,000, to be derived from sensors and near field communication technologies.

(b) ARMY OPERATION AND MAINTENANCE.—Funds authorized to be appropriated in section 301(1) for operation and maintenance for the Army are reduced by \$18,000,000, to be derived from unobligated balances for the Army in the amount of \$11,700,000 and fuel purchases for the Army in the amount of \$6,300,000.

(c) NAVY OPERATION AND MAINTENANCE.—

(1) REDUCTION.—Funds authorized to be appropriated in section 301(2) for operation and maintenance for the Navy are reduced by \$22,900,000 to be derived from unobligated balances for the Navy in the amount of \$11,700,000 and fuel purchases for the Navy in the amount of \$11,200,000.

(2) AVAILABILITY.—Of the funds authorized to be appropriated in section 301(2) for operation and maintenance for the Navy for the purpose of Ship Activations/Inactivations, \$6,000,000 shall be available for the Navy Ship Disposal-Carrier Demonstration Project

(d) MARINE CORPS OPERATION AND MAINTENANCE.—Funds authorized to be appropriated in section 301(3) for operation and maintenance for the Marine Corps are reduced by \$2,000,000, to be derived from unobligated balances for the Marine Corps in the amount of \$1,100,000 and fuel purchases for the Marine Corps in the amount of \$900,000.

(e) AIR FORCE OPERATION AND MAINTENANCE.—Funds authorized to be appropriated in section 301(4) for operation and maintenance for the Air Force are reduced by \$25,000,000, to be derived from unobligated balances for the Air Force in the amount of \$4,300,000 and fuel purchases for the Air Force in the amount of \$20,700,000.

(f) DEFENSE-WIDE OPERATION AND MAINTENANCE.—Funds authorized to be appropriated in section 301(5) for operation and maintenance for Defense-wide activities are reduced by \$5,200,000, to be derived from unobligated balances for Defense-wide activities in the amount of \$4,300,000 and fuel purchases for Defense-wide activities in the amount of \$900,000.

(g) MILITARY PERSONNEL.—Funds authorized to be appropriated in section 421 for military personnel accounts are reduced by

\$50,000,000, to be derived from unobligated balances for military personnel accounts.

Page 345, line 16, strike “30 days” and insert “90 days”.

Page 391, line 15, strike “the budget fiscal year” and insert “subsequent fiscal years”.

Strike section 1505 (page 493, beginning line 12) and insert the following new section:

**SEC. 1505. NAVY AND MARINE CORPS PROCUREMENT.**

Funds are hereby authorized to be appropriated for fiscal year 2010 for procurement accounts of the Navy and Marine Corps in amounts as follows:

(1) For aircraft procurement, Navy, \$916,553,000.

(2) For weapons procurement, Navy, \$73,700,000.

(3) For ammunition procurement, Navy and Marine Corps, \$710,780,000.

(4) For other procurement, Navy, \$318,018,000.

(5) For procurement, Marine Corps, \$1,164,445,000.

Page 556, line 14, strike “2821(b)” and insert “2811(b)”.