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No. 53

House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. BLUMENAUER).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC.,

April 15, 2010.

I hereby appoint the Honorable EARL BLUMENAUER to act as Speaker pro tempore on this day.

NANCY PELOSI,

Speaker of the House of Representatives.

PRAYER

Rev. Dr. Clyde Mighells, Lighthouse Reformed Church, Howard, Pennsylvania, offered the following prayer:

O Lord, who called this Nation into being through the lives and sacrifice of those whose hearts were stayed upon You; be upon and within this congressional body as they conduct the work of this great Nation.

Grant them courage to stand for what is right, resistance when pressed to do wrong, compassion for the concerns of Your heart, and the ability to preserve and protect the Constitution of these United States of America.

May the very mind of Christ be upon them as they labor to write the next chapter in the legacy of this great land; that their plans might be guided by the heritage upon which we stand, that their lives might reflect the calling to serve, and that this great Nation might continue to embrace and support the work of freedom and democracy throughout the world.

It is in the blessed name of our Lord, Jesus Christ, that we lay these requests at Your feet. 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 Wisconsin (Mr. KAGEN) come forward and lead the House in the Pledge of Allegiance.

Mr. KAGEN 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.

WELCOMING REV. DR. CLYDE MIGHELLS

The SPEAKER pro tempore. Without objection, the gentleman from Pennsylvania (Mr. THOMPSON) is recognized for 1 minute.

There was no objection.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, it has been a rare privilege this day to have the minister from my church, the Lighthouse Reformed Church in Howard, Pennsylvania, the Reverend Dr. Clyde Mighells, lead the prayer before the House of Representatives.

Dr. Mighells was born the son of a tent evangelist, and followed his father into the ministry when he was ordained by the Presbyterian Church, USA, in 1985. He then took his master's from Dubuque Theological Seminary and his doctorate at Newport University in 1996.

While performing the tasks of pastoral ministry, Dr. Mighells followed his father's example of using magic tricks as teaching tools. He found that magic tricks would pique the interest of his listeners and create a more receptive audience.

After 20 years serving churches across New York and Pennsylvania, in

2006 Dr. Mighells and his wife Sharon developed a performance ministry, taking the message of escaping drugs and the timely topic of anti-bullying into elementary, middle, and high schools. In 2009, they were featured at the International Fellowship of Christian Magicians.

We are lucky enough to have Pastor Mighells as our minister, and we don't mind sharing him with his continuing great ministry work in schools, churches, and with other groups.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 10 requests for 1-minute speeches on each side of the aisle.

TRIBUTE TO LARRY WEYERS

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

Mr. KAGEN. Mr. Speaker, I rise today to pay tribute to Larry Weyers of Green Bay, Wisconsin, as he enters his retirement. For 24 years, Mr. Weyers has served northeastern Wisconsin as a distinguished community leader. As his friends, family, and colleagues will gather at the Green Bay Packer stadium, Lambeau Field, on April 19 to pay tribute to him and his dedicated service to our community, I respectfully request my colleagues join in honoring this outstanding individual.

Among his many accomplishments, Mr. Weyers has been presented with the Rotary Free Enterprise Award and received an honorary Golden Apple Award from the Green Bay Area Partners in Education. In 2009, he was a nominee for the Platts Lifetime Achievement Award. Mr. Weyers has supported his community, and we wish him well in his retirement.

□ 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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Mr. Speaker, as Mr. Weyers celebrates his retirement, I ask all of my colleagues to salute him and to remind him that retirement is simply reoccupation, and he will be just too busy to go back to work.

SURRENDERING OUR SUPERIORITY IN SPACE TECHNOLOGY

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

Mr. POE of Texas. Mr. Speaker, for as long as I can remember, America has reached for the stars. Nothing has gotten more kids to do their math and science homework than the dream of being an astronaut. All of America stood still, huddled at their black-and-white TV sets, when Neil Armstrong stepped out on the moon.

America put a man on the moon, setting the imaginations of our children on fire, feeding that good old American desire to be the best, to achieve, to dream of things not yet done. But the administration says they are canceling NASA's Project Constellation and America's return to the moon. America is surrendering our superiority in space technology to the Russians.

Unilateral space abandonment is nonsense. So next time our astronauts want to go into space, they will have to hitchhike with the Chinese or the Russians. And if we need to repair a defense satellite, I am sure our buddies, the Chinese, will be glad to give us a lift. Yeah, right. Our children, our future will suffer for this incompetent decision. This ought not to be.

But that's just the way it is.

HONORING ERICKA DeBENEDICTIS

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

Mr. HEINRICH. Mr. Speaker, I have often said that innovation is what America does best. Recently, I had the honor of meeting one of our great current and future innovators, Ericka DeBenedictis. Ms. DeBenedictis is an 18-year-old Albuquerque student who recently won the prestigious Intel Science Talent Search, which recognizes our best and brightest young scientists. This long-standing award has been characterized as the equivalent of winning a junior Nobel Prize.

Ms. DeBenedictis received the top prize because of her research in low energy orbit software, a program which would enable space vehicles to navigate the solar system using gravity's pull and minimal fuel.

On behalf of everyone in New Mexico's First Congressional District, I want to say how incredibly proud we are of Ms. DeBenedictis and the hard work that she put into her project. As I've said, innovation is what America does best. And it looks like innovation might be what Ms. DeBenedictis does best too.

TAX DAY

(Mr. DAVIS of Kentucky asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DAVIS of Kentucky. Mr. Speaker, as Kentuckians file their taxes today, sending their hard-earned dollars to the Federal Treasury, Americans want to know exactly what they are getting in return. Like jobs maybe? Over the last 2 years, Congress has given America three things: a series of bailouts, a failed stimulus package, and a government takeover of health care, each costing around a trillion dollars or more. In return, there are over 225,000 Kentuckians and 15 million Americans out of work. Everyone agrees that the economy and job creation have been at the top of the list of what Americans are saying is the most important things to be done.

Rightfully, in my mind, we hear over and over again, "Where are the jobs?" Well, we are going to focus on climate change or we are going to focus on other things that Americans don't care about when in fact we need a sound energy policy, a sound manufacturing policy, and a sound trade policy. Instead of focusing on the economy and job creation, the agenda in Congress has left Americans with uncertainty.

When Americans feel their tax dollars aren't being used right, the Democrats in Congress say, "Just send more." Well, Americans expect our focus to be on policies that create jobs, building a future for our children. And business can't thrive on an economy falsely buoyed.

IN MEMORY OF REVEREND BENJAMIN HOOKS

(Mr. COHEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COHEN. Mr. Speaker, a great cedar, a great lion, a leader, a golden-throated warrior and silver-tongued orator of the Gospel, and a great civil rights icon, Benjamin Hooks, fell in Memphis, Tennessee this morning.

The Reverend Benjamin L. Hooks was the head of the NAACP from 1977 to 1992. He was also the first African American on the Federal Communications Commission, appointed by President Nixon. He served 5 years, from 1972 to 1977. And the first African American trial court judge in Tennessee, appointed by Governor Frank Clement in 1965, and elected in 1966.

The Reverend Hooks led this country through some of its more difficult times in civil rights. He joined with Dr. King in the Southern Christian Leadership Conference in 1956 after he had been ordained as a minister in Memphis at Middle Baptist Church. He was an attorney, he was a businessman, he was a minister, he was a civil rights leader.

He was awarded the Medal of Freedom by President Bush in 2007, and re-

cently was up here in Congress and talked to many Members of the Congress in the Rayburn Building just 2 months ago. He leaves his wife Frances and many, many millions who benefited from his leadership and his courage. His was a life well lived.

Thank you for coming our way, Benjamin Hooks.

"WE THE PEOPLE" EVENTS IN AIKEN

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, a grassroots group in Aiken, South Carolina, is holding meetings to educate the residents about the Constitution and the principles of our Founding Fathers. Coordinated by Debbie Nix, the group is called "We the People, Aiken." I am pleased to have attended one of their weekly Constitution classes recently at the H. Odell Weeks Activity Center.

During my recent visit to the group meeting, I highlighted my concerns about the government health care takeover and discussed how simply repealing it is not sufficient. We believe we must swap it with a more affordable solution that is centered around the patient and not the government. That is why I introduced H.R. 4944, the Sid-ing With America's Patients (SWAP) Act, to continue to cover preexisting conditions, but will repeal the tax hikes and the unaffordable mandates on individuals and small business owners.

I want to thank the members of "We the People, Aiken" for their warm welcome and for their efforts to promote America's founding principles.

In conclusion, God bless our troops and we will never forget September 11 in the Global War on Terrorism.

TAX CUTS BENEFIT OHIOANS

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

Mr. WILSON of Ohio. Mr. Speaker, as this country's economy was about to fall off the cliff, Congress acted. We strengthened and improved our economy by helping working families. On Tax Day, it is important to note that 99 percent of the working families in my State of Ohio have benefited from 25 different tax cuts through the American Recovery and Reinvestment Act.

Mr. Speaker, according to the Citizens for Tax Justice, working people in Ohio received on average \$1,046 from these breaks. That includes an average of \$496 from one of the fastest and most widely shared tax cuts in American history, the Making Work Pay tax cut. Social Security recipients received a one-time recovery payment of \$250. And more than 879,000 families in Ohio were protected from paying higher taxes under the alternative minimum tax.

More must be done as we put America back to work, but I am proud to have supported the Recovery Act and am pleased to see the tax cuts helping so many Americans.

GOVERNMENT GONE WILD

(Mr. BONNER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BONNER. Mr. Speaker, spring break just ended, but if you thought Washington tax-and-spenders were taking a vacation from their money-grabbing ways, you were badly mistaken. Every day it seems another headline is proclaiming the administration's latest plans to dramatically increase your taxes in order to pay for its trillion-dollar spending binge.

Now, there are some close to the President who are throwing out the possibility that after the election they are going to throw out a value added tax not in place of our current tax system, but in addition to it. Mr. Speaker, this isn't the latest video of spring breakers going wild, this is a real life example of government gone wild.

The President, backed by the largest Democrat majorities in Congress since the 1970s, has doubled the Federal deficit in just 1 year, and has forced down our throat a government takeover of health care that, mark my words, the American people don't want and we cannot afford. Ironically, hardworking taxpayers will have until midnight tonight to file their tax returns. They have worked 4 long months just to pay their Federal tax bill. And soon they will be working even longer to feed this addiction. This has got to end.

□ 1015

HONORING OUR VIETNAM VETERANS

(Mr. KLEIN of Florida asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KLEIN of Florida. Mr. Speaker, I rise today to honor the veterans of the Vietnam War in my congressional district in south Florida and around our country. These heroic soldiers answered the call of duty, and we're all grateful for their service and their sacrifice.

Many of our Vietnam veterans didn't get the welcome home they deserve, and that is why this Saturday, one of our great local veterans, Commander David Knapp, is organizing a welcome home event in Ft. Lauderdale. It may be belated, but I say, better late than never.

Every day I go to work fighting to make sure that every man and woman who has worn the uniform of our country has access to the full range of benefits they have earned. That means world-class health care, access to a college education and more.

I look forward this weekend to honoring the service of our local Vietnam veterans and every day as we work together to stand with those who served our country.

TAX DAY

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTS. Mr. Speaker, tax day. Today is a grim day for many Americans. It was only last week that the average American taxpayer had worked enough days to pay their annual bill, and the current Congress is looking to add even more days to that burden.

In the present Congress alone, taxes have been increased by \$670 billion, and at least 14 new taxes will hit middle-income Americans. At the end of the year, the death tax will snap back up to its 2001 level, gobbling up family farms and small businesses. Marginal tax rates will snap back up to previous levels reducing America's take-home pay. And now we hear that the administration may consider a new value added tax to pay for the entitlements and increased government spending.

The simple fact is that more money in the pocket of the government is less in the bank accounts of our family businesses.

Today is a grim tax day. But I worry that 2011 will look much worse for the American taxpayer.

TAX RELIEF

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

Mr. SIRES. Mr. Speaker, as today is tax day, it is important that American people are aware of the savings and tax cuts brought to them over the past year. In conjunction with President Obama, we have ensured that tax breaks no longer focus on the wealthy, but rather on the hardworking Americans.

With the enactment of the Recovery Act, we are able to provide tax breaks for many aspects of American life, from investing in small business, to investing in energy efficiency, to sending your child to college, to buying a new car. These tax reductions are helping families and businesses across America get back on their feet while spurring business investment and job creation.

All totaled, Congress has enacted over \$800 billion in tax cuts, including 25 within the Recovery Act. Perhaps one of the most critical provisions of the past year was the Making Work Pay tax credit, which is dedicated to providing 95 percent of all American workers with a tax break, including 254,000 residents in my district alone through the reduction in tax withholdings by their employer.

As Americans return their tax forms today, a majority will find that a portion of their burden has been lifted

through the swift action of this Chamber.

IT'S TIME TO CUT TAXES AND SPENDING

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

Mr. FLEMING. Mr. Speaker, as millions of Americans, and the people in my State of Louisiana, file their income taxes today, they are reminded how they labor under a tax scheme that discourages hard work, investment and savings.

Federal, State and local taxes claim almost 27 percent of the average American's income. This means the average taxpayer worked until April 9 this year just to make enough money to pay their taxes. Meanwhile, our budget deficit this year is a record \$1.5 trillion, three times the highest Bush deficit.

This tax increase equates to more than \$2,100 for every person in the United States and explodes the President's pledge not to raise taxes on Americans earning less than \$200,000.

And now we hear that the administration is considering a value added tax which taxes goods and services at every point in the process.

Mr. Speaker, when it comes to taxes and our budget, let me suggest that Americans are not undertaxed; Washington is overspending. It is time for Congress to cut taxes across the board and stop the wasteful spending programs.

TAX RELIEF FOR AMERICAN FAMILIES

(Ms. EDWARDS of Maryland asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. EDWARDS of Maryland. Mr. Speaker, today, as Americans put the finishing touches on their tax returns, they'll see that Congress and this President have enacted tax cuts that benefit middle class and working class families. Despite the echo chamber of right wing misinformation, some of it we've heard here today, Mr. Speaker, we can finally set the record straight. For 8 long years, the Republicans put the interests of the wealthy few above the interests of middle class families, and they gave massive tax cuts for only a few Americans, sent the national debt soaring, and they had no way to pay for it.

In this last year we've cut \$800 billion in taxes focused on helping middle class families and small businesses. Americans are getting jobs, they're buying homes or a car, and they're sending their children to college.

As Bruce Bartlett, adviser under Presidents Reagan and George H.W. Bush recently noted, "Federal taxes are very considerably lower by every measure since Obama became President."

And so while the other guys stand with the banks and insurance companies and CEOs, we'll continue to stand on the side of working families.

WHO WOULD HAVE EVER IMAGINED?

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

Mr. JORDAN of Ohio. Mr. Speaker, who would have ever imagined in the greatest country in history we would see the things we have over the last year from the Democrat Congress and the Obama administration?

Who'd have ever thought we'd see a \$1.4 trillion deficit? Who would have ever thought we'd see a \$12 trillion national debt?

Who would have ever imagined we'd have \$670 billion and counting in new taxes imposed this year on American taxpayers, including taxes on the middle class?

And, now, who would have ever imagined coming soon to you and your family, a value added tax?

How bad does it have to get before we stop the madness, before we stop the excessive spending, the excessive borrowing and the excessive taxation?

Mr. Speaker, today, on tax day, the American people get it. Hopefully, soon the Democratic Congress will.

COMMEMORATING THE DISTINGUISHED CAREER OF STEVE JOHNSON, EXECUTIVE DIRECTOR OF THE WASHINGTON PUBLIC UTILITY DISTRICTS ASSOCIATION

(Mr. INSLEE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. INSLEE. Mr. Speaker, we have been doing a lot of work here in the House to try to lead the country forward on energy independence and energy security, but there's been some great local leadership as well.

I want to honor today one of those great local leaders, Mr. Steve Johnson, one of my constituents who, for 23 years, has served with distinction as the executive director of the Washington Public Utility Districts.

Steve has had an incredible career leading this group forward, which represents 27 public utility districts. That's over 1.7 million citizens. And I want to note three of this local leader's achievements.

First, he has led to reforms which have benefited Washingtonians who have not had high speed telecommunications available to them, truly a visionary action by Steve.

Second, Steve's leadership has always helped PUDs obtain funding for more energy efficiency and conservation projects. Steve's been ahead of his time.

And, third, Steve's been a real leader in municipal water systems. Steve's ca-

reer has really been notable for moving the PUDs forward. He's been a great local leader. We hope the country follows his leadership.

Congratulations to Steve and Vicki in their next great pursuit.

A WIN FOR AMERICAN WORKERS

(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. Mr. Speaker, American workers have just won a great and historic victory. Employees of Mohawk Industries will share the \$18 million that the company agreed to pay to settle a lawsuit accusing it of hiring illegal immigrants in order to hold down wages.

The settlement comes on the heels of the Obama administration's decision to largely abandon enforcement of our immigration laws at America's workplaces. This legal victory gives a valuable tool to other workers who suffer at the hands of employers who want to keep wages low by hiring illegal immigrants.

If the Obama administration won't act to protect American workers, American workers now have the power to protect themselves by filing lawsuits against employers who hire cheap and illegal labor.

Mr. Speaker, if employers continue to break immigration laws, may there be many more such lawsuits.

HONORING THE LIFE OF ROB KRENTZ

(Ms. GIFFORDS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. GIFFORDS. Mr. Speaker, I rise today to pay tribute to Rob Krentz, a rancher whose family has been in southeast Arizona since 1907.

On March 27, Rob was shot and murdered on his ranch. This senseless act is a stark reminder why the federal government must do more to protect citizens who live and work along the southern Arizona border. Law enforcement officials believe the killer may have been a drug smuggler who escaped to Mexico.

Mr. Krentz was a pillar of the ranching community. He had a heart as big as the land that he loved. Many who spoke at his funeral said that Rob was the nicest guy you will ever meet.

He was a humanitarian who provided food and water to the people that he found in distress, and was likely doing just that when he was murdered.

Rob will be known for his work with the Malpai Borderlands Group, ranchers who are dedicated to conservation of the land.

Rob Krentz was a husband, a brother, a father, a grandfather, an uncle, and a friend to so many. We grieve his loss and send our prayers to his wife, Susan, and children, Andy, Frank, Kyle, and all that knew this great man.

He will be deeply missed, but he will never be forgotten.

YOU CANNOT HAVE EMPLOYMENT WITHOUT EMPLOYERS

(Mr. GARY G. MILLER of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GARY G. MILLER of California. Mr. Speaker, you cannot have employment without employers. One year after the enactment of the \$787 billion stimulus package, unemployment continues to hover near 10 percent, yet congressional Democrats just keep on spending.

Against the will of the American people, this Congress has enacted a \$2 trillion takeover of our Nation's health care system and pushed the Nation's debt limit to an astounding \$14.2 trillion. The burden of this massive spending falls on the shoulders of the American taxpayers.

Government-run health care alone raises \$569 billion through new taxes, regulations, and costly mandates on individuals, employers, and health care providers.

Furthermore, the administration proposes to increase taxes by \$2 trillion by allowing the vital cuts that benefit small businesses to expire, increasing tax rates on capital gains and reinstating the dreaded death tax.

As the economy struggles to recover, Congress must halt this reckless spending and end its assault on American job creators.

SENDING OUR SINCERE CONDOLENCES TO THE PEOPLE OF POLAND

(Mr. MURPHY of Connecticut asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MURPHY of Connecticut. Mr. Speaker, in New Britain, Connecticut, on Sunday, over 1,000 people came together at Sacred Heart Catholic Church to mourn the 96 public servants, diplomats and military leaders who died in the tragic plane crash in Poland.

This tragedy has shocked the entire world, but it's hit my district particularly hard. The Polish American community in Connecticut has deep roots and remains strongly connected to their homeland.

Our Polish inheritance is visible throughout the community of New Britain, Connecticut, and the surrounding suburbs. Broad Street in that town has been named "Little Poland" by the city council. There are people grieving today at Casimir Pulaski School in Meriden, at Pulaski Middle School in New Britain, and certainly this summer during the annual Dozynki harvest festival, a tradition which Polish immigrants brought to New Britain, Connecticut, during their immigration to the United States.

As Americans, and as a people with deep and lasting Polish roots, we together mourn this terrible tragedy and send our sincere condolences to the people of Poland.

□ 1030

PROVIDING FOR CONSIDERATION OF H.R. 4715, CLEAN ESTUARIES ACT OF 2010, WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS, AND PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Ms. PINGREE of Maine. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1248 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1248

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 4715) to amend the Federal Water Pollution Control Act to reauthorize the National Estuary Program, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. All points of order against provisions in the bill are waived. Notwithstanding clause 11 of rule XVIII, no amendment to the bill shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question. All points of order against such amendments are waived except those arising under clause 9 or 10 of rule XXI. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. In the case of sundry amendments reported from the Committee, the question of their adoption shall be put to the House en gros and without division of the question. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. The Chair may entertain a motion that the Committee rise only if offered by the chair of the Committee on Transportation and Infrastructure or his designee. The Chair may not entertain a motion to strike out the enacting words of the bill (as described in clause 9 of rule XVIII).

SEC. 3. The requirement of clause 6(a) of rule XIII for a two-thirds vote to consider a

report from the Committee on Rules on the same day it is presented to the House is waived with respect to any resolution reported through the legislative day of April 16, 2010, providing for consideration of a measure relating to the extension of unemployment insurance.

SEC. 4. It shall be in order at any time through the legislative day of April 16, 2010, for the Speaker to entertain motions that the House suspend the rules relating to a measure addressing the extension of unemployment insurance.

The SPEAKER pro tempore. The gentleman from Maine is recognized for 1 hour.

Ms. PINGREE of Maine. For the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from North Carolina, Dr. FOXX. All time yielded for consideration of the rule is for debate only.

GENERAL LEAVE

Ms. PINGREE of Maine. I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and to insert extraneous materials into the CONGRESSIONAL RECORD.

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

There was no objection.

Ms. PINGREE of Maine. I yield myself such time as I may consume.

Mr. Speaker, the resolution provides a structured rule for consideration of H.R. 4715, the Clean Estuaries Act of 2010. The rule waives all points of order against consideration of the bill except those arising under clause 9 or 10 of rule XXI and provides that the bill should be considered as read. The rule waives all points of order against the bill itself.

The rule makes in order the seven amendments printed in the Rules Committee report and waives all points of order against those amendments except those arising under clause 9 or 10 of rule XXI. With respect to the amendments reported to the House, the question of their adoption shall be put en gros and without division of the question. The rule provides for one motion to recommit with or without instructions.

The rule provides that the Chair may entertain a motion that the committee rise only if offered by the chair of the Committee on Transportation and Infrastructure or a designee. The Chair may not entertain a motion to strike out the enacting words of the bill.

The requirement of clause 6(a) of rule XIII for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House is waived with respect to any resolution reported through the legislative day of April 16, 2010, providing for consideration of a measure relating to an extension of unemployment insurance.

Finally, it should be in order at any time through the legislative day of April 16, 2010, for the Speaker to entertain motions that the House suspend the rules relating to a measure ad-

ressing the extension of unemployment insurance.

Mr. Speaker, many of the Nation's estuaries are in poor environmental health. An impaired estuary not only impacts commercial and recreational fishing, it also harms small businesses that rely on clean water and reduces the number of tourists coming to the State. Degraded coastal wetlands result in increased flooding, shoreline erosion, and damaged infrastructure.

Estuaries are unique places where freshwater mixes with salt water from the oceans. The mixing water provides a productive and dynamic habitat for a wide variety of fish and wildlife. Lobsters, clams, and striped bass all depend on the estuaries as a habitat. They also provide critical habitat and breeding areas for hundreds of species of birds and other wildlife.

We're here today to discuss a bill to help restore our Nation's estuaries by promoting comprehensive planning efforts in nationally significant estuaries such as Casco Bay and the Piscataqua River Estuary on the Maine-New Hampshire border. Many of these estuaries are part of the National Estuary Program and provide an excellent example of how a stakeholder-driven, collaborative program can successfully address water quality problems.

Estuaries provide habitat for 75 percent of the U.S. commercial fish catch and 80 to 90 percent of the recreational fish catch. Estuaries and associated coastal areas help drive the Nation's economy. In my State alone in Casco Bay, the economic value in a good year of just one species of shellfish, the softshell clam, is estimated to be between \$1.6 and \$15.7 million annually. Without clean water, the men and women who depend on these resources lose their jobs. We cannot let that happen. We owe it to these hardworking individuals to invest in these precious areas.

Investing in the National Estuary Program, the NEPs, is a good investment in our communities, and the NEPs make good use of their Federal funds. Between 2003 and 2009, NEPs leveraged \$1.98 billion from \$140 million in EPA grants.

The Casco Bay Estuary Partnership is truly a partnership and they work with our local towns. The estuary partnership and Brunswick, West Bath, Phippsburg, and State and Federal agencies are working together in the New Meadows River Watershed Partnership. The partnership works on coastal protection, especially related to water quality and keeping clam flats open for harvesting. This effort has been largely funded by the estuary partnership.

Beyond providing habitat and a place for commercial activities, estuaries are great places to kayak, boat, swim, or go bird watching. It is important to know that much of the value of estuaries declines if people, if the public, cannot access them.

The underlying bill requires the consideration of sustainable commercial

businesses and the management planning process, and it is important for the estuaries programs to explicitly recognize the role working waterfronts play in providing jobs and access to our estuaries. Without working waterfronts, we lose access to the estuary and the economic and cultural heart of many coastal communities.

As an organization with strong ties to its community, the Casco Bay Estuary Partnership relies on the participation of a whole range of stakeholders, local governments, State and Federal agencies, environmental groups, businesses, schools, and local universities. These stakeholders come together to develop a comprehensive conservation and management plan. The management plan provides the framework for protecting and restoring the estuary and identifies discrete activities to address priority problems such as water quality, nutrient loading, and habitat restoration.

The Casco Bay Estuary Partnership exemplifies the watershed focus, and the partnership works closely with the Portland Water District, local land trusts, and other organizations who all share the common interest of a healthy watershed. These partnerships pay off when the partners come together and tackle multiple issues with the same solution.

The estuary partnership also helps to create good jobs through restoring the health of our estuaries. The Casco Bay Estuary Partnership is working closely with the town of Brunswick to replace an undersized culvert on Adams Road on the Thomas Cove salt marsh. The existing culvert is in need of replacement for purely engineering reasons. The partnership carried out local investigations and funded design work, developing a vision of how replacing a structure with a larger one would increase tidal flow and fish access to the salt marsh landward of Adams Road. The estuary partnership's work helped the town with a grant application to NOAA's Gulf of Maine Program restoration fund to raise additional money to support the effort. The success of these and other projects across the country show how much we can achieve by working together.

I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, I thank my colleague from Maine for yielding time. I yield myself such time as I may consume.

Mr. Speaker, I stand here very troubled with the legislation the Democrats in charge have chosen to bring forward today. While the goal of having good water quality in our Nation's estuaries indeed has its merits, I'm distraught that we are not debating something today which will address the dire challenges that are keeping my constituents up every night wondering how they will continue to feed their children and find work.

I'm concerned that this legislation does not reflect the economic challenges confronting our Nation. Our na-

tional debt stands at \$12.8 trillion and is growing every day; yet this bill increases funding levels for the National Estuary Program under the EPA to \$50 million per year, a 43 percent increase. Actions speak louder than words, Mr. Speaker, and this action suggests the Democrats in charge, at best, are in denial or, at worst, are simply indifferent to the economic situation our country is facing.

At a time of record budget deficits, it's crucial that we hold the line on spending. The Obama administration likes to talk about fiscal restraint, but we have yet to see these words put into action. This bill is a classic example of legislation that could be trimmed back by keeping the authorization levels static rather than increasing them, but the Democrats refuse to allow such restraints and instead continue to appear to be oblivious of the fact that our Federal deficit is growing each day.

This bill is also being brought forth today under a structured rule, adding to the record number of structured and closed rules the Democrats have arbitrarily used since they've been in the majority. Democrats have chosen to stifle and control the debate today presenting the Congress with another structured rule, eliminating both Republicans' and Democrats' ability to offer important amendments affecting their constituents.

After promising to have the most open and honest Congress in history, why has the Speaker consistently gone back on her word? Why are Democrats in charge shutting off debate and silencing their colleagues from both sides of the aisle? Are they afraid of debate? Are they protecting their members from tough votes?

Regardless of their motives, one thing is clear: The Democrats in charge are doing the American people an injustice by refusing to allow their Representatives to offer amendments on the floor of the people's House.

Finally, Mr. Speaker, according to ExpectMore.gov, a watchdog for Federal Government program performance, the National Estuary Program is only performing adequately. This performance rating indicates that the program needs to set more ambitious goals, achieve better results, improve accountability, and/or strengthen its management practices. As usual, the Democrats in charge have decided that the best way to fix a problem is simply to throw more money at it—money which we do not have, money which we have to borrow—and hope the program performs more effectively. This is a wrongheaded, fiscally irresponsible policy, and I urge my colleagues to reject this rule and vote “no.”

And with that, I reserve the balance of my time.

Ms. PINGREE of Maine. I yield myself such time as I may consume.

I appreciate the thoughts from my good friend from North Carolina, but I have to disagree with her.

First, I want to remind her that we are here today to debate and talk

about the rule for the National Estuary Program, and as someone from North Carolina who also represents a lot of coastal communities, I am sure that your fishermen and your tourism industry depend just as much on clean water and healthy estuaries as we do in the State of Maine. And I don't want to underestimate the importance to jobs, to job growth and to a healthy economy that the estuary program has in a coastal State.

I also want to say that this merely increases the authorization for the funding. This isn't spending the money today, and decisions can be made down the line. But important decisions do need to be made to protect more estuaries in our country to make sure that these vibrant areas that produce much of our fishing stock and are critical to our tourism industry continue to thrive and are vibrant.

Estuary counties only make up 13 percent of the Nation's land area but account for 49 percent of the GDP and support 28 million jobs. So if you want to talk about jobs and you're from a coastal State and you're going to neglect taking care of our estuaries, I think you need to go home and talk to the people of those coastal districts, commercial fishermen, people who depend on the tourism industry and know what a critical bill we're talking about today.

But if you want to sidetrack the debate and you want to get into a debate about the deficit, I want to remind you that when my party left office, we had a surplus and we were comfortably moving ahead with the economy. But for 8 years, we had a tremendous amount of unpaid bills in this country. The majority of our deficit came from two wars that weren't paid for, of which we have people who disagree with our involvement in these wars today; tax cuts for some of the wealthiest people in this country who didn't need those tax cuts, but those tax cuts were not funded; a prescription drug program that was not paid for. And, in fact, when the Republicans passed that bill, they didn't even require that we negotiated with the pharmaceutical industry.

□ 1045

In fact, we pay the highest prices in the world, and you wonder why our economy and our deficit is in bad shape? I think you have to look at the last party in power when you are looking at where to place the blame.

Look, people in my State are hurting. We have a tough economy. We have lost a lot of our manufacturing industry to jobs overseas, to a tremendous change in that economy, and I don't want to say for one minute that the people in my State are comfortable with the job situation. They are hurting, and they want more help.

But, unlike the Republicans, the Democrats put forward the Recovery Act. Much of that money has come to

my State and yours. And while we are not there yet, it's had an effect. It's helped us rebuild some of our roads and bridges. It helped keep teachers and firefighters and policemen in their jobs. It has funded research and development. It's gone to a whole host of necessary clean water infrastructure development. The list is long of how that money has been invested in our State.

We have \$35 million to extend our train service, which is very important. Extending Amtrak in the Northeast has been a great boon and will be very helpful to our economy.

To say that the Democrats aren't, one, paying attention to the deficit and, two, doing all they can to assist in the job creation in this country is to neglect exactly what those facts are. I, again, will not say that we are where we want to be in this economy, but, last month, the U.S. economy gained more jobs than any other month over the last 3 years, an increase in 162,000 jobs. That is a sign that the labor market is at least moving in the right direction to stabilize.

Let's remember, though, when President Obama took over when I was first elected as a freshmen, the economy was losing 700,000 jobs a month; and the previous President had already had to go in and bail out the banks because of the lack of oversight of our financial services industry. So we took over an economy in very tough shape, and at least it is moving in the right direction.

There are other numbers that, while they don't give us all that we need, they are a positive sign. In the last month, the manufacturing industry added 17,000 jobs, retailers have added 15,000 jobs, and leisure and hospitality accounted for another 22,000 jobs. We are moving in the right direction.

When I go home to my district, I ask the people who work in the tourism industry—tourism is now the largest industry in our State, and I am sure it is a big industry in North Carolina. I ask them how they are doing; and they say, well, we are getting some positive signs. We have more bookings, more people are coming in this spring. People are feeling a little bit more comfortable about the economy. And while that's not where we need to be, at least we have people moving in the right direction.

We also have gained the confidence of people who say, thank goodness you passed some health care reform, health care reform that will cut the deficit in the long run, stabilize Medicare. And I can tell you from my small businesses what I hear more than anything else is from people who say how am I going to cover my employees, how am I going to cover myself as an individual? And I can now go back home to my State and say, if you have 25 employees or less, you will get a 35 percent tax credit this year. You are going to get real assistance in providing your employees with health care. And we are doing it with

also cutting the deficit and cutting the instability in the Medicare system.

I just want to say that, A, we are here to talk about estuaries, which, in my opinion and from my coastal State, is a very important job creator and revenue enhancer and critical to our fishing industry, which is very important in our State. I think you have to look at where you are laying the blame when you talk about this tough economy. Nobody likes the situation we are in, but nobody is working harder to change it than the Democrats.

I reserve the balance of my time.

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

I am tempted to say, so much to say, so little time. I was going to ask my colleague to yield so she could clarify to me her comment that we are cutting the deficit.

You know, this is a classic example of the Democrats saying one thing and doing another. It just happens over and over and over again. The American people, Mr. Speaker, are waking up to this issue.

My colleague wants to talk about how, when President Obama came to office, what a sorry state the economy was in. She never, along with her other colleagues, ever acknowledged the fact that Democrats were in charge of the Congress for 2 years before President Obama came into office and put this economy on the skids. It's the Democrats who are in charge of Congress who have the fault laid directly at their feet.

Before the Democrats took over the Congress, we had 54 straight months of job growth in this country under President Bush and with a Republican-led Congress. They bash. They talk about unpaid bills. They created the unpaid bills when they came in in January of 2007.

They have increased spending in the past 2 years 84 percent. And what has it accomplished? More government jobs. Tout the 162,000 jobs all you want. Those are primarily government jobs, short-term jobs with the Census.

My colleagues call things something that they are not. The Recovery Act? That is the bailout that occurred in February last year that was supposed to keep the trillion dollar spending, that was supposed to keep unemployment below 8 percent, that was supposed to create 3 trillion jobs? Please.

The American people aren't buying it anymore. They know that the Democrats are the ones who are in control, and they know that the Democrats are the ones who are responsible for the disaster that we are seeing in this economy.

Unemployment is over 11 percent in my State. Yes, we want the estuaries to be protected. They are vital to many jobs in North Carolina. But spending more money is not the answer. Having the Federal Government live beyond its means is simply not the answer.

This year, the Federal budget deficit is projected to be between \$1.3 and \$1.5

trillion. And, again, my colleague mentioned cutting the deficit, when we hear even from President Obama's own appointees at the CBO and Chairman Bernanke that we cannot maintain our status as the greatest country in the world with this horrible debt and deficit that the Democrats are placing on our backs, on the backs of our children and our grandchildren.

And I love the way my colleagues talk about this prescription drug program that was passed under a Republican President and the Republican Congress that was not "paid for." They hate it. And yet what they are going to do in their health care bill, they are going to close the doughnut hole. Sure, they are going to add to the spending on the prescription drug plan, the one that they hate so much. They hate it on the floor here when they want to use it as an excuse, but then they love it when they want to put more money into it.

Come on, folks, let's have a little consistency here in the approach that you take. Most of your consistency does involve putting the government in control of our lives and spending, spending, spending. The American people know that in these tough times they should save, not spend money.

And last but not least, let me say my colleagues always say this is not spending, this is only authorizing. And then when it comes to the appropriations, they will say, well, we have to appropriate because this was already authorized. This is another gimmick that they put in place simply to spend more money. And, again, the American people are waking up. They understand it, and they don't like it anymore.

With that, I reserve the balance of my time.

Ms. PINGREE of Maine. Mr. Speaker, I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, my colleague mentioned that this bill is a bill that's important because it creates jobs. My colleagues on the other side of the aisle, along with the President, have done such a poor job of creating jobs in the past with all the spending that they have done, and yet everything that comes up is a jobs bill.

I now want to quote from a March 3 Washington Times editorial: "From immigration to clean energy to expanding the social safety net, there's no better way to grease the skids for new government programs in Washington nowadays than to declare them job-producing bills. Then watch supporters line up and potential opposition crumble."

Mr. Speaker, when I was home in North Carolina the past 2 weeks for our Easter break, numerous constituents shared with me their concerns that the Federal Government is borrowing and spending too much. The American people know that in these tough economic times they should save, not spend money. But the Federal Government doesn't reflect the common sense that I see throughout the Fifth District of

North Carolina. Instead, the Democrats in charge continue to borrow more and spend more, increasing our Federal deficit on the backs of our children and grandchildren.

My colleagues can no longer blame the deficit and economic difficulties today on the previous administration, although they continue to try. The Democrats in charge have shown they don't care about the deficit by continuing to dig America into a bigger and bigger hole with more reckless spending. All of this borrowed money is being spent by the ruling Democrats, while the unemployment rate continues to rise and the deficit continues to grow. I think my colleagues on the other side of the aisle are so in love with their power that they believe that they can overrule the laws of economics.

Since the Democrats took control of Congress, Mr. Speaker, in January of 2007, they have raised the debt limit five times and the national debt has increased by 42.4 percent, or \$3.68 trillion.

Democrats enacted a debt increase in February 2009, promising that borrowing another trillion dollars would create jobs immediately and unemployment would not rise above 8 percent. However, there were still 85,000 job losses this past January, and unemployment has consistently been hovering around 10 percent in the country and much higher than that in many of our States.

I have opposed all these efforts to raise the debt limit. According to the analysis by The Heritage Foundation, the White House projects \$10.6 trillion in new deficits over the next decade. This is nearly \$80,000 per household in new borrowing.

It's beyond time to stop digging. The new budget estimates, including an estimated total national debt of \$24.5 trillion in 2019 under President Obama's budget, are alarming and unsustainable. The result would be the highest level of spending and debt in American history.

We hear now also that our colleagues across the aisle don't even want to present a new budget. And why don't they want to present a new budget? Because they would have to reveal again these really distressing numbers to the American people and have to respond to them.

This is an irresponsible lack of fiscal restraint carried on the backs of our children and grandchildren. My constituents at home and Americans across the Nation are not operating their family budgets as recklessly as this Congress is spending taxpayer dollars. We have to point out all the time, this is not government money. This is money earned by hard-working taxpayers, more and more of whom are losing their jobs every day and losing the opportunity to work and pay their taxes, not money that's created by the government, except, of course, when they print it, which is going to result in inflation.

With that, Mr. Speaker, I yield such time as he may consume to the gentleman from Indiana (Mr. PENCE).

(Mr. PENCE asked and was given permission to revise and extend his remarks.)

Mr. PENCE. I thank the distinguished gentlelady for yielding and for her outstanding leadership on behalf of taxpayers.

I rise in opposition to the rule, to follow ordinary protocol, but it's impossible to come to the floor today and not talk about what hundreds of millions of Americans are thinking about today, some of whom will be driving late to the post office, heavy laden with an envelope that they hope they got right, to file their taxes. It is tax day in America, April 15; and it is a tough, tough day for working families, small businesses, and family farms.

□ 1100

You know, Will Rogers said famously the only difference between death and taxes is that death doesn't get worse when Congress is in session. And that has probably never been as true in my 10 years here on Capitol Hill as it has been in the last year and a half under this administration and this majority in Congress.

Now, we heard a lot yesterday here on the floor of the Congress about tax cuts that have been passed into law. I rise this morning, Mr. Speaker, to really set the record straight because the American people have a choice to make this fall, and they deserve to know the facts.

Yesterday, I enjoyed a number of speakers from the Democrat majority who came down boasting of having cut taxes by hundreds of billions of dollars. I think I even heard one speaker say that this Congress had cut taxes more than any Congress in American history. That one elicited a chuckle yesterday, and I can't help responding the same today. Here are the facts:

First and foremost, this Congress has voted and this President has signed into law \$670 billion in tax increases in the last year and a half, \$670 billion. And the list includes 14 tax hikes signed into law, totaling \$316 billion on middle class families in direct violation of the pledge that President Obama made not to raise taxes on individuals that make less than \$200,000 a year or families filing jointly that make less than \$250,000 a year. It really is astonishing. And thanks to the great work of the Committee on Ways and Means, the Republican minority there led by the distinguished gentleman from Michigan, DAVID CAMP, people can go to the Web site, they can go to gop.gov, they can go to the Web site of the Ways and Means Committee and look at this full list.

Under the health care bill, Public Law 111-148, new taxes on individuals who don't purchase government-approved health insurance, it's \$17 billion over 10. A new tax on employers who fail to fully comply with government

insurance mandates, \$52 billion in tax increases. A new 40 percent excise tax on certain high-cost health plans, that's \$32 billion in tax increases over 10, and on and on and on the list goes. But that's not where it ends.

Under SCHIP, Public Law 113-3, tobacco tax increase and expanded enforcement authority, \$65.515 billion in tax increases over 10. So-called stimulus bill repealed guidance allowing certain taxpayers to claim losses of an acquired corporation, that's a \$6.9 billion tax increase. And on the list goes. It is \$670.341 billion and counting. And I say again, not only has this Congress increased taxes by \$670 billion since President Obama took office, but the list includes 14 tax increases totaling over \$316 billion on middle class families.

It is truly astonishing to think that arriving on the scene during the worst economy in 25 years that the response of this administration and this Congress has been to take what in my judgment was excessive spending under Republican control and put it on steroids and pay for it with hundreds of billions of dollars in new taxes, and of course enacting more government.

Now, taking directly on the assertion of my Democrat colleagues, in the time I have remaining, the suggestion that Democrats have passed the largest tax cuts in history, you know, the American people have got to be asking, Are they kidding? But no, they're not. In fact, the President, in remarks while signing the government takeover of health care with \$570 billion in tax increases in it, actually said, "And when this exchange is up and running, millions of people will get tax breaks to help them afford coverage, which represents the largest middle class tax cut for health care in history."

Now, I was on a television show right after the distinguished Senator from Illinois, Senator DICK DURBIN, where he made the same assertion. And even PolitiFact, an independent and analytical organization online, took a look at what Senator DURBIN said, suggesting that Obama Care was the largest middle class tax cut in history, and they gave it a false the next day.

Here are the facts, and here is where the stretch comes from: it is the assertion, presumably, by Democrats that the \$466 billion in subsidies paid directly to insurance companies in the health care takeover represents tax cuts. Well, if I can just say for the record from my heart, paying insurance companies isn't a tax cut to me, okay. I mean, I was raised south of Highway 40, but I'm trying to keep—if this Congress ever wants to get around to actually cutting my taxes, writing checks to insurance companies that you're paying for with higher taxes, that's not a tax cut to me. A tax cut to me is reduce my taxes so I can keep more of my hard-earned money.

There are other nickel and dime things in the stimulus bill, the refundable tax payments they're pointing to,

but the biggest chunk of their claim of having cut taxes is \$466 billion in subsidies paid directly to insurance companies in the health care takeover. I think that's why PolitiFact referred to Senator DURBIN's assertion as false as an independent analysis and why independent observers have also rejected that.

Look, it's a serious day in the life of the Nation. The truth is the American people are hurting. This government is running about a \$1.3 trillion deficit. We ought to get serious about fiscal discipline in Washington, D.C. and we ought to get real about giving the American people across-the-board tax relief. Only cutting taxes across the board—like John F. Kennedy did, like Ronald Reagan did, like George W. Bush did after the towers fell—only by cutting taxes across the board for working families, small businesses and family farms can we hope to ignite the entrepreneurial energy of this country to lift Americans and to create jobs once again.

I appreciate the time the gentlelady has yielded. It is important to set the record straight. The American people deserve to know on tax day that this administration and this Congress have increased taxes by \$670 billion and counting, because in just a few months after Congress has made its decisions, the American people are going to get a chance to make theirs.

Ms. PINGREE of Maine. Mr. Speaker, I yield myself such time as I may consume.

We can go back and forth all day about he said, she said, who has lowered taxes more, who has cut the deficit, who has done what, but let's just recall when the Republicans were in office. They cut taxes for the wealthiest people in this country, which contributed considerably to the deficit. And while the Republicans did not vote for the American Recovery and Reinvestment Act, one-third of that and more is our tax cuts for the middle class. So if one of my colleagues was on the floor saying that this was the largest tax cut ever enacted, it may or may not have been, but I think it was the largest tax cut for the middle class and the group of working people in our country who need it more than anybody.

I just want to read a quote here from Bruce Bartlett, the domestic policy adviser under President Reagan and Treasury Department economist under President George H.W. Bush. He said on 3/19/2010: "Federal taxes are considerably lower by every measure since Obama became President." According to the JCT, last year's \$787 billion stimulus bill, enacted with no Republican support, reduced Federal taxes by almost \$100 billion in 2009 and another \$222 billion this year.

Let's just talk a little bit about what's in there because people love to talk about these abstract notions of did you or didn't you lower taxes. Well, here's what's in the American Recovery and Reinvestment Act, one-third of

which was tax cuts. Congress has enacted more than \$800 billion in tax cuts with another \$285 billion working its way through Congress, and this Recovery Act had 25 different tax cuts for Americans in this country.

The Making Work Pay tax cut provided immediate and sustained tax relief to about 95 percent of all American workers and their families. It's a refundable tax credit up to \$400 per worker or \$800 per couple filing jointly. That has already been enacted. Over 110 million working families, that's about 95 percent of Americans, now are getting the tax relief they need right now.

The Child Tax Credit: I hear from so many people how difficult it is for working families to be able to afford the cost of childcare. Republicans decided to vote against the childcare tax credit, which cut the taxes of families of more than 16 million children through an expansion of the Child Tax Credit, a very important thing, I think, that we enacted this year.

The Earned Income Tax Credit: expanded the Earned Income Tax Credit, providing tax relief to families with three or more children and increasing the Marriage Penalty Relief. Now, again, that's for working-class families. Those are tax cuts for the wealthiest in this country, which is what the Republicans did during their time, making sure the rich got richer. No, we went for the Earned Income Tax Credit.

The American Opportunity College Tax Credits: how often do we hear from working class families today struggling to provide for tuition for their kids' college? That helps more than 4 million additional students attend college with a new \$2,500 tax credit for families, which is partially refundable, already been enacted.

The Alternative Minimum Tax Relief, protecting 26 million middle class families who are being hit by the alternative minimum tax.

And we all know about the First-Time Homebuyers Tax Credit which allowed the first-time homebuyer \$8,000, moved it up from \$7,500. That has been extended. Now, maybe you don't hear this in your district; but you wouldn't be listening if you didn't hear from real estate agents who talk about how beneficial that has been in moving the stagnant housing market. I hear about it all the time. I hear about it from them to want to make sure that we continue to extend that tax credit that went directly to working families, to those people who needed the benefit, who wanted to invest in a new home, who wanted to have that opportunity. And I know I hear all the time about what a great benefit that has been.

Incentives to buy new cars were in there, to provide a tax deduction for State and local sales taxes and excise taxes paid on the purchase of new cars. We all know we had to do everything we could to get Detroit working again to help American manufacturing.

Now, that is just what individuals benefited from. Let me just talk about

a few of the business tax incentives to create jobs. That was \$10 billion over 10 years, supported by the Chamber of Commerce and the National Association of Manufacturers. That was in the American Recovery and Reinvestment Act that was voted for by the Democrats and opposed by the Republicans. And I'm sorry to see that, because this was an important issue for the Chamber of Commerce, certainly important for our businesses. That included bonus depreciation, helping businesses to quickly recover the costs of new capital investments by extending the increased bonus depreciation for businesses making investments in new plants and equipment in 2009. I don't know about you, but we're anxious to have new capital investments in our plants and equipment, and so I was very proud to stand behind that.

Small business expensing: spurring small business investment by extending small business expensing, doubling the amount that small businesses can immediately write off on their taxes for capital investments and purchases of new equipment. The write-off has helped many of the businesses in all of our districts.

Buying back debt: providing assistance to companies looking to reduce their debt burdens by delaying the tax on businesses that have a discharged indebtedness which will help those companies strengthen their balance sheets so they can invest in job creation.

Small business loss carrybacks, which increase the cash flow for small businesses by providing a 5-year carryback of net operating losses. I know I hear about this frequently and was proud to support it and help those businesses in my district who felt this was essential. Sorry to see that the Republicans didn't want to vote for yet another small business and business tax investment.

We had the small business investments, spurring investments by small businesses by cutting capital gains tax on investors in small business who buy stock in the next 2 years and hold it more than 5 years.

We had a tax credit for jobs, for recently discharged, unemployed veterans and disconnected youth. How often do we hear about those people who served our country, many of whom are unemployed? How important is that to make sure that we give more jobs to recently discharged, unemployed veterans? Those are just a few of the tax measures that were enacted under the Recovery Act.

For a party, the Republicans, who say they want to cut taxes, they seem to only want to do it on the wealthiest people in this country. Or big corporations who ship jobs offshore, I guess it's okay to cut taxes there; but when it comes to the middle class, when it comes to helping people with tuition, when it comes to childcare tax credits, the very difficult price that working moms and working families pay to

keep their children in childcare—which we know is a growing expense for young families—giving them a tax credit, that's where I think our tax credits should go.

And what about the renewable energy and energy efficiency tax incentives to spur energy savings and create jobs? I don't know how people feel in your district, but I know in mine they want to end their dependence on foreign oil. They want to invest in making their homes more efficient, and those energy-efficient tax credits have been very helpful in my State. I meet up with people all the time who say, I'm so glad I had the opportunity to invest in winterizing my home. I know it doesn't get as cold in North Carolina, but in Maine we're a cold State. We're about the most dependent State in the country on oil.

□ 1115

So for those of us in Maine, in New England, we actually may have the oldest stock in the Nation as we are 38th in per capita income and as we have the greatest percentage of seniors in this country, so we have a perfect storm. We have a lot of very old people without much income who are living in very old houses. Our State is basically 80 percent dependent on oil. So, when the costs of oil rise, people are left struggling in their homes, unable to pay those bills. Many of them have to decide whether to heat their homes, to buy their prescription drugs, or to put food on their tables. For them, having energy-efficient home tax credits has been great. It has allowed a lot of people to put on new storm windows, to add that layer of insulation in order to tighten up the home, to really find ways to reduce the costs of getting through the winter, and to reduce our dependence on foreign oil.

We have the plug-in hybrid tax credit, which spurs the next generation of cars by providing tax credits for people who purchase plug-in hybrids and all-electric vehicles. What more could you ask for in this country but to spur on innovation and new technology and to help out our ailing automobile and manufacturing industries.

There are tax credits for renewable energy, easing the credit crunch for renewable energy. I am in a State that wants to develop our wind power capacity, that wants to have more solar power, and that wants to have tidal energy. These very tax credits are helping our individuals and businesses to do it, and this is just the beginning. Then, as we talked about earlier, we also enacted health insurance reform.

So I think this is the party which is thinking first of the middle class, of small businesses and which is very worried about how people get through Tax Day. This party has done a variety of things to help that along, and I hope that we can find some Republican votes to do more in the future in order to continue to spur on job creation and to cut taxes for our middle class.

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

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

Mr. Speaker, my colleague from Maine failed to mention her own State and what it is doing, and I find it very interesting. I have an article from June 24, 2009, from *The Wall Street Journal*, entitled "Maine Miracle." I will just quote a couple of things from the article.

"At last, there's a place in America where tax cutting to promote growth and attract jobs is back in fashion. Who would have thought it would be Maine?"

"This month, the Democratic legislature and Governor John Baldacci broke with Obamanomics and enacted a sweeping tax reform that is almost, but not quite, a flat tax." This is a big income tax cut, especially given that so many other States in the Northeast have been increasing rates.

At the end, it says, "One question is how Democrats in Augusta were able to withstand the cries by interest groups of 'tax cuts for the rich?' Mr. Baldacci's snappy reply: 'Without employers, you don't have employees.' He adds: 'The best social services program is a job.' Wise and timely advice for both Democrats and Republicans as the recession rolls on and budgets get squeezed."

My colleague leaves out so cleverly the fact that her own State has gone against the grain of the Federal Government. I want to say that I am quite, quite interested in hearing her list all of these supposed tax cuts that are being made, but she never mentions the tax increases that are going into effect which offset these tax cuts.

Mr. Speaker, there is an arrogance across the aisle that is almost palpable. It is that the Federal Government should be picking winners and losers in this country. What I was struck by was the very targeted tax cuts that my colleague has been bragging about. As my colleague from Indiana said, what we should be having in this country is an across-the-board tax cut. That's what Republicans believe in. We believe the money that hard-working Americans earn is their money, not the government's money. It is not our right to decide how they spend their money.

As to what Republicans did, yes, we cut taxes for wealthy individuals, but we cut taxes for everyone. What the Democrats do over and over and over again—and again, it comes from an arrogance, a hubris, which says we are smarter than the American people, which says we know how to spend your money better than you know how to spend your money. Therefore, we are going to tell you where you can get tax cuts.

If these tax cuts by George Bush were so horrible, why is it that President Obama is going to continue some of those? He is going to let some expire, but he is going to continue some. So

my colleagues across the aisle obviously are bashing their own President when they say these were horrible, horrible tax cuts that were put into effect by the Bush administration.

The motto of the State of North Carolina is to be rather than to seem, and that hits me so often when we are on the floor, when I'm listening to my colleagues across the aisle, because they are always trying to seem rather than to be. They are trying to say to the American people, Look at the wonderful things we're doing for you. The American people have had about all they can stand of the good things that the Democrats are trying to do for them, and I think today is a great example of that.

It is ironic that this is Tax Day. There are probably going to be a million or so people out on The Mall this afternoon near the Washington Monument. These are folks who have said, I've had it up to here with the Federal Government. These people are involved with the tea party movement. I welcome them to Washington, and I welcome the fact that they are everywhere today, all over the country, having these meetings where they're saying, It's time for us to take back our country. It's time for us to tell the Federal Government, We've just about had enough of you in terms of your taking away our money and deciding where to spend it.

I think it's a wonderful movement and that we should encourage it at every opportunity, because this is what this country is about. The first three words of the Constitution are written larger than the rest of the words, and they are "We the People."

We need to be honoring those people who are coming here and who are demonstrating all over the country that they've had it with the Democratic Party, that they've had it with government spending, that they've had it with debt. I want to encourage them to do more and more and more and to send the message to our colleagues that they don't care for the way they're being treated by the Democrats in charge of this government right now. They've had enough of it, and they want us to cut spending and to cut taxes across the board, not to decide who are the winners and the losers.

[From the *Wall Street Journal*, June 24, 2009]

MAINE MIRACLE

At last, there's a place in America where tax cutting to promote growth and attract jobs is back in fashion. Who would have thought it would be Maine?

This month the Democratic legislature and Governor John Baldacci broke with Obamanomics and enacted a sweeping tax reform that is almost, but not quite, a flat tax. The new law junks the state's graduated income tax structure with a top rate of 8.5% and replaces it with a simple 6.5% flat rate tax on almost everyone. Those with earnings above \$250,000 will pay a surtax rate of 0.35%, for a 6.85% rate. Maine's tax rate will fall to 20th from seventh highest among the states. To offset the lower rates and a larger family

deduction, the plan cuts the state budget by some \$300 million to \$5.8 billion, closes tax loopholes and expands the 5% state sales tax to services that have been exempt, such as ski lift tickets.

This is a big income tax cut, especially given that so many other states in the Northeast and East—Maryland, Massachusetts, New Jersey and New York—have been increasing rates. “We’re definitely going against the grain here,” Mr. Baldacci tells us. “We hope these lower tax rates will encourage and reward work, and that the lower capital gains tax [of 6.85%] brings more investment into the state.”

These changes alone are hardly going to earn the Pine Tree State the reputation of “pro-business.” Neighboring New Hampshire still has no income or sales tax. And last year Maine was ranked as having the third worst business climate for states by the Small Business Survival Committee. Still, no state has improved its economic attractiveness more than Maine has this year.

One question is how Democrats in Augusta were able to withstand the cries by interest groups of “tax cuts for the rich?” Mr. Baldacci’s snappy reply: “Without employers, you don’t have employees.” He adds: “The best social services program is a job.” Wise and timely advice for both Democrats and Republicans as the recession rolls on and budgets get squeezed.

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

Ms. PINGREE of Maine. Mr. Speaker, I yield 3 minutes to my colleague on the Rules Committee, the gentleman from Massachusetts (Mr. MCGOVERN).

Mr. MCGOVERN. I thank the gentlewoman for yielding to me, and I want to associate myself with her remarks.

Mr. Speaker, my Republican friends talk about fiscal responsibility, and they talk about how we need to focus on the economy. Let’s review the record here.

George Bush inherited from Bill Clinton a sound economy and a surplus. The Republicans came in. They basically eliminated the surplus, and they drove this economy into a ditch. What President Obama inherited was the worst economy since the Great Depression. That is what they did.

My friend from North Carolina wants to talk about arrogance. What about the arrogance of creating this enormous debt, of taking this surplus that they’ve inherited and just frittering it away and creating an all-time high, historic national debt? Where is the arrogance of that?

Tax cuts for rich people that weren’t paid for. That went onto our debt.

Two wars we are fighting. None of it paid for and trillions of dollars onto our debt.

When they were voting for all of this stuff, there was no mention of the implications to average families.

A prescription drug bill not paid for. Hundreds of billions of dollars added to our debt.

Do you want to talk about arrogance? That’s arrogance. That’s what they gave us. They gave us the worst economy since the Great Depression. They drove this economy into the ditch, and now they’re complaining about the size of the tow truck.

It is Tax Day. At this moment in our history, we have to clean up a mess. It’s easy. It’s fun to create a mess. When we were kids, it was always fun to mess things up. It wasn’t so fun when our mothers told us, “You’ve got to clean things up. We are cleaning things up. We are cleaning up their mess. I wish we didn’t have to, but that’s what they left us.”

In terms of tax relief, we have the American Recovery and Reinvestment Act. It had tax cuts for average working families, tax incentives for businesses to create jobs by increasing bonus depreciation, by allowing small businesses to immediately write off new equipment purchases, and by providing a 5-year carryback for net operating losses. They had an opportunity to vote for that, and they voted “no.” They voted “no.”

On health reform, there are tax credits to help families pay for health care coverage. The cost of health care has become obscene. There are tax credits for small businesses to help them offer coverage to their employees. What did they do? They voted “no.”

There have been hiring incentives to restore employment, the so-called HIRE Act. There has been a payroll tax holiday for businesses that hire unemployed workers and retain them. How did they vote? “No.” They voted “no” on that.

The Small Business and Infrastructure Jobs Act provides tax incentives to help spur investments in small businesses. They all talk about small businesses. How did they vote on that? “No.”

There has been permanent estate tax relief that ensures that nearly all estates—99.8 percent—are exempt from taxes. How did they vote? “No.” On every measure that provides relief to average working families, they voted “no.”

The SPEAKER pro tempore. The time of the gentleman has expired.

Ms. PINGREE of Maine. I yield the gentleman an additional 30 seconds.

Mr. MCGOVERN. I am sorry. I say to my Republican friends that we are not trying to accommodate the Donald Trumps of the world and that we are not interested in providing more and more tax breaks, you know, to big corporations and to big financial institutions that created this mess on Wall Street. We have a different set of priorities, which is to help average working families get through this economic crisis that they created, and we are going to do that with or without their help.

So I am proud to stand with the President and with the leadership in this Congress to focus on working families.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded that remarks in debate are properly directed to the Chair and should not be addressed in the second person.

Ms. FOXX. Mr. Speaker, again, I constantly find it amazing how our col-

leagues want to rewrite history and how they assume that nobody is going to check up on what they are saying. That’s not happening these days.

I want to remind my colleagues that, when the Democrats took over the Congress in January 2007, President Bush was still in office. The deficit was less than \$400 billion. Since President Obama’s inauguration, the U.S. has had an average monthly deficit of \$122.6 billion. By comparison from the year 2000 to 2008, the average annual deficit was \$196 billion. Again, they can try to rewrite history, but the numbers are out there.

I also want to point out that my colleague was talking about the child tax credit. I was really confused about that, so I double-checked. The child tax credit is going to drop from \$1,000 to \$500 in January 2011 as a result of the Bush tax cuts being changed by our Democrat friends. It seems they don’t have quite the concern for children and married couples that Republicans have.

In an article today in Congress Daily, entitled “Credit Check” by Peter Cohn, I read, “In a quirk of the law’s drafting—” this is about the tax credit for first-time home buyers “—each spouse must meet the same test. A married couple would have had to have lived in the same home for 5 years to get the long-time resident credit or each would have to be a first-time buyer to get the higher credit.”

There is a real antipathy towards married couples in the policies that our Democratic colleagues continue to pass. Again, they are always picking winners and losers instead of allowing the American people to do with their money what they would like to do.

My colleagues talk about these rich people all the time. It appears that they simply never want to see another rich person in this country. They have such antipathy for the rich. What Republicans want is for every American to be able to be rich. Why is that not a wonderful goal to have?

[From CongressDaily, Apr. 15, 2010]

CREDIT CHECK

(By Peter Cohn)

Democrats this week have been touting the middle-class tax cuts they’ve doled out, such as a new credit for home purchases, as Americans face today’s filing deadline.

But they haven’t mentioned an unhappy little accident of the November law that extended and expanded the credit. In many cases newlyweds are out of luck, even if they would have qualified before they were married. (Full disclosure: This column’s author recently discovered this “marriage penalty” applied to him and his wife.)

The November law extended an \$8,000 tax credit for first-time buyers—defined as someone who had not owned a home in the last three years—through April 30, provided the settlement occurs before June 30. The law also created a \$6,500 credit for buyers who had owned their previous home for five of the past eight years.

In a quirk of the law’s drafting, each spouse must meet the same test. A married couple would have to have lived in the same home for five years to get the long-time resident credit, or each would have to be a first-time buyer to get the higher credit.

That freezes out married couples who would have met the different requirements individually (as in the author's case), but now don't get a penny. The same goes for newlyweds who had previously been longtime owners of separate homes. Now take unmarried couples purchasing a home: say one is a first-time buyer and the other a long-time homeowner, according to the IRS, they get to split the more generous credit of \$8,000.

Despite protests, the Treasury Department and IRS had to interpret the law based on its wording, a Treasury spokeswoman said.

Even as they trumpeted the credits' benefit this week, lawmakers have no plans to extend them. They are expensive—\$12.6 billion worth had been approved for 1.8 million taxpayers as of Feb. 20, according to Treasury. And fatigue has set in after relentless lobbying by groups like the National Association of Realtors and National Association of Home Builders, who have promised to hold their powder this time.

Sen. Johnny Isakson, R-Ga., a lead sponsor of the credit, said he pledged "to not come back to the well, and I'm not going to." He said he hadn't heard of the marriage penalty, however, and few lawmakers have been stirred to action as the credit eligibility period winds down.

Tonya Rutherford, a nurse in Milwaukee, brought the issue to the attention of Rep. Gwen Moore, D-Wis. Rutherford had owned her home for 11 years, thus on her own would have qualified for the \$6,500 credit. But since she recently got married to a man who had not lived with her for at least five years, the couple is ineligible.

Moore has introduced legislation to change the law so that only one spouse has to qualify. She has three co-sponsors: Reps. Dave Loebsack, D-Iowa, Bennie Thompson, D-Miss., and Joe Sestak, D-Pa., who is challenging Sen. Arlen Specter, D-Pa., for his party's nomination this fall.

Rep. Eliot Engel, D-N.Y., introduced separate legislation to allow a couple to claim the reduced credit if both would have qualified before they were married, or if one spouse would have qualified for the first-time buyer credit and the other would ordinarily get the longtime resident credit. Engel also has three co-sponsors: Reps. John Hall, D-N.Y., Steve Kagen, D-Wis., and Mary Jo Kilroy, D-Ohio, who signed on Tuesday.

"I do not believe Congress wanted to exclude couples based on technicalities: Engel said. "By fixing this so-called 'marriage penalty,' Congress will provide a further boost to the recovering real estate economy and reflect the importance of marriage as a cornerstone to our society."

Joseph Rand, managing partner of Better Homes & Gardens Rand Realty in New York's Hudson Valley, brought the problem up with Engel after coming across it when putting together an eligibility calculator for clients in December. Rand began blogging on the subject and set up a Web site where homebuyers could share stories about being locked out of the credit because of marital status.

"This is the kind of thing that should pass 400-5. People should be lining up in front of microphones to stand up for marriage," Rand said. "But I've been mostly shouting in the dark about it."

Engel's bill has been endorsed by a small Realtors' group that only represents buyers, the National Association of Exclusive Buyers Agents. But the larger and more powerful Realtors' lobby has stayed away from the issue. A spokesman could not be reached for comment by presstime.

The homebuilders' lobby noticed the problem early on, said NAHB economist Robert Dietz, raising the issue with Treasury. They argued for a more liberal reading of the law allowing married couples to benefit. "Unfortunately, we lost in making that argument," Dietz said. "I can tell you that I've fielded a

number of angry e-mails and phone calls about this," he said.

Rand said he thought part of the reason there has been so little attention is because Congress has been swamped with other issues and because many taxpayers have waited until the last minute to file their returns and are only now discovering the problem. "You're going to see so many angry people popping up this week" he said. (Full disclosure: The author was planning on a new home purchase anyway, but that tax credit wouldn't have hurt.)

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

Ms. PINGREE of Maine. Mr. Speaker, I yield 3 minutes to the gentleman from Washington (Mr. INSLEE).

Mr. INSLEE. Mr. Speaker, this discussion has gotten a little bit away from this bill about trying to preserve Americans' estuaries so Americans can go fishing with their kids. It's kind of gotten a little far away from estuaries.

I will note that, painful as it is to pay our taxes, some of my constituents don't think it is a bad idea to be able to go fishing with their kids and to keep estuaries. That is a legitimate purpose, and this bill is going to help it along the way.

□ 1130

But my Republican colleague from North Carolina has tried to turn estuaries into the discussion about taxes because it is April 15, and I think it's appropriate to address a couple of facts about that issue, and I thought I might inject a couple facts into this discussion.

There is always a disagreement between sides of the aisle on what reality is. I thought I might turn to a fellow that might have an interesting viewpoint about this. His name is Bruce Bartlett. He is the former Domestic Policy Adviser under President Ronald Reagan and Treasury Department economist under President George H.W. Bush.

On March 19, 2010, here is what this former Reagan and Bush administration official said, and my friend from North Carolina might be interested in this from this former staffer under Republican Presidents. He said, and I quote, "Federal taxes are very considerably lower by every measure since Obama became President. According to the JCT," the Joint Committee on Taxes, "last year's \$787 billion stimulus bill, enacted with no Republican support, reduced Federal taxes by almost \$100 billion in 2009 and another \$220 billion this year."

Now, that is not some Democrat Member of Congress saying it. This is the official under Ronald Reagan and President George H.W. Bush.

Now, what does that mean in the State of North Carolina? My colleague from North Carolina has been down there suggesting that there has been a horrendous event on taxes. Let's look at what the Citizens for Tax Justice say the result of these tax cuts under President Obama are. Because I want to make sure people understand what they mean in the real world.

According to the Citizens for Tax Justice, in the State of North Carolina,

the State that my colleague is now attacking the President from, the lowest 20 percent of her fellow citizens in North Carolina have received average tax cuts, average tax cuts, of \$612. That's an average. The next 20 percent, average tax cuts of \$792; the next 20 percent, average tax cuts of \$646; the fourth 20 percent, average tax cuts of \$711.

The SPEAKER pro tempore. The time of the gentleman has expired.

Ms. PINGREE of Maine. I am glad to yield the gentleman an additional 30 seconds.

Mr. INSLEE. The next 15 percent, \$1,900; the next 4 percent, \$4,600; and the next 1 percent, \$3,019.

In fact, my colleague, who is today on a bill about estuaries trying to fan April 15 into a jihad against supporting Uncle Sam, every single one of the quartiles that you represent has had their taxes cut under this President and you voted against—excuse me, Mr. Speaker—the speaker voted against every single one of those tax cuts. Those are the facts.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded that remarks in debate are properly directed to the Chair and should not be addressed in the second person.

Ms. FOXX. I yield myself the balance of my time.

Mr. Speaker, I understand the need, again, to protect water and to protect estuaries. We all understand that. I grew up carrying water to my home, so I understand the value of water about as much as anybody here. But while we're increasing spending to protect estuaries, my constituents can't afford the bait and tackle to go fishing because they are out of work, they have lost their jobs, and there's no prospect for them to get jobs.

I can't be responsible for ill-informed Republicans who have said things that my colleagues have quoted. And I want to say I don't vote against tax cuts, but every bill that they have put in that has had tax cuts have had tax increases in them. Republicans are voting against tax increases.

What we have to be aware of here is that we should be dealing with the real problems that the American people are facing, and they have to do with the economy.

In 2009, the budget deficit was \$1.4 trillion, the first time in history the deficit exceeded \$1 trillion and the first time the deficit exceeded 10 percent of gross domestic product since World War II. The consequences of this reckless spending are worth highlighting. But today the cost of the national debt is \$41,398 for every man, woman, and child in the U.S. According to the March, 2010, monthly Treasury report, the Federal Government is projected to spend \$425.127 billion paying interest alone on the national debt. We should be dealing with that.

I urge my colleagues to vote against the rule.

Ms. PINGREE of Maine. Mr. Speaker, in closing, I want to say that this bill,

the bill we started talking about, about estuaries, which is very important for economic development in my State, will also help the NEPs keep their management plans current by requiring them to be periodically reviewed and updated. This will make them more dynamic, more responsive to changing conditions in the estuaries. Updating the plans will include identifying estuary vulnerability, climate change impact, preparing adaptation responses, as well as working to educate the public on estuary health issues.

One such issue that is emerging as an important issue nationally is the role of toxins from plastics like flame retardants like Deca. Deca is found in increasing amounts in many coastal estuaries. While this legislation does not require the NEPs to address toxins like Deca, it does provide them with the opportunity to further consider the impacts and any actions, including education, that the NEP might take.

I am proud of the good work being done in Maine and across the Nation to protect and restore our estuaries. I urge my colleagues to support the rule and the underlying bill. I urge a “yes” on the previous question and the rule.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. FOXX. 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, further proceedings on this question will be postponed.

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 11 o'clock and 38 minutes a.m.), the House stood in recess subject to the call of the Chair.

□ 1304

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Ms. MCCOLLUM) at 1 o'clock and 4 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

H. Res. 1248, by the yeas and nays;

H. Res. 1062, by the yeas and nays; H. Con. Res. 222, de novo.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

PROVIDING FOR CONSIDERATION OF H.R. 4715, CLEAN ESTUARIES ACT OF 2010, WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS, AND PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

The SPEAKER pro tempore. The unfinished business is the vote on adoption of House Resolution 1248, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution.

The vote was taken by electronic device, and there were—yeas 235, nays 171, not voting 23, as follows:

[Roll No. 204]
YEAS—235

Ackerman	Donnelly (IN)	Larsen (WA)
Adler (NJ)	Doyle	Larson (CT)
Altmire	Driehaus	Lee (CA)
Andrews	Edwards (MD)	Levin
Arcuri	Edwards (TX)	Lewis (GA)
Baca	Ellison	Lipinski
Baird	Ellsworth	Loeb
Baldwin	Engel	Lofgren, Zoe
Barrow	Eshoo	Lowey
Bean	Etheridge	Lujan
Becerra	Farr	Lynch
Berkley	Fattah	Maffei
Berman	Finer	Maloney
Berry	Poster	Markey (CO)
Bishop (GA)	Frank (MA)	Markey (MA)
Bishop (NY)	Fudge	Marshall
Blumenauer	Garamendi	Matheson
Bocchieri	Giffords	Matsui
Boren	Gordon (TN)	McCarthy (NY)
Boswell	Grayson	McCollum
Boucher	Green, Al	McDermott
Brady (PA)	Green, Gene	McGovern
Braley (IA)	Grijalva	McIntyre
Bright	Gutierrez	McMahon
Brown, Corrine	Hall (NY)	McNerney
Butterfield	Halvorson	Meeke (NY)
Capps	Hare	Melancon
Capuano	Harman	Michaud
Carmahan	Hastings (FL)	Miller (NC)
Carney	Heinrich	Miller, George
Carson (IN)	Herseth Sandlin	Mollohan
Castor (FL)	Higgins	Moore (KS)
Chandler	Hill	Moore (WI)
Childers	Himes	Moran (VA)
Chu	Hinchee	Murphy (CT)
Clarke	Hinojosa	Murphy (NY)
Cleaver	Hirono	Murphy, Patrick
Clyburn	Hodes	Nadler (NY)
Cohen	Holden	Napolitano
Connolly (VA)	Holt	Neal (MA)
Conyers	Honda	Nye
Cooper	Hoyer	Oberstar
Costa	Inslee	Obey
Costello	Israel	Olver
Courtney	Jackson (IL)	Ortiz
Crowley	Johnson (GA)	Owens
Cuellar	Johnson, E. B.	Pallone
Cummings	Kagen	Pascarella
Dahlkemper	Kanjorski	Pastor (AZ)
Davis (AL)	Kaptur	Payne
Davis (CA)	Kennedy	Perlmutter
Davis (IL)	Kildee	Perriello
Davis (TN)	Kilpatrick (MI)	Peters
DeFazio	Kilroy	Peterson
DeGette	Kind	Pingree (ME)
Delahunt	Kissell	Polis (CO)
DeLauro	Klein (FL)	Pomeroy
Dicks	Kratovil	Price (NC)
Dingell	Kucinich	Quigley
Doggett	Langevin	Rahall

Rangel	Sestak	Tierney
Reyes	Shea-Porter	Titus
Richardson	Sherman	Tonko
Rodriguez	Shuler	Van Hollen
Ross	Sires	Velázquez
Rothman (NJ)	Skelton	Visclosky
Roybal-Allard	Smith (WA)	Walz
Rush	Snyder	Waters
Ryan (OH)	Space	Watson
Salazar	Speier	Watt
Sanchez, Loretta	Spratt	Waxman
Sarbanes	Stark	Weiner
Schauer	Stupak	Welch
Schiff	Sutton	Wilson (OH)
Schrader	Tanner	Woolsey
Schwartz	Taylor	Wu
Scott (GA)	Teague	Yarmuth
Scott (VA)	Thompson (CA)	
Serrano	Thompson (MS)	

NAYS—171

Aderholt	Frelinghuysen	Mitchell
Akin	Garrett (NJ)	Moran (KS)
Alexander	Gerlach	Murphy, Tim
Austria	Gingrey (GA)	Myrick
Bachmann	Gohmert	Neugebauer
Bachus	Goodlatte	Nunes
Bartlett	Granger	Olson
Barton (TX)	Graves	Paul
Biggart	Griffith	Paulsen
Bilirakis	Guthrie	Pence
Bishop (UT)	Hall (TX)	Petri
Blackburn	Harper	Pitts
Blunt	Hastings (WA)	Platts
Boehner	Heller	Poe (TX)
Bonner	Hensarling	Posey
Bono Mack	Herger	Price (GA)
Boozman	Hunter	Putnam
Boustany	Inglis	Radanovich
Brady (TX)	Issa	Rehberg
Broun (GA)	Jenkins	Reichert
Brown (SC)	Johnson (IL)	Roe (TN)
Brown-Waite,	Johnson, Sam	Rogers (AL)
Ginny	Jones	Rogers (KY)
Buchanan	Jordan (OH)	Rogers (MI)
Burgess	King (IA)	Rohrabacher
Burton (IN)	King (NY)	Rooney
Buyer	Kingston	Ros-Lehtinen
Calvert	Kirk	Roskam
Camp	Kirkpatrick (AZ)	Royce
Campbell	Kline (MN)	Ryan (WI)
Cantor	Lamborn	Scalise
Cao	Lance	Schmidt
Capito	Latham	Schock
Carter	LaTourette	Sensenbrenner
Cassidy	Latta	Sessions
Castle	Lee (NY)	Shadegg
Chaffetz	Lewis (CA)	Shimkus
Coble	Linder	Shuster
Coffman (CO)	LoBiondo	Simpson
Cole	Lucas	Smith (NE)
Conaway	Luetkemeyer	Smith (NJ)
Crenshaw	Lummis	Smith (TX)
Culberson	Lungren, Daniel	Souder
Davis (KY)	E.	Stearns
Dent	Mack	Sullivan
Diaz-Balart, L.	Manzullo	Terry
Diaz-Balart, M.	Marchant	Thompson (PA)
Dreier	McCarthy (CA)	Thornberry
Duncan	McCaul	Tiberi
Ehlers	McClintock	Turner
Emerson	McHenry	Upton
Fallin	McKeon	Walden
Flake	McMorris	Westmoreland
Fleming	Rodgers	Whitfield
Forbes	Mica	Wilson (SC)
Fortenberry	Miller (MI)	Wittman
Fox	Miller, Gary	Wolf
Franks (AZ)	Minnick	Young (FL)

NOT VOTING—23

Barrett (SC)	Jackson Lee	Schakowsky
Bilbray	(TX)	Slaughter
Boyd	Kosmas	Tiahrt
Cardoza	McCotter	Towns
Clay	Meek (FL)	Tsongas
Gallegly	Miller (FL)	Wamp
Gonzalez	Ruppersberger	Wasserman
Hoekstra	Sánchez, Linda	Schultz
	T.	Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There is 1 minute remaining in this vote.

□ 1337

Mr. BLUNT changed his vote from “yea” to “nay.”

Mr. FRANK of Massachusetts changed his vote from “nay” to “yea.” So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

HOUSE OF REPRESENTATIVES,
Washington, DC, April 14, 2010.

Hon. NANCY PELOSI,
The Speaker, House of Representatives, Washington, DC.

DEAR MADAM SPEAKER: I have the honor to transmit herewith a facsimile copy of a letter received from the Honorable Kurt S. Browning, Secretary of State, State of Florida, indicating that, according to the unofficial returns of the Special Election held April 13, 2010, the Honorable Theodore E. Deutch was elected Representative to Congress for the Nineteenth Congressional District, State of Florida.

With best wishes, I am
Sincerely,

LORRAINE C. MILLER,
Clerk.

Enclosure.

FLORIDA DEPARTMENT OF STATE,
Tallahassee, FL, April 14, 2010.

Hon. LORRAINE C. MILLER,
Clerk, House of Representatives, The Capitol, Washington, DC.

DEAR Ms. MILLER: Attached are the unofficial results of the Special Election held on Tuesday, April 13, 2010, for Representative in Congress from the Nineteenth Congressional District of Florida.

To the best of our knowledge and belief at this time, there is no contest to this election. As soon as the official results are certified to this office by the Supervisors of Elections for Palm Beach County and Broward County, an official Certificate of Election will be prepared for transmittal as required by law.

Please let me know if you have any questions or concerns.

Sincerely,

KURT S. BROWNING,
Secretary of State.

Enclosure.

FLORIDA DEPARTMENT OF STATE, DIVISION OF ELECTIONS, APRIL 13, 2010 SPECIAL GENERAL CONGRESSIONAL 19 & HOUSE 4

UNOFFICIAL ELECTION NIGHT RETURNS (MAY NOT INCLUDE ABSENTEE OR PROVISIONAL BALLOTS)

UNITED STATES REPRESENTATIVE DISTRICT: 19

County	Edward Lynch (REP)	Ted Deutch (DEM)	Jim McCormick (NPA)	Josue Larose (WRI)
Broward	5,837	7,342	458	0
Palm Beach	18,702	35,913	1,447	0
Total	24,539	43,255	1,905	0
% Votes	35.2%	62.1%	2.7%	0.0%

SWEARING IN OF THE HONORABLE THEODORE E. DEUTCH, OF FLORIDA, AS A MEMBER OF THE HOUSE

Mr. HASTINGS of Florida. Madam Speaker, I ask unanimous consent that

the gentleman from Florida, the Honorable THEODORE E. DEUTCH, be permitted to take the oath of office today.

His certificate of election has not arrived, but there is no contest and no question has been raised with regard to his election.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

The SPEAKER. Will Representative-elect DEUTCH and the members of the Florida delegation present themselves in the well.

Mr. DEUTCH appeared at the bar of the House and took the oath of office, as follows:

Do you solemnly swear or affirm that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion; and that you will well and faithfully discharge the duties of the office on which you are about to enter, so help you God.

The SPEAKER. Congratulations, you are now a Member of the 111th Congress.

WELCOMING THE HONORABLE THEODORE E. DEUTCH TO THE HOUSE OF REPRESENTATIVES

The SPEAKER. Without objection, the gentleman from Florida (Mr. HASTINGS) is recognized for 1 minute.

There was no objection.

Mr. HASTINGS of Florida. Madam Speaker, it is my honor to introduce to you today our newest member of the Florida delegation, Congressman TED DEUTCH.

After serving with distinction in the Florida State Senate, TED now joins us to represent the people of Florida's 19th Congressional District here in Washington. TED brings with him a commonsense and results-driven approach that distinguished him during his time in the Florida State Senate, where he wrote and passed landmark legislation, including a health care bill that will raise \$1 billion for essential health services for Floridians, and he also passed the Iran divestment legislation that made Florida the first State in the Nation to put direct economic pressure on companies doing business in Iran.

Throughout his career in public service, TED has fought on behalf of those who risk losing the most, including seniors, working families, children, Holocaust survivors, veterans, members of the Armed Services, and small businesses.

I have worked alongside TED as a leader in the community and as a legislator. I know him well, and I am confident that he will do an excellent job replacing our former colleague and good friend, Robert Wexler, who is with us today, do a good job representing Florida's 19th Congressional District.

Madam Speaker, please join me in welcoming TED DEUTCH, his wife Jill,

their three children, Gabrielle, Serena, and Cole, who are here on the floor with us, to our congressional family. I would also like to recognize TED's mother Jean, his four siblings, extended family, and friends who are here today to celebrate this special occasion with him.

At this time, Madam Speaker, I would like to yield to my distinguished colleague from Florida, the dean of the Florida delegation, Congressman C.W. "BILL" YOUNG.

Mr. YOUNG of Florida. Madam Speaker, I thank my friend and colleague from Florida for yielding the time to me, and I want to say on behalf of the Republican members of the Florida delegation, the great delegation here in the Congress, Congressman, welcome.

Congratulations. You will be serving in the people's House. Your oath of office that you have just sworn to uphold the Constitution is something that you will find very challenging as you go through your career here. But just rest assured that those of us in the Florida delegation on both sides of the aisle will be here to be helpful to you as you carry out your important activities. Again, welcome. Congratulations.

The SPEAKER. Without objection, the newest Member of the House of Representatives, Congressman TED DEUTCH, is recognized for 1 minute.

There was no objection.

Mr. DEUTCH. Thank you, Speaker PELOSI.

This is a truly humbling day, and the honor of a lifetime. My constituents are an extraordinary collection of Americans, seniors who served our Nation valiantly in times of war and rebuilt this country after the Great Depression. They are hardworking families who strive to pass on a better world and greater opportunities to their children.

I want to thank Speaker PELOSI and Majority Leader HOYER for their exceptional leadership. I am also grateful to my South Florida friends, Representatives KLEIN, MEEK, and WASSERMAN SCHULTZ, and especially our dean, Congressman HASTINGS. I want to thank Congressman Wexler for his service, as well as his support and friendship.

I will never forget my family, friends, volunteers, and most importantly voters, who helped send me here today. I want to profoundly thank my wife, Jill, and my three children, Gabrielle, Serena, and Cole, who are all here with us today. Their love and support means the world to me.

In all of her 86 years, my mother, Jean Deutch, never could have imagined hearing her name in this Chamber, and she is here with us today.

□ 1345

Mom, thank you for making me believe that I could be anything I wanted to be, because today I am a Member of the United States Congress.

Thank you, Madam Speaker.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Under clause 5(d) of rule XX, the Chair announces to the House that, in light of the administration of the oath of office to the gentleman from Florida (Mr. DEUTCH), the whole number of the House is 431.

Without objection, 5-minute voting will continue.

There was no objection.

RECOGNIZING THE COAST GUARD GROUP ASTORIA

The SPEAKER pro tempore (Ms. MCCOLLUM). The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 1062, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Maryland (Mr. CUMMINGS) that the House suspend the rules and agree to the resolution, H. Res. 1062, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 401, nays 0, not voting 29, as follows:

[Roll No. 205]

YEAS—401

Aderholt	Calvert	Deutch
Adler (NJ)	Camp	Diaz-Balart, L.
Akin	Campbell	Diaz-Balart, M.
Alexander	Cantor	Dicks
Altmire	Cao	Dingell
Andrews	Capito	Doggett
Arcuri	Capps	Donnelly (IN)
Austria	Capuano	Doyle
Baca	Carnahan	Dreier
Bachmann	Carney	Driehaus
Bachus	Carson (IN)	Duncan
Baird	Carter	Edwards (MD)
Baldwin	Cassidy	Edwards (TX)
Barrow	Castle	Ellison
Bartlett	Castor (FL)	Ellsworth
Barton (TX)	Chaffetz	Emerson
Bean	Chandler	Eshoo
Becerra	Childers	Etheridge
Berkley	Chu	Fallin
Berman	Clarke	Farr
Berry	Clay	Fattah
Biggert	Cleaver	Finer
Bishop (GA)	Clyburn	Flake
Bishop (NY)	Coble	Fleming
Bishop (UT)	Coffman (CO)	Forbes
Blackburn	Cohen	Fortenberry
Blumenauer	Cole	Foster
Blunt	Conaway	Fox
Bocchieri	Connolly (VA)	Frank (MA)
Boehner	Conyers	Franks (AZ)
Bonner	Cooper	Frelinghuysen
Bono Mack	Costa	Fudge
Boozman	Costello	Garamendi
Boren	Courtney	Garrett (NJ)
Boswell	Crenshaw	Gerlach
Boucher	Crowley	Giffords
Boustany	Cuellar	Gingrey (GA)
Brady (PA)	Culberson	Gohmert
Brady (TX)	Cummings	Goodlatte
Bralley (IA)	Dahlkemper	Gordon (TN)
Bright	Davis (AL)	Granger
Brown (GA)	Davis (CA)	Graves
Brown (SC)	Davis (IL)	Graves
Brown-Waite,	Davis (KY)	Green, Al
Ginny	Davis (TN)	Green, Gene
Buchanan	DeFazio	Griffith
Burgess	DeGette	Grijalva
Burton (IN)	DeLahunt	Guthrie
Butterfield	DeLauro	Gutierrez
Buyer	Dent	Hall (NY)

Hall (TX)	Marshall	Ros-Lehtinen
Halvorson	Matheson	Roskam
Hare	Matsui	Ross
Harman	McCarthy (CA)	Roybal-Allard
Harper	McCarthy (NY)	Royce
Hastings (FL)	McCaull	Rush
Hastings (WA)	McClintock	Ryan (OH)
Heinrich	McCollum	Ryan (WI)
Heller	McDermott	Salazar
Hensarling	McGovern	Sanchez, Loretta
Herger	McHenry	Sarbanes
Herseht Sandlin	McIntyre	Scalise
Higgins	McKeon	Schakowsky
Hill	McMahon	Schauer
Himes	McMorris	Schiff
Hinchey	Rodgers	Schmidt
Hinojosa	McNerney	Schock
Hirono	Meeke (NY)	Schrader
Hodes	Melancon	Schwartz
Holden	Mica	Scott (GA)
Holt	Michaud	Scott (VA)
Honda	Miller (MI)	Sensenbrenner
Hoyer	Miller (NC)	Serrano
Hunter	Miller, Gary	Sessions
Inglis	Miller, George	Sestak
Inslee	Minnick	Shadegg
Israel	Mitchell	Shea-Porter
Issa	Mollohan	Sherman
Jackson (IL)	Moore (KS)	Shimkus
Jenkins	Moore (WI)	Shuler
Johnson (GA)	Moran (KS)	Shuster
Johnson (IL)	Moran (VA)	Simpson
Johnson, E. B.	Murphy (CT)	Sires
Johnson, Sam	Murphy (NY)	Skelton
Jones	Murphy, Patrick	Smith (NE)
Jordan (OH)	Murphy, Tim	Smith (NJ)
Kagen	Myrick	Smith (TX)
Kanjorski	Nadler (NY)	Smith (WA)
Kaptur	Napolitano	Snyder
Kennedy	Neal (MA)	Souder
Kildee	Neugebauer	Space
Kilpatrick (MI)	Nunes	Speier
Kilroy	Nye	Spratt
Kind	Oberstar	Stark
King (IA)	Obey	Stearns
King (NY)	Olson	Stupak
Kingston	Ortiz	Sullivan
Kirk	Owens	Sutton
Kirkpatrick (AZ)	Pallone	Tanner
Kissell	Pascrell	Taylor
Klein (FL)	Pastor (AZ)	Teague
Kline (MN)	Paul	Terry
Kratovil	Paulsen	Thompson (CA)
Kucinich	Payne	Thompson (MS)
Lamborn	Pence	Thompson (PA)
Lance	Perlmutter	Thornberry
Langevin	Perriello	Tiberi
Larsen (WA)	Peters	Tierney
Larson (CT)	Peterson	Titus
Latham	Petri	Tonko
LaTourette	Pingree (ME)	Tsongas
Latta	Pitts	Turner
Lee (CA)	Platts	Upton
Lee (NY)	Poe (TX)	Van Hollen
Levin	Polis (CO)	Velázquez
Lewis (CA)	Pomeroy	Visclosky
Lewis (GA)	Posey	Walden
Linder	Price (GA)	Walz
Lipinski	Price (NC)	Waters
LoBiondo	Putnam	Watson
Loebsock	Quigley	Watt
Lofgren, Zoe	Radanovich	Weiner
Lowe	Rahall	Welch
Lucas	Rangel	Westmoreland
Luetkemeyer	Rehberg	Whitfield
Lujan	Reichert	Wilson (OH)
Lummis	Reyes	Wilson (SC)
Lynch	Richardson	Wittman
Mack	Rodriguez	Wolf
Maffei	Roe (TN)	Woolsey
Maloney	Rogers (AL)	Wu
Manzullo	Rogers (KY)	Yarmuth
Marchant	Rogers (MI)	Young (FL)
Markey (CO)	Rohrabacher	
Markey (MA)	Rooney	

NOT VOTING—29

Ackerman	Hoekstra	Ruppersberger
Barrett (SC)	Jackson Lee	Sanchez, Linda
Bilbray	(TX)	T.
Bilirakis	Kosmas	Slaughter
Boyd	Lungren, Daniel	Tiahrt
Brown, Corrine	E.	Towns
Cardoza	McCotter	Wamp
Ehlers	Meek (FL)	Wasserman
Engel	Miller (FL)	Schultz
Gallegly	Olver	Waxman
Gonzalez	Rothman (NJ)	Young (AK)

□ 1356

So (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. EHLERS. Madam Speaker, on rollcall No. 205, I missed the vote on H. Res. 1062, due to an important vote.

Had I been present, I would have voted "yes."

RECOGNIZING DR. HECTOR GARCIA

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 222.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. CONYERS) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 222.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

□ 1400

GENERAL LEAVE

Mr. OBERSTAR. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 4715 and include extraneous matter in the RECORD.

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

There was no objection.

CLEAN ESTUARIES ACT OF 2010

The SPEAKER pro tempore. Pursuant to House Resolution 1248 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 4715.

□ 1404

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4715) to amend the Federal Water Pollution Control Act to reauthorize the National Estuary Program, and for other purposes, with Mr. CUELLAR in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Minnesota (Mr. OBERSTAR) and the gentleman from Arkansas (Mr. BOOZMAN) each will control 30 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. OBERSTAR. I yield myself such time as I may consume.

The gentleman from New York (Mr. BISHOP) and the gentleman from New Jersey (Mr. LOBIONDO) deserve very special recognition and appreciation for their collaborative work taking the lead on this legislation to bring new focus and new energy and new legislative authorities to the National Estuary Program under the Clean Estuaries Act of 2010.

Without that concerted effort, we would be losing an extraordinary opportunity to protect and to restore the Nation's estuaries, among our most valuable natural resources.

This legislation was approved by the Committee on Transportation and Infrastructure by voice vote. We have solid support on both sides of the aisle on a bill that was carefully crafted over many months by participation, input, and recommendations from both sides, all of which suggestions have been incorporated into this final legislative product.

Estuaries are very unique bodies of water. They are the places where fresh and salt water meet, the places where new forms of life are created, not just in the United States but all throughout the world. Estuaries are critical mixing points for the basic ingredients of life, including new life itself. Estuaries are the most ecologically diverse, the most economically productive natural resource areas on our entire planet.

Estuaries and their associated coastal resources are major economic forces, as well, for our country. Commercial and recreational fishing annually accounts for \$185 billion in revenue, 2 million direct jobs. Commercially and recreationally important fish and shellfish species—striped bass, shad, salmon, sturgeon, shrimp, crabs, lobster, clams, oysters, muscles, and bay scallops—all depend on the estuary for stages of their life cycle.

Estuaries are habitat for three-fourths of all of the commercial fish catch and 80–90 percent of the recreational fish catch. And that is true not just for the fresh and salt water meeting places of estuaries, but also for the riverine and lake meeting places of estuaries on the Great Lakes.

Beyond fishing, estuaries produce significant economic value for our fellow citizens in tourism, energy production, navigation, cultural and recreational opportunities, boating, fishing, swimming, surfing, birding. Ports and harbors are located in our estuaries, including our ports of Duluth Superior, which I share with my dear friend and colleague from across the water, Mr. OBEY, in northwestern Wisconsin/northeastern Minnesota.

The University of California and the Ocean Foundation have reported that, annually, beach going generates \$30 billion of economic value, and wildlife viewing generates up to \$49 billion, also, in economic value.

But, unfortunately, estuaries, by definition, are downstream. Each estuary is the repository for all of the pollution discharged into the rivers and other bodies of water that drain into estuaries from upstream. As the pollution loading increases, the estuary, the repository of those pollution deposits, deteriorates. The water becomes degraded. The animal and plant communities suffer. Chesapeake Bay is a powerful example of that degrading and deterioration. Only 1 percent of the historical oyster population remain in Chesapeake Bay.

An impaired estuary is bad for commercial and recreational fishing, results in depleted fisheries, decreased tourism revenues, and deteriorated property values. In addition, because of deterioration of the estuary and the borderland around it, we've seen increased flooding, shoreline erosion, damaged infrastructure, particularly when storms occur, which happens every year.

The Federal Government has a number of authorities at its disposal with which to control water pollution, and typically we have used a permit-based system to regulate pollution discharge into our waters. The 1987 amendments to the Clean Water Act provided a new authority in the National Estuary Program. We are reauthorizing that program today in this bill. It's a non-regulatory program. It includes 28 separate estuaries, and each of these estuary initiatives is run by a non-Federal entity. Some are run by States, others by nongovernmental organizations, and a few others by universities.

A central feature of each program is a management plan developed on a consensual basis; not a top-down, not imposed, but a cooperative, inclusive initiative where all elements of government and private sectors and, sort of, stakeholders—a term I don't particularly like, but that's a good inclusive term covering all of those who have a share or a responsibility in the watershed—all develop a bottoms-up process to manage the discharges into and the use of the estuary. It has been very popular and it has been also very effective in improving the health of our estuaries.

This bill does four things: increased transparency and accountability for each of the estuary programs; increased Federal coordination in restoration, protection of the estuaries; third, programmatic changes to the natural estuary program; and, fourth, increasing the authorization level for the program from \$35 million to \$50 million. Not very much. Not very much especially considering the erosion of the value of the dollar over the years since this program was established.

We set the minimum level of \$1.25 million a year for each of the 28 approved estuaries. The program was last authorized in 2000 and erosion of the dollar would have required an increase over those years to an estimated \$44 million. We take it just a little bit

higher to \$50 million in order to account for other estuaries that are important that may be added in the coming management of this program.

With that, I reserve the balance of my time.

Mr. BOOZMAN. Mr. Chairman, H.R. 4715 reauthorizes the National Estuary Program found in section 320 of the Clean Water Act and adds some important accountability provisions. These improvements require performance measures and goals in order to track implementation of management plans for estuaries. The EPA will evaluate every 4 years and report on the implementation of each management plan. In addition, after the EPA evaluates and reports on a plan, each management conference will be required to update their plans.

I note that H.R. 4715 increases the authorized level of funding by 43 percent from \$35 million per year to \$50 million a year. The average appropriation over the past 5 years for this program has been only \$26.8 million. The President's recent budget requests \$27.2 million.

While I support the National Estuary Program and improvements made here in H.R. 4715, I know many of my colleagues, as well as myself, are concerned about increasing authorized levels of spending for programs when Congress has not been able to fund the program close to its current authorization.

□ 1415

Certainly in our current economic crisis we should carefully weigh any proposed increase in authorization levels. We must also consider the importance to estuaries. They are the nursery grounds for much of the planet's sea life and the source of the seafood that we enjoy. They are a unique habitat for a unique group of fish and wildlife.

With that, I reserve the balance of my time.

Mr. OBERSTAR. Mr. Chairman, I yield myself 1 minute to express my great appreciation to our subcommittee chair, Ms. JOHNSON of Texas, who has done a superb job of holding the hearings that led up to the creation of this legislation and bringing together the parties on both sides of the aisle; Mr. BOOZMAN for his splendid participation in the deliberations of the subcommittee and then at the full committee level; and also my great appreciation to Mr. MICA, the ranking member of the full committee, with whom I have a splendid partnership in all of the work of our committee.

Before I recognize and yield time to Ms. JOHNSON, I just wanted to say, it's true, as the gentleman from Arkansas pointed out, that the funding level has been well below the new authorization we propose, and I know these are tight budgetary times. Our job as an authorizing committee is to set what is the reasonable, responsible level of funding for programs under the jurisdiction of our committee, set that forth, put it

into law, and then we will have to fight with the rest of the budget for their fair share of the funding level.

The CHAIR. The time of the gentleman has expired.

Mr. OBERSTAR. I yield myself 30 additional seconds.

But if we don't raise that level from time to time to keep pace with inflation, keep a target out there, then they will continue to be underfunded. At least they can go in and compete and advocate with other Federal Government programs for the amount of funding and have to justify themselves to do that.

And, furthermore, we have a half dozen programs that have a poor rating. The accountability provisions of that bill are targeted to raise their level of performance and to hold them up to public scrutiny. And I think that justifies us—and also they haven't had the funding level they have needed to do the right job. So if we believe in the program, we believe that estuaries are important for new forms of fish and shellfish and aquatic life, we ought to protect them and enhance—

The CHAIR. The time of the gentleman has again expired.

Mr. OBERSTAR. I yield myself 30 additional seconds.

Then we need to increase the funding level but also increase their accountability, also increase their responsibility to the public. That's, I think, a very important and new initiative in this legislation.

I now yield 4 minutes to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON).

Ms. EDDIE BERNICE JOHNSON of Texas. I thank my committee chairman.

I rise in very strong support of H.R. 4715, the Clean Estuaries Act of 2010.

Estuaries are the bodies of water that receive both freshwater from rivers and saltwater from the sea. The mix of water makes a unique environment that is extremely productive in terms of its ecosystem values. Estuaries are rich in plant life, coastal habitat, and living species. The ecological productivity of these regions translates directly into important economic productivity. Government studies have found that estuaries provide habitat for 75 percent of the U.S. commercial and 80 to 90 percent of the recreational fishing catches.

Perhaps the central problem in the protection and restoration of estuaries is that they ultimately lie downstream from all. Everything that enters the smallest stream, tributary, or headwater in a watershed eventually runs into its respective estuary, impacting, in some way, all the biological elements of that system and all of the commerce that revolves around that estuary.

To address estuary impairments properly, we cannot look to the Federal Government alone. Indeed, we cannot necessarily look to the Federal Government as the lead. Instead, prop-

er watershed management and estuary protection must be a process that involves all levels of government and all manner of stakeholders.

Today's legislation, the Clean Estuaries Act of 2010, provides the resources and means to do just that. As the chair of the Subcommittee on Water Resources and Environment, the subcommittee charged with primary jurisdiction for protective water quality, I am pleased to support this bill. This legislation increases the authorization for appropriations, allows for increased and improved Federal coordination, increases accountability, and includes some necessary programmatic changes.

The increase in authorized appropriation levels will not only provide more resources to localities and organizations on the ground, it will also enable more communities and estuaries to be involved in this important national program.

I am well aware of the effectiveness and popularity of these nonregulatory, community-based programs. We should be seeking to encourage the use of these types of programs in order to address problems in a grassroots fashion. In this sense, by making cleaner estuaries, we hope to achieve healthier communities and stronger economies through collaborative processes. I ask all Members of this Chamber to join me in supporting communities and estuaries through the passage of this bill.

Mr. BOOZMAN. Mr. Chairman, I yield such time as he might desire to the gentleman from New Jersey (Mr. LOBIONDO).

Mr. LOBIONDO. Mr. Chairman, I rise in strong support of the Clean Estuaries Act.

I want to particularly thank Chairman OBERSTAR for his continued leadership and for moving so very quickly on this important legislation. I would also like to thank Chairwoman EDDIE BERNICE JOHNSON, Mr. MICA, and Mr. BOOZMAN for their help on this very important issue as well. Finally, I would like to thank Mr. BISHOP for his leadership and once again allowing me to join with him on an issue that we both find important and that we can make a difference with on a critical bill to keep our waters clean and to do this for future generations.

As we have heard, the bill would authorize the National Estuary Program for another 5 years, allow the program to expand protections to other watersheds and provide—and I think this is very important—greater accountability on how taxpayer money is spent, something that we should be doing more of. The bill will improve transparency, also something very important, by establishing periodic reviews of management plans and by requiring partners to demonstrate results, something, again, that is very important that we see what the results are.

Partners that fall out of compliance with their plans will lose grant funds, and that's as it should be, because they

should have to produce results. These changes will improve the National Estuary Program and enhance the protection of our Nation's estuaries while ensuring that the taxpayer is getting a strong return on investment.

In my district, the Delaware estuary is home to the second largest concentration of migrating shorebirds in the Western Hemisphere, which is pretty incredible when you think about it, as well as dozens of protected species and the largest population of horseshoe crabs in the world. The estuary is also home to over 5 million people and some of the largest refineries and chemical manufacturers on the east coast.

The group charged with understanding how to manage the demands of these two forces is the Partnership for the Delaware Estuary. As one of the 28 designated NEP organizations, the Partnership has done an absolutely outstanding job, a tremendous job, to not only protect and enhance the Delaware estuary but also to raise the public awareness about the need to act responsibly and care for this unique ecosystem.

I want to commend the Partnership for the Delaware Estuary and the 27 other partnership organizations that have made the National Estuary Program so successful, and I urge all Members to support H.R. 4715.

Mr. OBERSTAR. Mr. Chairman, I yield 4 minutes to the distinguished gentleman from New York (Mr. BISHOP) who coauthored this bill with the gentleman from New Jersey (Mr. LOBIONDO).

Mr. BISHOP of New York. Let me start by thanking Chairman OBERSTAR for his unwavering commitment to clean water issues, and we also thank Chairwoman JOHNSON for her leadership.

Finally, let me thank my good friend, Congressman LOBIONDO, for sponsoring this legislation with me. Congressman LOBIONDO and I have worked together on several issues of mutual benefit to our constituents over the years. I think we have formed a very nice partnership.

To those of us on the Transportation and Infrastructure Committee, it sometimes feels as if we are part of the last remaining bastion of bipartisanship in this institution, and I am always heartened by the way our committee works closely with each other to produce initiatives that improve our infrastructure, our environment, and the lives of the American people. I appreciate the way our committee has moved forward very quickly on this important legislation.

My district encompasses 300 miles of coastline and includes two of the 28 estuaries of national significance, the Long Island Sound and Peconic Bay. I am very proud to represent some of this country's most popular and beautiful beaches and precious water bodies. Maintaining coastal estuarine health is an integral objective toward preserving the Nation's environment

and sustaining the economies of our coastal States.

The Clean Estuaries Act of 2010 reauthorizes the popular and highly effective National Estuary Program originally designated as section 320 of the Clean Water Act and makes four primary changes to the program.

First, the bill increases the accountability for approved estuary programs by requiring evaluation and updating management of their plans on a periodic basis. This requirement increases transparency and encourages adaptive management of the programs by incorporating evaluation results into the period management plan updates.

Secondly, approved programs must identify vulnerabilities and impacts due to climate change and prepare adaptation responses as well as raise public awareness of the issues facing the health of estuaries and performance measures and targets.

The third important improvement to the program is provisions to enhance Federal agency coordination. As many Federal agencies oversee activities that impact estuaries, our bill requires they participate in the management planning process and incorporate local priorities when practicable.

Finally, authorization is increased from \$35 million to \$50 million per year and requires that each program approved receive a minimum of \$1.25 million. This increase in authorization allows the program to keep pace with inflation and provides for the entry of new programs into the NEP program where 38 sites have expressed interest in the past to become an approved program.

Our coastal areas support more than 28 million jobs in the United States, and commercial and recreational fishing in these areas generate roughly \$185 billion in sales and support nearly 2 million jobs. In fact, estuaries produce more food per acre than the most productive farmland.

Approximately 75 percent of commercial fish species depend on coastal areas for their primary habitat, spawning grounds, and nursery areas. In my district, the Long Island Sound produces over \$5.5 billion in revenue for State and local economies in the tourism, fishing, and boating industries each year.

Setting aside the obvious and vital role that estuaries play to environmental ecosystems, the economic benefits of estuaries alone are reason enough to improve upon the investments Congress has made on behalf of the American people. Estuaries are proven job creators and provide a rate of return rarely seen on Wall Street.

Let me once again thank Chairman OBERSTAR, Ranking Member MICA, Chairwoman JOHNSON, Ranking Member BOOZMAN, Congressman LOBIONDO, and both majority and minority staffs for their hard work and dedication to this issue.

I hope my colleagues agree with the merits of this legislation. I ask for

their vote today on H.R. 4715, the Clean Estuaries Act.

□ 1430

Mr. BOOZMAN. Mr. Chairman, I yield myself 15 seconds.

I do want to thank the gentleman from New Jersey (Mr. LOBIONDO) and the gentleman from New York (Mr. BISHOP) for the very positive changes in the bill of accountability and transparency.

Mr. Chairman, I will continue to reserve. We don't have anymore speakers.

Mr. OBERSTAR. I yield 2 minutes to the distinguished gentleman from California (Mr. COSTA).

Mr. COSTA. Mr. Chairman, I rise to support H.R. 4715, the Clean Estuaries Act of 2010. The reauthorization obviously provides opportunities to clean up our Nation's waterways.

I want to thank Chairman OBERSTAR and Ranking Member BOOZMAN and the other cosponsors on a bipartisan basis. This is a good example of how we work together.

In California, we have a lot of challenges with our own waterways. A persistent degradation of the largest estuary on the west coast is California's San Francisco Bay and the Sacramento-San Joaquin River Delta system. Unfortunately, in my opinion, two flawed biological opinions focus solely on exported water to the valley and southern California for the decline in this important estuary for both the bay and the delta, ignoring other significant contributing factors.

Meanwhile, urban centers continue to pollute this bay-delta with toxic runoff, waste discharged from sewage facilities, refineries, city streets and power plants, significantly degrading the ecosystem and putting water supply to the valley and to southern California at risk. This single-minded view has resulted in the loss of jobs and endangered livelihoods of farmers, farm workers and farm communities in the San Joaquin Valley who rely on that water to grow half the Nation's fruits and vegetables.

Enough is enough. It's time for other regions of California to share in the responsibility for the decline of water quality and fisheries. Playing the blame game and pointing fingers at our valley's economy and some of the hardest working people in the country will not solve our water crisis in California; however, working together will. Step one is reducing and preventing the longstanding pollution that is threatening the Sacramento-San Joaquin River systems and our region.

Passing this measure will help our Nation's estuaries, and we must do more. I want to commend, once again, the chairman and the cosponsors of this measure and look forward to continuing to work with them.

Mr. OBERSTAR. I yield 3 minutes to the distinguished gentlewoman from California (Mrs. CAPPS), who has made a splendid contribution to this bill, and thank her for her contribution.

Mrs. CAPPS. Thank you, Chairman OBERSTAR, for recognizing me.

I rise today to express my support for H.R. 4715, the Clean Estuaries Act, a bipartisan bill to reauthorize and make improvements to the National Estuary Program.

I wish to thank my colleagues, TIM BISHOP and FRANK LOBIONDO, for introducing this bill. We each represent coastal districts that are home to amazing estuary systems of great importance to our communities.

In my district, the Morro Bay National Estuary is an ecological treasure. Lagoons and wetlands that were once common along the southern California coast are now nearly all filled and developed, but the Morro Bay Estuary has survived largely thanks to local efforts and now the support of the estuary program.

Like other national estuaries, the one in Morro Bay provides vital habitat for birds and fish. It is an important stopover for more than 150 species of migratory birds and it acts as a nursery for more than 75 percent of commercial fish species right in the immediate area.

Since the Morro Bay Estuary was incorporated into the national program in 1995, the inspiring team of local staff and volunteers has spearheaded numerous efforts to preserve and restore the estuary. I particularly want to commend former program director Dan Berman, interim director Mike Multari and his staff, as well as the Bay Foundation of Morro Bay. Their accomplishments over the years are a reflection of the strong partnerships and community support that define the Morro Bay National Estuary Program. For example, partnering with local ranchers, the hardworking team in Morro Bay has installed riparian fencing along nearly 75,000 feet of creek to limit cattle access. This has protected water quality and improved habitat on seven creeks leading to the estuary.

The estuary program has also been a source of funding for the city of Morro Bay's efforts to remove derelict marine vessels before they pollute local waters and damage habitat. And the Estuary Nature Center helps the public to understand the estuary's importance to water quality and conservation.

Mr. Speaker, estuaries are among the richest habitats known on the Earth, providing immeasurable economic and ecological benefits, but they are threatened by climate change, by pollution, and other human activities. The Clean Estuaries Act helps to combat these problems and improves the efficiency of our National Estuary Program.

First, the bill requires that each approved estuary program be evaluated every 4 years and the results be publicly released. Second, the bill increases Federal attention to local priorities and requires that Federal agencies participate in planning and coordinating the implementation of the site's own management plan.

Third, the bill requires that estuaries identify and plan for vulnerabilities to climate change.

And, finally, the bill increases the program's annual authorization to \$50 million.

The CHAIR. The gentlewoman's time has expired.

Mr. OBERSTAR. I yield the gentlewoman an additional 30 seconds.

Mrs. CAPPS. Thank you.

This modest funding increase will strengthen the capacity of our existing estuaries to protect these critical coastal and marine resources; and the proposed funding increase will allow for the responsible expansion of the program to incorporate new regions that are not currently served in the NEP.

Mr. Chairman, we are at a critical juncture for our ocean and coastal resources, and the National Estuary Program is a vital part of that network. I urge my colleagues to support this legislation to protect some of our Nation's most valuable and treasured natural resources, our national estuaries.

Mr. OBERSTAR. Mr. Chairman, I yield myself 10 seconds to express my great appreciation to the gentlewoman from California for her thorough elucidation of the specific benefits, point by point, of the estuary program in her Morro Bay area.

I now yield 4 minutes to the distinguished gentleman from Oregon (Mr. BLUMENAUER), a refugee from the Committee on Transportation and Infrastructure.

Mr. BLUMENAUER. I thank the chairman for his courtesy and keeping me in his thoughts.

I rise in strong support of this outstanding piece of legislation. The National Estuary Program has been funding work around the country for 20 years to monitor and restore estuaries of national significance. It is really, I think, extraordinarily positive for us to hear the message repeated today here on the floor about the importance, the scope, the significance, and the progress that has been made.

I have a special interest in one area in Oregon and Washington; the Lower Columbia River Estuary has been part of the program since 1995. This stretches 146 miles from the Bonneville Dam to the mouth of the Pacific Ocean. It supports hundreds of species of fish and wildlife and thousands of people's economy and their quality of life. It is the largest river in the Pacific Northwest, supplying fishermen with jobs, serving as a recreational resource, and providing power through the Pacific Northwest.

I have been privileged to work for the Lower Columbia River Estuary Partnership, which heads our local estuary program. It is an unparalleled bi-State, public and private partnership involving collaborative efforts among key Federal partners, including EPA, NOAA, USGS, the Army Corps of Engineers. They work with government at all levels as well as a broad array of

stakeholders that address these many challenges facing the estuary from habitat degradation, to wetland loss, to endangered species, to toxic contaminants. This is a model non-regulatory, community-based program that gets results. National Estuary Partners focuses on on-the-ground activities and involving local communities with technical support and base funding coming from the Federal Government.

The accomplishments in the Columbia are impressive. The partners have restored 2,600 acres of habitat, opened more than 53 miles of stream, completed toxic and conventional pollutant water quality monitoring, and engaged the public in innovative cleanup efforts around the region such as "drug take back" days and working with volunteers to remove invasive plants.

There are many challenges remaining in the Lower Columbia, and this legislation will provide important funding to further progress there and around the country. Each local estuary also leverages National Estuary Partnership funds. In 2009, in our community, we were able to bring in \$14 for each dollar that was provided by the Federal Government. In addition to restoring the ecosystem, these dollars create jobs for construction, design, contractors, engineers, biologists, hydrologists, builders and educators, family-wage jobs in the community. And beyond today's economic impact, the restored area will support the recovery of a commercial fishing industry that was reduced 90 percent in the course of 20 years.

Importantly, this legislation will also, for the first time, open the door to other estuaries to participate in the program. While funding goes to all estuaries, it will have benefits for the entire country. You have heard here on the floor repeatedly that healthy estuaries mean a healthy national economy. They cover a huge portion, 13 percent, of the land area of the United States where half the gross domestic product is produced, and almost 43 percent of the population.

These coastal areas provide tens of millions of jobs, which means more people employed if we have healthy estuaries. It provides fresh seafood, it provides habitat for 75 percent of the United States commercial fish catch, and 80 to 90 percent of the recreational fish catch.

These are also prime destinations for tourism. In any given year, 10 percent of the population will visit coastal Florida, 12.5 percent will visit coastal California, and every coastal State will host over 1 million out-of-state visitors.

The benefits of clean and healthy estuaries are multiple. I want to thank my colleagues on the committee for this outstanding work and look forward to its support.

Mr. OBERSTAR. I yield myself 10 seconds to thank the gentleman from Oregon for his constant attention to the work of our committee and to the

water issues as well, and for his splendid presentation.

I now yield 3 minutes to the distinguished gentlewoman from Maryland, a member of the committee, Ms. EDWARDS, who has worked diligently as a guardian of the Chesapeake Bay Estuary.

Ms. EDWARDS of Maryland. Thank you especially to the leadership of Chairman OBERSTAR, Mr. BOOZMAN, especially to our chairwoman of our Water Resources Committee, EDDIE BERNICE JOHNSON of Texas, and to our two leaders here, Mr. BISHOP and Mr. LOBIONDO.

I rise today in support of the Clean Estuaries Act, H.R. 4715, because I have seen firsthand the positive ecological and economic role that conservation and protection—indeed, attention—can play in improving the health of our Nation's estuaries.

We have only to take a look at today's headlines in The Washington Post highlighting the improvement of the blue crab in the Chesapeake Bay, largely due to the protection efforts that we've undertaken there, a Federal commitment, a State and regional commitment to improving the Nation's largest estuary, which happens to be a great partner for my State of Maryland.

And so in the past year we have seen that, because of the commitment of the administration and many in the Congress and lawmakers, the Chesapeake Bay, our Nation's largest estuary, has actually made great strides. And it is highlighted by the return of the blue crab, the highest levels in 17 years. The return has a positive economic impact for all sectors: fishermen experience larger catches, the price of the crab will decrease for our family restaurants, tourism will expand, and the bay is now healthier than it has been in many years. But we have a lot of work to do.

So what does that mean in terms of the Clean Estuaries Act? Well, it means, in fact, that if we pay the same attention to all of our Nation's estuaries in the way that we have with the Chesapeake Bay, we can also see improvements. And for those of us who don't live near an estuary, every time we flush, every time we drive, every time we have an impact—dropping a piece of trash on the ground has an impact on our Nation's estuaries. And so while we may not be able to see them, the impact is so great; and that's why we need this legislation, to produce a positive effect on estuaries across the country.

This deserves our support because commercial and recreational fishing accounts for \$185 billion in revenues every year. Estuaries provide 75 percent of the catches for all of these revenues. And yet over the last 20 years the health of our estuaries has degraded and the size of catches has decreased.

The relationship between the health of an ecosystem and the economic output can't be overrated. The Clean Estuaries Act stands to reverse this troubling trend by adding additional estuaries and providing strong accountability measures in a way to ensure that conservation and protection are taken seriously.

We need to take positive steps toward cleaning up our Nation's estuaries by passing this bill and continuing to also invest in green infrastructure and nonstructural alternatives to protect our ecosystems.

I want to commend Chairman OBERSTAR for his leadership and thank all of our leaders for their commitment to combine environmental stewardship with economic development for the protection of the Nation's estuaries.

□ 1445

Mr. BOOZMAN. Mr. Chairman, I yield 3 minutes to the gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Mr. Chairman, I rise today to protect America's estuaries by strengthening the management of the National Estuary Program, NEP, and to thank Congressman OBERSTAR, Congresswoman JOHNSON, Congressman BISHOP, Congressman BOOZMAN, and beyond for their excellent, excellent work.

Mr. Chairman, we have a solemn responsibility to keep the vital habitats clean for the thousands of plants, fish, and wildlife that live, breed, and spawn there. That is why I am proud to support H.R. 4715, the Clean Estuaries Act.

Currently, there are 28 estuaries within the NEP. The NEP conducts long-term planning and management activities to restore and protect estuaries. There are 38 additional estuaries, including Tomales Bay in my district, which have wanted to join the NEP. With H.R. 4715, we can increase the authorization of the NEP to \$50 million. Tomales Bay and the other estuaries that have a desire to be part of it will have the opportunity to become part of this important program.

Tomales Bay supports a diverse group of wildlife, including seasonal populations of salmon and steelhead, more than 20,000 shorebirds and seabirds, and a wide variety of shellfish. Tomales Bay is considered a wetland of significant importance under the International Convention on Wetlands, so protecting the vibrant biological hotspot from pollution through the NEP will help to preserve this estuary for generations and generations to enjoy.

I want to commend the hard work of the Tomales Bay Watershed Council, a multistakeholder group that has long championed restoring Tomales Bay. Additionally, the Gulf of the Farallones National Marine Sanctuary is working on a Tomales Bay management plan, covering the bay, itself.

Extending this plan to the entire watershed through the NEP process would ensure better scientific understanding,

and it would improve restoration projects. The Gulf of the Farallones would be a valuable and experienced stakeholder in developing a watershed-wide plan.

Mr. Chairman, we must protect nationally significant estuaries like Tomales Bay through better accountability, management, and coordination with local partners. I urge my colleagues to join me in supporting healthy and clean estuaries by voting for H.R. 4715.

Mr. BOOZMAN. Mr. Chairman, I yield back the balance of my time.

Mr. OBERSTAR. I yield myself the remaining time to thank the gentleman from Arkansas for his generosity in yielding time, which had inadvertently run out on our side.

Ms. HIRONO. Mr. Chair, I rise today in support of H.R. 4715, the Clean Estuaries Act. This Act reauthorizes the Environmental Protection Agency's National Estuary Program, which coordinates federal, state and local government efforts, as well as cooperation from private and nonprofit groups, to help protect estuaries.

Estuaries support diverse habitats for a wide variety of species and provide significant economic and recreational benefits. Many fish and shellfish species depend on the sheltered habitat provided by estuaries, as well as the mix of saline and fresh water. The abundance of aquatic life supported by estuaries provides 75 percent of the U.S. commercial fish catch and 80 to 90 percent of the recreational fish catch.

The Environmental Protection Agency already has accepted 28 estuaries into the National Estuary Program. The Clean Estuaries Act increases the annual authorization from \$35 million to \$50 million, an amount that, if fully appropriated, will allow the Environmental Protection Agency to add 12 new estuaries to the program. At present, 38 estuaries are candidates for the program, including two estuaries in the State of Hawaii—Kaneohe Bay and Hanalei Bay—that could benefit greatly from the support provided by the program. I urge my colleagues to join me in supporting this bill to protect the ecological, recreational, and economic benefits of our nation's estuaries.

Mr. POSEY. Mr. Chair, I rise today to express my strong support for H.R. 4715, the Clean Estuaries Act of 2010. This bill would reauthorize for an additional five years, our nation's National Estuary Program (NEP).

As home to one of the nation's most diverse national estuaries, the Indian River Lagoon, the residents of Florida's 15th Congressional District have seen the value of this program to this important estuary and how it has enhanced our community. The NEP has proven very successful in helping restore and enhance the quality of our lagoon.

Specific NEP initiatives across our estuary included eliminating effluent discharges from more than 20 wastewater facilities, reconnecting impounded salt marshes, developing storm water treatment facilities, and reducing freshwater discharges into the lagoon.

As one of the 28 designated national estuaries, the Indian River Lagoon receives an important funding set-aside within the annual National Estuary Program (NEP) budget. This will enable the Indian River Lagoon NEP to ac-

complish restoration and water quality improvements that are included in their 2010 lagoon work plan.

The Indian River Lagoon was one of only two estuaries nationally to receive top quality ratings from the Environmental Protection Agency (EPA) when considering water quality, sediment, benthic, and fish tissue culture. While this is good, we know that there is much more work that needs to be done. Passage of H.R. 4715 will help the Indian River Lagoon NEP move forward with their comprehensive restoration and water quality improvement plans and provides more funding for this purpose.

I would also urge my colleagues to oppose an amendment by Rep. SCHAUER (D-MI), which would dilute the resources in the NEP and result in less funding for the 28 nationally recognized estuaries, including the Indian River Lagoon.

Mr. Chair, I urge my colleagues to join me in supporting H.R. 4715.

Ms. HARMAN. Mr. Chair, estuaries, the coastal wetlands where fresh and salt water meet, are both a vital filter for urban runoff that would otherwise flow out of the river and into the ocean, and a cradle for marine and wildlife.

We are not able to create new estuaries. We either restore and protect them, or we lose them.

They are a foundation of our economy. The tourism industry needs estuaries to keep the sea clean and healthy. The fishing industry relies on them to replenish the oceans. Estuaries provide the habitat for 75 percent of the U.S. commercial fish catch and as much as 90 percent of the recreational fish catch, according to the National Oceanographic and Atmospheric Administration and the National Research Council.

Estuaries are critically important to human life. They filter our groundwater, and are a buffer from flooding. The phytoplankton nursed in estuaries remove carbon dioxide from the atmosphere and produce oxygen in its place. In fact, phytoplankton in estuaries and oceans produce about half the world's oxygen.

So it is imperative that the House passes H.R. 4715, the Clean Estuaries Act of 2010.

The bill protects and supports 28 estuaries with grants, including the Santa Monica Bay and the Ballona Wetlands in my district.

Dozens of local groups fought for decades to acquire for the public's benefits 600 acres of Ballona Wetlands. They succeeded in 2003. Since then, the habitat has attracted more than 200 species of birds, some of which are now returning to nest after more than a 70-year absence. Ballona is home to many rare species, including the Belding's Savannah Sparrow and the recently discovered Orcutt's yellow pincushion.

Citizens have similarly banded together to protect the Santa Monica Bay. Backed by the Clean Water Act—part of which this bill reauthorizes—my dear friend Dorothy Green worked with other citizens out of her living rooms for years to force the Hyperion Wastewater Treatment plant to update its filtering system. Since then, the plant has cut its waste by 95 percent, literally bringing life back to parts of Santa Monica Bay that were once declared dead zones.

The stimulus bill in 2009 funded several innovative storm drain projects in the South Bay and a series of low impact development rain

gardens along Ballona Creek, all of which help prevent polluted storm water runoff from entering Santa Monica Bay.

The communities of Santa Monica Bay have been more than worthy partners for Washington. This bill will help to make sure the federal government lives up to its end of the deal. It will require that federal agencies participate in the management planning process for the estuaries that receive the grants, incorporate local priorities into their actions and increase coordination between the many federal agencies that either work in or impact estuaries.

But the bill also looks forward. Estuary management programs will be required to identify their estuary's vulnerability to climate change and prepare adaptation responses, and will work to educate the public on estuary health issues.

Over my eight terms in Congress I have worked to obtain federal grants and strongly supported efforts to preserve the Ballona wetlands and Santa Monica Bay. I again stand in support of those areas, vital both to our environmental and our economic health.

Mr. BACA. Mr. Chair, I rise and ask unanimous consent to address the House for one minute.

I support the reauthorization of the National Estuary Program, NEP, through the adoption of H.R. 4715, the Clean Estuaries Act of 2010.

Estuaries are bodies of water that receive both outflows from rivers and tidal inflows from the ocean.

They are transition zones between fresh water from rivers and saline water from the ocean. The mixing of fresh and salt water provides a unique environment that supports diverse habitats for a wide variety of living resources, including plants, fish, and wildlife.

Estuaries provide habitat for 75 percent of the U.S. commercial fish catch and 80 to 90 percent of the recreational fish catch.

Coastal counties for 40 percent of the employment and 49 percent of the economic output for the nation. Estuaries are also vital to the health of our beaches, which produce between \$6 billion and \$30 billion for coastal communities each year.

We need this bill because many of the Nation's estuaries are currently in poor ecological health.

This bill requires the Administrator of the EPA to undertake a programmatic evaluation of EPA's overall National Estuaries Program to assess its effectiveness in improving water quality, natural resources, and sustainable uses of included estuaries. In addition, the bill requires the EPA to submit a report to Congress on the results of this evaluation.

H.R. 4715 includes evaluation and update requirements to ensure accountability.

With this legislation, all approved estuary programs will be evaluated and will now update their management plans on a periodic basis, increasing program transparency and improving program performance.

In addition this bill requires that Federal agencies participate in the management planning process, incorporate local priorities into their activities and actions and increase coordination within the estuary.

I urge my colleagues to support H.R. 4715, Clean Estuaries Act.

Ms. RICHARDSON. Mr. Chair, as a member of the Transportation and Infrastructure Committee I rise to lend my strong support to H.R. 4715 "The Clean Estuaries Act of 2010."

This Act will not only improve the management of our current estuaries, but it will allow several other sites that have expressed interest in becoming a part of the National Estuaries program by significantly increasing the funding level for the National Estuaries program. The sites that are interested in inclusion in my area include the San Pedro Bay and Newport Bay, which join thirty six other sites that are also interested in inclusion.

Supporting Estuaries is critical to our prosperity because of the importance of coastal areas to our Nation's economy. Coastal counties account for 40 percent of the employment and 49 percent of the economic output for the nation.

Through the adoption of the Clean Estuaries Act of 2010, all approved estuary programs will be evaluated and will periodically update their management plans, increasing program transparency and improving program performance. Approved programs would have to identify the impact of climate change on estuaries and prepare adaptation responses, as well as work to educate the public on estuary health issues and develop performance measures and targets.

This bill will help expand the program to protect and clean our estuaries and I thank Congressman BISHOP for his hard work bringing this bill through the Transportation and Infrastructure Committee and to the floor today. I ask that my colleagues today support this bill, and help protect our estuaries.

Mr. STARK. Mr. Chair, I rise today in support of protecting our Nation's estuaries by passing the Clean Estuaries Act (H.R. 4715).

I am fortunate to represent a district that borders the San Francisco Bay. A healthy and clean bay is central to the economic prosperity and quality of life of my constituents. Since 1987, the National Estuary Program has promoted comprehensive planning efforts to clean up and preserve estuaries. The legislation before us today would reauthorize and strengthen the National Estuary Program, providing additional assistance to communities to protect their waterways.

In my community, the National Estuary Program supports the San Francisco Bay Estuary Partnership. This partnership brings together diverse stakeholders and has created dozens of projects that support a thriving bay. For example, at the Eden Landing Ecological Reserve in Hayward, hundreds of adult and student volunteers are restoring shoreline habitat by removing invasive plants and planting native marsh grasses. In addition to improving water and habitat quality, this project is also teaching children about the bay and how to protect it. The Estuary Partnership is also working with local governments in my district to promote and replicate proven bay-friendly best management practices to decrease runoff pollution into the bay. By passing the Clean Estuaries Act, we can ensure that these initiatives and hundreds of similar efforts around the country will be continued and expanded. I urge all of my colleagues to vote "yes."

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

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered read for amendment under the 5-minute rule.

The text of the bill is as follows:

H.R. 4715

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 "Clean Estuaries Act of 2010".

SEC. 2. NATIONAL ESTUARY PROGRAM AMENDMENTS.

(a) PURPOSES OF CONFERENCE.—

(1) DEVELOPMENT OF COMPREHENSIVE CONSERVATION AND MANAGEMENT PLANS.—Section 320(b)(4) of the Federal Water Pollution Control Act (33 U.S.C. 1330(b)(4)) is amended to read as follows:

"(4) develop and submit to the Administrator a comprehensive conservation and management plan that—

"(A) identifies the estuary and its associated upstream waters to be addressed by the plan, with consideration given to hydrological boundaries;

"(B) recommends priority corrective actions and compliance schedules addressing point and nonpoint sources of pollution to restore and maintain the chemical, physical, and biological integrity of the estuary, including restoration and maintenance of water quality, a resilient and diverse indigenous population of shellfish, fish, and wildlife, and recreational activities in the estuary, and assure that the designated uses of the estuary are protected;

"(C) considers current and future sustainable commercial activities in the estuary;

"(D) addresses the impacts of climate change on the estuary, including—

"(i) the identification and assessment of vulnerabilities in the estuary; and

"(ii) the development and implementation of adaptation strategies;

"(E) increases public education and awareness of the ecological health and water quality conditions of the estuary;

"(F) identifies and assesses impairments, including upstream impairments, coming from outside of the area addressed by the plan, and the sources of those impairments; and

"(G) includes performance measures and goals to track implementation of the plan."

(2) MONITORING AND MAKING RESULTS AVAILABLE.—Section 320(b)(6) of such Act (33 U.S.C. 1330(b)(6)) is amended to read as follows:

"(6) monitor (and make results available to the public regarding)—

"(A) water quality conditions in the estuary and its associated upstream waters, as identified under paragraph (4)(A);

"(B) habitat conditions that relate to the ecological health and water quality conditions of the estuary; and

"(C) the effectiveness of actions taken pursuant to the comprehensive conservation and management plan developed for the estuary under this subsection;"

(3) INFORMATION AND EDUCATIONAL ACTIVITIES.—Section 320(b) of such Act (33 U.S.C. 1330(b)) is amended—

(A) by redesignating paragraph (7) as paragraph (8); and

(B) by inserting after paragraph (6) the following:

"(7) provide information and educational activities on the ecological health and water quality conditions of the estuary; and"

(4) CONFORMING AMENDMENT.—The sentence following section 320(b)(8) of such Act (as so redesignated) is amended by striking "paragraph (7)" and inserting "paragraph (8)".

(b) MEMBERS OF CONFERENCE.—Section 320(c)(5) of such Act (33 U.S.C. 1330(c)(5)) is amended by inserting after "institutions," the following: "not-for-profit organizations,".

(c) ADMINISTRATION OF PLANS.—Section 320(f) of such Act (33 U.S.C. 1330(f)) is amended to read as follows:

“(f) ADMINISTRATION OF PLANS.—

“(1) APPROVAL.—Not later than 120 days after the date on which a management conference submits to the Administrator a comprehensive conservation and management plan under this section, and after providing for public review and comment, the Administrator shall approve the plan if the Administrator determines that the plan meets the requirements of this section and the affected Governor or Governors concur.

“(2) IMPLEMENTATION.—Upon approval of a comprehensive conservation and management plan under this section, the plan shall be implemented. Funds authorized to be appropriated under titles II and VI and section 319 may be used in accordance with the applicable requirements of this Act to assist States with the implementation of the plan.

“(3) EVALUATION.—

“(A) IN GENERAL.—Not later than 4 years after the date of enactment of this paragraph, and every 4 years thereafter, the Administrator shall complete an evaluation of the implementation of each comprehensive conservation and management plan developed under this section to determine the degree to which the goals of the plan have been met.

“(B) REVIEW AND COMMENT BY MANAGEMENT CONFERENCE.—In completing an evaluation under subparagraph (A), the Administrator shall submit the results of the evaluation to the appropriate management conference for review and comment.

“(C) REPORT.—

“(i) IN GENERAL.—In completing an evaluation under subparagraph (A), and after providing an opportunity for a management conference to submit comments under subparagraph (B), the Administrator shall issue a report on the results of the evaluation, including the findings and recommendations of the Administrator and any comments received from the management conference.

“(ii) AVAILABILITY TO PUBLIC.—The Administrator shall make a report issued under this subparagraph available to the public, including through publication in the Federal Register and on the Internet.

“(D) SPECIAL RULE FOR NEW PLANS.—Notwithstanding subparagraph (A), if a management conference submits a new comprehensive conservation and management plan to the Administrator after the date of enactment of this paragraph, the Administrator shall complete the evaluation of the plan required by subparagraph (A) not later than 4 years after the date of such submission and every 4 years thereafter.

“(4) UPDATES.—

“(A) REQUIREMENT.—Not later than 18 months after the date on which the Administrator makes an evaluation of a comprehensive conservation and management plan available to the public under paragraph (3)(C), a management conference convened under this section shall submit to the Administrator an update of the plan. The updated plan shall reflect, to the maximum extent practicable, the results of the program evaluation.

“(B) APPROVAL OF UPDATES.—Not later than 120 days after the date on which a management conference submits to the Administrator an updated comprehensive conservation and management plan under subparagraph (A), and after providing for public review and comment, the Administrator shall approve the updated plan if the Administrator determines that the updated plan meets the requirements of this section.

“(5) PROBATIONARY STATUS.—The Administrator may consider a management conference convened under this section to be in

probationary status if the management conference has not received approval for an updated comprehensive conservation and management plan under paragraph (4)(B) on or before the last day of the 3-year period beginning on the date on which the Administrator makes an evaluation of the plan available to the public under paragraph (3)(C).”

(d) FEDERAL AGENCIES.—Section 320 of such Act (33 U.S.C. 1330) is amended—

(1) by redesignating subsections (g), (h), (i), (j), and (k) as subsections (h), (i), (j), (k), and (m), respectively; and

(2) by inserting after subsection (f) the following:

“(g) FEDERAL AGENCIES.—

“(1) ACTIVITIES CONDUCTED WITHIN ESTUARIES WITH APPROVED PLANS.—After approval of a comprehensive conservation and management plan by the Administrator, any Federal action or activity affecting the estuary shall be conducted, to the maximum extent practicable, in a manner consistent with the plan.

“(2) COORDINATION AND COOPERATION.—The Secretary of the Army (acting through the Chief of Engineers), the Administrator of the National Oceanic and Atmospheric Administration, the Director of the United States Fish and Wildlife Service, the Chief of the Natural Resources Conservation Service, and the heads of other appropriate Federal agencies, as determined by the Administrator, shall, to the maximum extent practicable, cooperate and coordinate activities related to the implementation of a comprehensive conservation and management plan approved by the Administrator. The Environmental Protection Agency shall serve as the lead coordinating agency under this paragraph.

“(3) CONSIDERATION OF PLANS IN AGENCY BUDGET REQUESTS.—In making an annual budget request for a Federal agency referred to in paragraph (2), the head of such agency shall consider the responsibilities of the agency under this section, including under comprehensive conservation and management plans approved by the Administrator.

“(4) MONITORING.—The heads of the Federal agencies referred to in paragraph (2) shall collaborate on the development of tools and methodologies for monitoring the ecological health and water quality conditions of estuaries covered by a management conference convened under this section.”

(e) GRANTS.—

(1) IN GENERAL.—Section 320(h) of such Act (as redesignated by subsection (d) of this section) is amended by adding at the end the following:

“(4) EFFECTS OF PROBATIONARY STATUS.—

“(A) REDUCTIONS IN GRANT AMOUNTS.—The Administrator shall reduce, by an amount to be determined by the Administrator, grants for the implementation of a comprehensive conservation and management plan developed by a management conference convened under this section if the Administrator determines that the management conference is in probationary status under subsection (f)(5).

“(B) TERMINATION OF MANAGEMENT CONFERENCES.—The Administrator shall terminate a management conference convened under this section, and cease funding for the implementation of the comprehensive conservation and management plan developed by the management conference, if the Administrator determines that the management conference has been in probationary status for 2 consecutive years.”

(2) CONFORMING AMENDMENT.—Section 320(i) of such Act (as redesignated by subsection (d) of this section) is amended by striking “subsection (g)” and inserting “subsection (h)”.

(f) AUTHORIZATION OF APPROPRIATIONS.—Section 320(j) of such Act (as redesignated by

subsection (d) of this section) is amended to read as follows:

“(j) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—There is authorized to be appropriated to the Administrator \$50,000,000 for each of fiscal years 2011 through 2016 for—

“(A) expenses related to the administration of management conferences under this section, except that such expenses shall not exceed 10 percent of the amount appropriated under this subsection;

“(B) making grants under subsection (h); and

“(C) monitoring the implementation of a conservation and management plan by the management conference, or by the Administrator in any case in which the conference has been terminated.

“(2) ALLOCATIONS.—Of the sums authorized to be appropriated under this subsection, the Administrator shall provide—

“(A) at least \$1,250,000 per fiscal year, subject to the availability of appropriations, for the development, implementation, and monitoring of each conservation and management plan eligible for grant assistance under subsection (h); and

“(B) up to \$5,000,000 per fiscal year to carry out subsection (k).”

(g) TECHNICAL AMENDMENT.—Section 320(k)(1)(A) of such Act (as redesignated by subsection (d) of this section) is amended by striking “paramenters” and inserting “parameters”.

(h) NATIONAL ESTUARY PROGRAM EVALUATION.—Section 320 of such Act (33 U.S.C. 1330) is amended by inserting after subsection (k) (as redesignated by subsection (d) of this section) the following:

“(l) NATIONAL ESTUARY PROGRAM EVALUATION.—

“(1) IN GENERAL.—Not later than 4 years after the date of enactment of this paragraph, and every 4 years thereafter, the Administrator shall complete an evaluation of the national estuary program established under this section.

“(2) SPECIFIC ASSESSMENTS.—In conducting an evaluation under this subsection, the Administrator shall assess the effectiveness of the national estuary program in improving water quality, natural resources, and sustainable uses of the estuaries covered by management conferences convened under this section.

“(3) REPORT.—In completing an evaluation under this subsection, the Administrator shall issue a report on the results of the evaluation, including the findings and recommendations of the Administrator.

“(4) AVAILABILITY TO PUBLIC.—The Administrator shall make a report issued under this subsection available to the public, including through publication in the Federal Register and on the Internet.”

The CHAIR. No amendment to the bill is in order except those printed in House Report 111–463. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent of the amendment, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. OBERSTAR

The CHAIR. It is now in order to consider amendment No. 1 printed in House Report 111–463.

Mr. OBERSTAR. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. OBERSTAR:

Page 4, strike lines 13 through 15 and insert the following:

“(E) increases public education and awareness with respect to—

“(i) the ecological health of the estuary;

“(ii) the water quality conditions of the estuary; and

“(iii) ocean, estuarine, land, and atmospheric connections and interactions;

Page 8, line 15, insert “the implementation of” before “the plan”.

Page 8, line 22, insert “the implementation of” before “a comprehensive”.

Page 10, line 25, insert “, including monitoring activities,” after “activities”.

Page 11, after line 18, insert the following:

(1) RECIPIENTS.—Section 320(h)(1) of such Act (as redesignated by subsection (d) of this section) is amended by striking “other public” and all that follows before the period at the end and inserting “and other public or nonprofit private agencies, institutions, and organizations”.

Page 11, line 19, strike “(1) IN GENERAL.—” and insert “(2) EFFECTS OF PROBATIONARY STATUS.—”.

Page 11, line 21, insert “further” before “amended”.

Page 12, line 17, strike “(2)” and insert “(3)”.

Page 15, after line 8, insert the following:

(i) CONVENING OF CONFERENCE.—Section 320(a)(2) of such Act (33 U.S.C. 1330(a)(2)) is amended—

(1) by striking “(2) CONVENING OF CONFERENCE.—” and all that follows through “In any case” and inserting the following:

“(2) CONVENING OF CONFERENCE.—In any case”; and

(2) by striking subparagraph (B).

The CHAIR. Pursuant to House Resolution 1248, the gentleman from Minnesota (Mr. OBERSTAR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. OBERSTAR. Mr. Chairman, this amendment makes technical changes to the underlying bill. It ensures the continued competitive nature of the National Estuary Program.

We ensure that the program evaluations will assess whether the implementation of a comprehensive conservation and management plan is achieving its stated goals.

The amendment will enhance public education on the connections between air, land, water, and the potential impacts of those factors on the health of the estuary.

It will strike the existing statutory priority list of estuaries.

It will remove individuals from the list of approved recipients for grants under this program.

First, the technical changes will ensure that program evaluations determine whether the implementation of a management plan is reaching its stated goals. It will ensure that not only the plan but the implementation of the plan is achieving improvements in water quality and habitat in the estuary.

Second, the amendment ensures that the public education component of any management plan will include and will

highlight the connections within the estuary between air, land, and water and the potential impacts of those interactions. Estuaries will be able to highlight to citizens living within the boundaries of the estuary how their actions will affect the health of the estuary and how they can change their habits or how they can change their actions to improve the quality of the estuary.

Third, the amendment strikes existing statutory language that lists a number of States and regions to receive priority consideration under the program. That historical prioritization does not reflect estuaries that are part of the National Estuary Plan. Some estuaries on the list do not now participate in the program. The 12 estuaries that do participate are not included on the list, so that prioritization is superfluous.

This change does not mean that estuaries now in the NEP will be removed. It means that existing programs must continue to meet their obligations under the program and meet the performance requirements of the legislation to continue to be part of the National Estuary Program. It will be a competitive program. That is the purpose of the changes that I've just cited.

Finally, we strike statutory language that now allows individuals to be eligible grant recipients under the program. No individual has ever received a grant under the program, according to the EPA, so there is no need to have that language in the bill.

I reserve the balance of my time.

Mr. BOOZMAN. Mr. Chairman, I rise to claim time in opposition, though I am not opposed to the bill.

The CHAIR. Without objection, the gentleman from Arkansas is recognized for 5 minutes.

There was no objection.

Mr. BOOZMAN. Again, I just rise to say that we are very much in support of the amendment.

I yield back the balance of my time.

Mr. OBERSTAR. I thank the gentleman for those remarks.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chair, I rise in support of the manager's amendment offered by the Chairman of the Committee on Transportation and Infrastructure, Mr. OBERSTAR.

This amendment makes a few technical changes to the underlying legislation and to the existing National Estuaries Program.

First, the amendment clarifies that the increased accountability called for in the bill includes a review of the implementation of existing comprehensive conservation and management plans, and not just of the plans, themselves.

Second, the amendment ensures that the public is provided with additional information on the relationship between air quality, water quality, and land use, and their potential impacts on the overall health of local estuaries.

Oftentimes, locally developed solutions are the most cost-effective and long-lasting way to improve the environment. This has been the basis of success for many of the existing national estuary programs.

Following this model, the manager's amendment includes language to encourage public education on the interconnectivity of local air, water, and land resources.

With more information, the average citizen can be more aware of how his or her actions affect the environment around them, and how small changes in an individual's everyday life can have substantial positive impacts on the local environment.

Third, the manager's amendment addresses one of the legacies of the initial authorization for the National Estuaries Program by deleting the outdated, statutory priority list of estuaries.

All but one of the estuaries on the existing list already have recognized estuary program offices.

The intent of this change is not to eliminate any of the existing 28 estuary programs, but to clarify that estuaries are not simply entitled to remain in the program. If an estuary program continues to meet its obligations under the Clean Water Act, and the enhanced accountability called for in this legislation, they will continue to remain in the program.

However, the intent of this legislation is also to ensure that individual program offices are reaching their goals of improving water quality and the overall ecological health of the estuary.

The final change proposed by this amendment is to eliminate the eligibility of individuals for grant assistance under this program. According to EPA, no individual has ever received a grant under this program, so this is unused authority.

Mr. Chair, I support the amendment and urge my colleagues to support the amendment.

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

The CHAIR. The question is on the amendment offered by the gentleman from Minnesota (Mr. OBERSTAR).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. OBERSTAR

The CHAIR. It is now in order to consider amendment No. 2 printed in House Report 111-463.

Mr. OBERSTAR. Mr. Chairman, I have an amendment at the desk that I offer on behalf of Ms. PINGREE and yourself.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. OBERSTAR:

Page 14, strike lines 17 through 23 and insert the following:

“(2) SPECIFIC ASSESSMENTS.—In conducting an evaluation under this subsection, the Administrator shall—

“(A) assess the effectiveness of the national estuary program in improving water quality, natural resources, and sustainable uses of the estuaries covered by management conferences convened under this section;

“(B) identify best practices for improving water quality, natural resources, and sustainable uses of the estuaries covered by management conferences convened under this section, including those practices funded through the use of technical assistance from the Environmental Protection Agency and other Federal agencies, and assess the reasons why such practices result in the achievement of program goals; and

“(C) identify any redundant requirements for reporting by recipients of a grant under

this section, and develop and recommend a plan for limiting reporting redundancies.

Page 15, line 4, strike "TO PUBLIC".

Page 15, line 6, insert "management conferences convened under this section and" before "the public".

The CHAIR. Pursuant to House Resolution 1248, the gentleman from Minnesota (Mr. OBERSTAR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. OBERSTAR. Mr. Chairman, I reserve my time so the distinguished ranking member of the committee may speak at this moment.

Mr. MICA. Mr. Chairman, I rise to claim time in opposition, although I am not opposed to the amendment.

The CHAIR. Without objection, the gentleman from Florida is recognized for 5 minutes.

There was no objection.

Mr. MICA. I think we've reached a bipartisan accord. I support the gentleman from Maine and also the gentleman from Texas who have offered this amendment.

I did not have an opportunity, Mr. Chairman, to speak during the general debate. I was delayed.

After saying that our side does support this pending amendment, which, in the absence of the sponsors is being offered by the chair of the committee, I do want to take this opportunity to, first of all, thank Mr. OBERSTAR, our chair, and the ranking member, the gentleman from Arkansas, who has conceded time and is doing an incredible job in heading up our side of the aisle on a very important issue, which is water resources for the Nation.

So, Mr. BOOZMAN, thank you for your cooperation, and thank you to the chair of the subcommittee, Ms. JOHNSON from Texas.

A lot of times when I go back home and people say, Well, Congress doesn't work well, and Congress does this and Congress does that or they are always fighting and bickering, it's good to be a part of the committee, of the largest committee in Congress, I might add—Transportation and Infrastructure—which has six subcommittees and a very important one here, Water Resources. Water Resources controls all of the major water projects in the country—dams, levees. In this case, we are the stewards for the Nation and, really, for what the good Lord gave us, which is our estuaries.

Most people don't know much about estuaries, but we do have that responsibility to make certain that they are preserved, that they are protected, and that we do the best with the money that is given to us on behalf of the taxpayers to protect that part of nature and our ecological system that, again, is so vital.

I do want to thank Mr. BOOZMAN and the chairs of the full committee and subcommittee for their work because we are here together to pass this in a bipartisan manner. So, on a day when many people are coming here to pro-

test some of the things that do go on in Washington—big spending and taxation on the day we just are all paying out to the Federal Government—this is an example of a cooperative effort.

Let me also say, too, as the Republican leader of the Transportation Committee, many people have been coming to me in the last hours and have been saying, Mr. MICA, how are you going to vote on this bill? This bill does represent an increase in funding.

Now, you are probably looking at one of the most conservative Members of Congress. They listed 435 Members, and I was listed as No. 58 in the last week or so as far as fiscal conservative voting, and I take great pride in that because I worked hard for my money. I know people out there have worked hard to make a living and have struggled to feed their families and to just make ends meet. At this time, we have got to be particularly mindful of taxpayer dollars.

□ 1500

From time to time, there are areas in which we need to spend a few more dollars, and we are talking about a few dollars. We're not talking about billions. I do know millions add up to billions, but in this instance we have invested very little, and in this instance this is a very clear Federal responsibility. This is where seawater and freshwater meet. And certainly if there is an area of responsibility, that is a Federal responsibility. The States cannot nationally be responsible for waters that flow through many jurisdictional boundaries.

So here is an arch fiscal conservative coming before Congress on a day in which we are all concerned about government spending and saying, yes, we should invest a few dollars more in something that, again, is God given, the fragile ecosystem that has been handed to us and we have to be good stewards of.

So I am going to vote "yes" for this amendment; and when the bill comes up you are going to see me vote "yes" for the bill, even though it does increase spending from \$35 million to \$50 million.

The Acting CHAIR (Mr. TAYLOR). The time of the gentleman has expired.

Mr. OBERSTAR. Mr. Chairman, I yield such time as she may consume to the distinguished cosponsor of the amendment, the gentlewoman from Maine (Ms. PINGREE).

Ms. PINGREE of Maine. I thank the gentleman for yielding the time.

Mr. Chairman, H.R. 4715, the Clean Estuaries Act, is an important step towards restoring our Nation's most critical estuaries. This bill will create jobs and strengthen communities. I strongly support the bill and want to commend my colleagues, the gentleman from New York (Mr. BISHOP) and the gentleman from New Jersey (Mr. LOBIONDO), for their hard work in crafting this legislation.

One way to improve the efficiency and ensure the program is functioning

at its highest level is to share information. The local estuary partnerships work closely with the Federal Government, but all too often the detailing of what works well in one estuary is not formally shared with the other estuaries.

That is why Representative CUELLAR and I are offering an amendment that requires the EPA to collect best practices and then share them with the estuaries. The amendment improves efficiency and smooth operation of the NEPs by helping them connect with other estuaries and build on work that has already been done.

Like many of you, in my district I have a mall, the largest mall in the State. It is built around a stream that flows into Casco Bay. And when it rains, the water runs off the roofs and parking lots, washing the oil, salt, and other contaminants on the pavement into Long Creek. Because of all this development, Long Creek is an urban-impaired watershed, and this means until the water quality is improved, the mall, businesses around the mall, as well as State and local government who own the roads face tougher storm water management restrictions.

This amendment will keep the businesses and local governments in the Long Creek watershed from having to start over when faced with questions on how to manage storm water. By using tested, known best practices, the businesses will save money and water quality in Long Creek will improve faster. The amendment reduces the costs of improving water quality and saves these important businesses real money.

The amendment helps to ensure that all of our estuary stakeholders, including those in Long Creek, have access to the very best tools and methods for protecting and restoring water quality.

Mr. OBERSTAR. I now yield such time as he may consume to the gentleman from Texas (Mr. CUELLAR).

Mr. CUELLAR. I want to thank the chairman, Mr. OBERSTAR; the subcommittee chairwoman also, the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON); Ms. PINGREE also for the work she has done; and, of course, our ranking members, Mr. BOOZMAN, for the work that you and Mr. MICA have done.

This particular amendment is to support government efficiency. We both believe this amendment will eliminate waste and redundancies in the programs and will improve the effectiveness and cut back wasteful spending.

This amendment authorizes the Administrator of the EPA to identify, number one, best management practices for allocating resources in an efficient and effective manner. It would outline key reasons why such practices will result in positive outcomes and disseminate the best practices to the management conferences. Also, this amendment identifies redundant rules,

regulations, and requirements for reporting by grant recipients and instructs the EPA Administrator to develop a plan to eliminate those redundancies in the future.

This amendment, Mr. Chairman, will make our government more efficient, more effective, and more accountable by conducting this type of evaluation. I urge support of this amendment.

Mr. OBERSTAR. I yield the balance of my time to the distinguished chair of our subcommittee, the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON).

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I rise in support of the amendment offered by the gentlewoman from Maine (Ms. PINGREE) and the gentleman from Texas (Mr. CUELLAR).

This amendment makes two important changes to the underlying bill that should benefit the overall effectiveness of the National Estuary Program.

First, the amendment requires the Administrator of the Environmental Protection Agency to conduct an assessment of best practices for improving water quality, natural resources, and sustainable uses of the estuary as part of the Agency's periodic evaluation of the National Estuary Program.

Following this assessment, the Administrator would be required to disseminate information on these best practices to other estuary management conferences convened under section 320, as well as to the public.

I support this provision because it will provide a good, centralized resource on successful, locally produced practices for improving the overall health of estuarine areas.

This clearinghouse should provide valuable information to other management conferences and the general public on what practices are being successfully implemented in the field so that each management conference does not have to "reinvent the wheel" each time they are looking for creative ideas to benefit their local environment.

While what works in one area of the country may not necessarily work in another, I would suspect that simply sharing success stories on management practices will have an overall benefit to local restoration efforts.

The second change proposed by this amendment is to require the Administrator to identify potential redundant reporting requirements for grant recipients, and to propose a plan for reducing such redundancy.

It would seem common sense that where efficiencies in reporting requirements can be achieved in such a way that reduces the overall burden on grant recipients, but does not impact the overall operation of the program or its accountability to taxpayers, such an effort should be undertaken.

I support this amendment, and urge its adoption.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Minnesota (Mr. OBERSTAR).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. KAGEN

The CHAIR. It is now in order to consider amendment No. 3 printed in House Report 111-463.

Mr. KAGEN. Mr. Chairman, I offer an amendment.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Mr. KAGEN:

Page 4, line 19, strike "and" at the end.

Page 4, line 21, strike the first period through the final period and insert "; and".

Page 4, after line 21, insert the following: "(H) includes a coordinated monitoring strategy for Federal, State, and local governments and other entities."

The CHAIR. Pursuant to House Resolution 1248, the gentleman from Wisconsin (Mr. KAGEN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Wisconsin.

Mr. KAGEN. I thank Chairman OBERSTAR for allowing me to move this amendment forward. And, Ms. JOHNSON, thank you very much. And it's good to see Mr. BOOZMAN on the floor.

This is a very simple and straightforward amendment that includes language for measuring the outcomes. The coordination and cooperation between State, local, and Federal agencies will be necessary to guarantee that our dollars are well spent and that we have a very efficient operation as we protect our estuaries.

So I would submit this amendment and hope that I would have bipartisan support for it.

I reserve the balance of my time.

Mr. BOOZMAN. Mr. Chairman, I ask unanimous consent to claim the time in opposition.

The CHAIR. Without objection, the gentleman from Arkansas is recognized for 5 minutes.

There was no objection.

Mr. BOOZMAN. I rise to support the amendment.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chair, I rise in support of the amendment from the gentleman from Wisconsin (Mr. KAGEN).

This amendment requires a monitoring effort on the part of National Estuary Program partners.

A coordinated monitoring program is very important to ensure the success of these programs.

Monitoring is a key piece of any restoration plan. This amendment will help to increase efficiencies, save money and reduce duplicative activities by requiring the partners to coordinate their monitoring activities.

Also, requiring monitoring by the partners will mean that the management conference, and the appropriate Federal, State and local agencies will be able to measure the accomplishments of the management conference. Without monitoring, the management conference will not be able to determine if the plan has succeeded or failed at improving water quality and the habitat of the estuary.

I commend our Committee colleague for offering this amendment, and urge its approval.

Mr. BOOZMAN. With that, I yield back the balance of my time.

Mr. KAGEN. I thank the kind gentleman for agreeing to the amendment.

Mr. Chairman, in the true spirit of a very efficient operation, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Wisconsin (Mr. KAGEN).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. SCHAUER

The CHAIR. It is now in order to consider amendment No. 4 printed in House Report 111-463.

Mr. SCHAUER. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. SCHAUER: Page 15, after line 8, add the following:

(i) GREAT LAKES ESTUARIES.—Section 320(m) of such Act (as redesignated by subsection (d) of this section) is amended by striking the subsection designation and all that follows through "and those portions of tributaries" and inserting the following:

"(m) DEFINITIONS.—In this section, the terms 'estuary' and 'estuarine zone' have the meanings such terms have in section 104(n)(4), except that—

"(1) the term 'estuary' also includes near coastal waters and other bodies of water within the Great Lakes that are similar in form and function to the waters described in the definition of 'estuary' contained in section 104(n)(4); and

"(2) the term 'estuarine zone' also includes—

"(A) waters within the Great Lakes described in paragraph (1) and transitional areas from such waters that are similar in form and function to the transitional areas described in the definition of 'estuarine zone' contained in section 104(n)(4);

"(B) associated aquatic ecosystems; and

"(C) those portions of tributaries".

The CHAIR. Pursuant to House Resolution 1248, the gentleman from Michigan (Mr. SCHAUER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. SCHAUER. Mr. Chairman, I yield myself such time as I may consume.

The amendment before you would define "estuary" under the Clean Water Act to include Great Lakes near shore waters and connecting waters that are similar to traditional estuaries covered by the National Estuary Program. The amendment would allow Great Lakes estuaries eligible to apply on a competitive basis for inclusion in the National Estuary Program.

The Great Lakes and surrounding waters are a valuable natural resource of national importance, and it makes sense that they are eligible to apply for inclusion in this competitive grant program. Again, my amendment would clearly define "estuary" to include Great Lakes waterways and connecting waterways.

The Great Lakes hold 90 percent of the United States surface freshwater, 20 percent of the world's freshwater, and are the largest system of fresh surface water on Earth. The Midwest relies on the Great Lakes for commerce,

tourism, and drinking water. Unfortunately, the health of the Great Lakes has been threatened by pollution, invasive species, and water withdrawals. Failure to protect the Great Lakes now could result in more serious consequences. Conservationists, environmental stewards, hunters, fishermen, and outdoorsmen from all over the country share my sentiment.

Including the Great Lakes waterways in the National Estuary Program will help create long-term planning and management of both point and nonpoint sources of pollution and protect areas of commercial importance from ecological risks.

Mr. Chair, we need to do everything we can to protect Great Lakes waterways. We can make another step in the right direction by expanding the definition of "estuary" to include the Great Lakes waterways and allow these waterways to be eligible for funding in the National Estuary Program. I urge my colleagues to vote "yes" on this amendment.

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

Mr. BOOZMAN. Mr. Chairman, I rise to claim the time in opposition.

The CHAIR. The gentleman from Arkansas is recognized for 5 minutes.

Mr. BOOZMAN. Mr. Chairman, this amendment will pull money out of the National Estuary Program and send it to address the needs of the Great Lakes.

The National Estuary Program is meant to assist those in important ecological areas in our country where the freshwater of rivers meets and mixes with seawater. By any scientific definition, there are no estuaries in the Great Lakes.

Over the years, Congress has created and funded a number of programs to address the needs of the Great Lakes. We have established an entire office in the EPA to work on the Great Lakes issue. While there are many worthy projects that could be done in the Great Lakes, I believe we should use existing Great Lakes programs to address those needs and not dilute the National Estuary Program. If the gentleman believes that more should be done for the Great Lakes, then we should have the debate on whether or not to modify the existing Great Lakes program. Members who have true estuaries in their States which are very coastal in nature should be concerned about this amendment diluting the intent and the dollars associated with this important program.

To my colleagues in the Great Lakes States who understandably might be tempted to a support this amendment, I would say this amendment makes about as much sense as suggesting that the Great Lakes Legacy Act dollars should be used to address the needs of the Chesapeake Bay. The Great Lakes and the Nation's estuaries are both important areas. Let's address them in the context of their own separate legislation and not make one complete with the other.

With that, I urge Members to oppose the Schauer amendment.

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

□ 1515

Mr. SCHAUER. Mr. Chairman, I yield myself such time as I may consume.

I have great respect for my colleague's comments. My amendment would merely bring this National Estuary Program into compliance and consistency with the 2000 Estuaries and Clean Waters Act. For purposes of that act, Congress's definition of estuaries included Great Lakes. So in substance, this definition would be exactly the same as the 2000 Estuaries and Clean Waters Act.

I now yield to the chairman of the Transportation and Infrastructure Committee, the gentleman from Minnesota.

Mr. OBERSTAR. I thank the gentleman for yielding.

While I respect the remarks of the gentleman from Arkansas, we specify in this amendment, Mr. SCHAUER does, that the meeting place of the rivers and the lakes is not a traditional estuary, is not a meeting place of fresh and saltwater, but that these points would be treated as estuaries. As an example, the lamprey eel lays its eggs in the discharge point of the rivers that contribute to and discharge into the Great Lakes. That is a meeting place of river water and lake water where a destructive, nonindigenous, invasive species multiplies.

Including the Great Lakes in the estuary program will provide additional authority for the Great Lakes to work to control this monster that destroys the fishery of the Great Lakes. This is not an allocation, this is not an earmark, it is not a specific designation. It simply allows the Great Lakes to compete for available dollars authorized under this program.

We think that this body of the greatest repository of freshwater on the earth ought to have standing among the others that have designation as estuaries. Those meeting places on the Great Lakes are every bit as important as the meeting places of the freshwater rivers and the saltwater repositories of a traditional estuary definition.

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

Again having great respect for our chairman, the point that I am trying to make is that I understand the problems that we face in the Great Lakes. And this is a body of such significance. And yet, again, my feeling is that we should take care of that problem within the structure that we have within the Great Lakes program. I see no need to expand the estuary program to take care of the Great Lakes.

If we need additional moneys, if we need additional infrastructure in fighting the battles with the invasive species and things that were mentioned, then I feel like the place to do that is

within the Great Lakes programs rather than diluting the moneys, a relatively small amount of money, diluting the money from the estuary program.

With that, I reserve my balance of my time.

Mr. SCHAUER. Mr. Chairman, just a couple of points in closing.

The Federal Government's Web site on this topic of estuaries, it refers to the Great Lakes as freshwater estuaries that are, quote, "affected by tides and storms, just as estuaries along the oceanic coasts are." In fact, there is currently a federally-recognized freshwater estuary in Ohio located on Lake Erie.

My final point, there is a group called Healthy Lakes—Healthy Lives that wrote in support of this amendment. They state that, "Traditionally, estuaries are transition zones along our coasts between fresh water from rivers and saline water from oceans. Regardless of whether it is a traditional mix of fresh and saltwater areas that are similar, all estuaries provide a unique environment that supports diverse habitats."

I would urge my colleagues to support this amendment.

I yield back the balance of my time.

Mr. BOOZMAN. Mr. Chairman, I yield the balance of my time to the distinguished gentleman from Florida (Mr. MICA).

Mr. MICA. Mr. Chairman and my colleagues, I have been married for 38 years. I have a wonderful wife. I fell in love with her almost at first sight. We have been together for three, almost four decades. Probably the one I spend the most time with other than my wife is Mr. OBERSTAR in my work on the committee. We have been together on the committee for my 18 years. He has been there for 32, a lot longer. Now, with my wife from time to time I do have disagreements, like just about every day on some issue. This happens to also be with Mr. OBERSTAR sort of like that marital relation, that I would disagree both with my good friend and colleague Mr. OBERSTAR and also my colleague from Michigan.

I think that on this, this isn't worth burning the house over, and I think the gentleman is offering an amendment that is well intended, and he has a sincere interest in protecting freshwater estuaries. A definition was cited about freshwater estuaries. And yes, there are probably thousands, maybe millions of freshwater estuaries. That is the whole point here is we are expanding a limited definition of marine estuaries that have saltwater. And one of the justifications for this whole program at the Federal level is the sea does encompass the entire perimeter of our coastal areas, particularly Florida, which we have some of the biggest coastline. We have many places where fresh and saltwater mix. And that is the importance of this particularly important but very small Federal program.

The argument here isn't increasing this billions, we are going from \$35 to \$50 million in a program. And it is important that the additional money not be so diluted. So while I support the gentleman in what he would like to do with freshwater estuaries, I don't think that this expansion is appropriate when we are looking at including the body of freshwater estuaries. We do have a disagreement on this. And I do support the bill in general. I do take deference with this particular amendment.

Mr. OBERSTAR. Will the gentleman yield?

Mr. MICA. I yield to the gentleman from Minnesota.

Mr. OBERSTAR. Does it help that the Merchant Marine Act of 1970 designates the Great Lakes as the fourth seacoast?

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chair, I rise in support of the amendment from the gentleman from Michigan (Mr. SCHAUER).

This amendment would define the term "estuary" for the purposes of this bill to include Great Lakes waters, including those near shore waters and connections that are similar to traditional estuaries.

Currently, coastal estuaries are the only estuaries that are eligible to apply for competitive grants under the National Estuary Program. The amendment offered by the gentleman from Michigan (Mr. SCHAUER) would authorize interested management conferences in Great Lakes waters to apply for competitive grants under the National Estuary Program.

I support the amendment.

The CHAIR. All time has expired.

The question is on the amendment offered by the gentleman from Michigan (Mr. SCHAUER).

The amendment was agreed to.

AMENDMENT NO. 5 OFFERED BY MS. MOORE OF WISCONSIN

The CHAIR. It is now in order to consider amendment No. 5 printed in House Report 111-463.

Ms. MOORE of Wisconsin. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Ms. MOORE of Wisconsin:

Page 14, strike lines 3 through 6 and insert the following:

(g) RESEARCH.—Section 320(k)(1)(A) of such Act (as redesignated by subsection (d) of this section) is amended—

(1) by striking "paramenters" and inserting "parameters"; and

(2) by inserting "(including monitoring of both pathways and ecosystems to track the introduction and establishment of nonnative species)" before "to provide the Administrator".

The CHAIR. Pursuant to House Resolution 1248, the gentlewoman from Wisconsin (Ms. MOORE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Wisconsin.

Ms. MOORE of Wisconsin. I yield myself such time as I may consume.

Mr. Chairman, one of the most destructive threats to the ecological in-

tegrity and health of estuaries across our Nation, as well as other water bodies such as rivers and lakes, are invasive species. Invasive species destroy ecosystems and have a devastating effect on the health and balance of these systems, including the estuaries that we are trying so hard to protect through the National Estuary Program. For example, the San Francisco Estuary has been called one of the most invaded estuaries in the world.

Once these species are established, Federal and State authorities spend hundreds of millions of dollars trying to eliminate them, and failing that, to manage them and repair the enormous ecological and economic damage they have done and are doing to these important ecosystems. As I speak, the Army Corps of Engineers is undertaking efforts to prevent the latest of these threats to Lake Michigan in my district, the Asian carp, from overrunning this ecological and national treasure.

This amendment would include assessments of the pathways by which these unwelcome guests are getting into estuaries in the long term monitoring and assessment efforts authorized through the National Estuary Program. For example, one pathway of introduction for nonnative species in an estuary is the ballast water in ships that they may discharge as they move through these bodies of water. By strengthening monitoring of this threat in the estuaries, it is my hope that it will help improve data available to the various stakeholders, to EPA's national program office and Congress on how nonnative species are affecting our estuaries, track whether this problem is getting better or worse, and guide the development of targeted and effective solutions to help address and defeat these invaders.

With that, I reserve the balance of my time.

Mr. BOOZMAN. I ask unanimous consent to claim the time in opposition.

The CHAIR. Without objection, the gentleman from Arkansas is recognized for 5 minutes.

There was no objection.

Mr. BOOZMAN. We just want to go on the record as supporting this amendment and urge its adoption.

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

Ms. MOORE of Wisconsin. I thank the gentleman. I also want to thank the chairman of the House Transportation Committee, Mr. OBERSTAR, for his support of this amendment as well. I know he shares my concerns about the problem of invasive species in ballast water, and I sure look forward to working with him on another bill to address those concerns more specifically.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chair, I rise in support of the amendment from the gentlewoman from Wisconsin (Ms. MOORE).

This amendment would add a new focus area to the existing list of research programs

the Environmental Protection Agency administrator can implement under the National Estuary Program.

In the existing statutory language for the National Estuary Program, there is a list of research programs the administrator is authorized to coordinate and implement with other Federal agencies. This amendment would allow for a research program related to nonnative species.

Nonnative or invasive species continue to be a threat to many of our waterbodies, including estuaries.

Adding a new research focus that looks at the potential impacts of nonnative species and the pathways for introduction in estuaries would be very helpful in better understanding the potential impacts of these species to the water quality, natural resource benefits, and sustainable uses of the estuary.

The programs that experience threats from nonnative species in their estuaries could incorporate any information obtained from this research into their plans in the future.

I support the amendment.

Ms. MOORE of Wisconsin. I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentlewoman from Wisconsin (Ms. MOORE).

The amendment was agreed to.

AMENDMENT NO. 6 OFFERED BY MS. SHEA-PORTER

The CHAIR. It is now in order to consider amendment No. 6 printed in House Report 111-463.

Ms. SHEA-PORTER. I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 6 offered by Ms. SHEA-PORTER:

Page 4, line 10, strike "and" at the end.

Page 4, line 12, insert "and" after the semicolon.

Page 4, after line 12, insert the following:

"(iii) the impacts of changes in sea level on estuarine water quality, estuarine habitat, and infrastructure located in the estuary;

The CHAIR. Pursuant to House Resolution 1248, the gentlewoman from New Hampshire (Ms. SHEA-PORTER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New Hampshire.

Ms. SHEA-PORTER. Mr. Chairman, I yield myself such time as I may consume.

First, I would like to thank Chairman OBERSTAR, Mr. BISHOP, and Mr. LOBIONDO for their work on this bill. I have the honor of representing the First Congressional District of New Hampshire, which is home to the Piscataqua Region Estuaries Partnership. PREP, as it is known, has been a part of the National Estuaries Program since 1995. PREP works to protect two estuarine systems in New Hampshire, Great Bay/Little Bay and Hampton Harbor. The partnership has included the entire Great Bay watershed in their area of focus, which includes 42 communities in New Hampshire and 10 communities in Maine. The National

Estuaries Program has been a significant source of funding and resources, assisting PREP in their valuable work. This reauthorization we are considering today will make the program stronger and allow for more estuaries to be included.

Mr. Chairman, one of the threats facing our estuaries is sea level change. As the sea level rises, it pushes the water further inland, changing the makeup of our estuaries and wetlands. In some cases, the effect may be that the wetlands move further inland. However, in areas like the Northeast, where our land is highly developed, this may not be possible.

□ 1530

There may be no place for the plants and animals that depend on the unique make-up of these estuaries to go. They may, literally, hit a roadblock, and those ecosystems would collapse. Mr. Chairman, the threat of that happening should worry us all.

Estuaries are essential habitats. They support countless species of plants, animals, and sea life. They act as nursery grounds for oceanic species and are the pathways for many species of fish that migrate from the oceans into our rivers. In fact, estuaries provide habitat for 75 percent of the commercial fishing catch and up to 90 percent of the recreational fishing catch in this country.

Estuaries and wetlands also act as buffers to the storms that batter our coasts. I volunteered in New Orleans after Hurricane Katrina, and I can tell you firsthand the devastation that the storm caused. Many scientists have attributed the significant loss of coastal lands and salt marshes outside of New Orleans as a factor in the severity of the damage that the storm caused.

Mr. Chairman, sea levels are changing. Whether you agree or disagree that global climate change is the cause, we should all be alarmed by the potential impact rising sea levels could have on these important habitats. It has been estimated that sea level rise could convert as much as 33 percent of the world's coastal wetlands to open water. That right would be a devastating loss for our coastal community.

Mr. Chairman, this straightforward amendment would simply ensure that sea level change is taken into account when the comprehensive conservation and management plans are constructed. These estuaries are important parts of our coastal communities and their economies, and we need to help them survive.

I urge my colleagues to support this amendment and the underlying bill.

I reserve the balance of my time.

Mr. BOOZMAN. Mr. Chairman, I ask unanimous consent to claim the time in opposition.

The CHAIR. Without objection, the gentleman from Arkansas is recognized for 5 minutes.

There was no objection.

Mr. BOOZMAN. Mr. Chairman, we do not oppose this amendment.

I yield back the balance of my time. Mr. OBERSTAR. Would the gentlewoman yield?

Ms. SHEA-PORTER. Yes, I will yield. Mr. OBERSTAR. I thank the gentlewoman for yielding. I rise in support of the amendment. It does not add cost. It does not add any burden on the process, but it does add an element of review in the evaluation of these plans and that is to take into consideration sea level rise that's already happening on our sea coasts, on our salt water coasts. And the addition of this factor, I think, will make all of the planners sensitive to the effects, the erosions, shore line erosion effects of rise of water levels and their consequential effects on the health of the estuaries.

I appreciate the gentlewoman's amendment.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chair, I rise in support of the amendment from the gentlewoman from New Hampshire (Ms. SHEA-PORTER).

This amendment would require that individual comprehensive conservation and management plans evaluate the impacts of changes in sea level as they apply to the surrounding estuarine region.

Changes in sea level are likely in the future and it is without question that our coasts are vulnerable to the impacts of these changes.

For example, water quality and habitat in the estuaries would be affected by changes in sea level. In addition, those wildlife and fish that make the estuaries their home could be affected by these changes.

And last, public infrastructure along the coasts and in estuaries will likely be affected by changes in sea level.

In particular, roads, bridges and water-related infrastructure could be potentially harmed, inundated, or rendered ineffective by changes in sea level.

Therefore, it is important that the management plans assess the potential impacts caused by sea level rise and include potential responses to these threats.

Again, I support the amendment and applaud the gentlewoman for offering it.

Ms. SHEA-PORTER. Mr. Chairman, again, I want to thank Chairman OBERSTAR, Mr. BISHOP and Mr. LOBIONDO for their work and leadership on this bill. I urge my colleagues to support this amendment and the underlying bill, and I yield back the remainder of my time.

The CHAIR. The question is on the amendment offered by the gentlewoman from New Hampshire (Ms. SHEA-PORTER).

The question was taken; and the Chair announced that the ayes appeared to have it.

Ms. SHEA-PORTER. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from New Hampshire will be postponed.

AMENDMENT NO. 7 OFFERED BY MR. KRATOVIL

The CHAIR. It is now in order to consider amendment No. 7 printed in House Report 111-463.

Mr. KRATOVIL. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 7 offered by Mr. KRATOVIL: Page 6, strike line 3, and insert the following:

(b) MEMBERS OF CONFERENCE; COLLABORATIVE PROCESSES.—

(1) MEMBERS OF CONFERENCE.—Section 320(c)(5)

Page 6, after line 6, insert the following:

(2) COLLABORATIVE PROCESSES.—Section 320(d) of such Act (33 U.S.C. 1330(d)) is amended—

(A) by striking “(d)” and all that follows through “In developing” and inserting the following:

“(d) UTILIZATION OF EXISTING DATA AND COLLABORATIVE PROCESSES.—

“(1) UTILIZATION OF EXISTING DATA.—In developing”;

and

(B) by adding at the end the following:“(2) UTILIZATION OF COLLABORATIVE PROCESSES.—In updating a plan under subsection (f)(4) or developing a new plan under subsection (b), a management conference shall make use of collaborative processes to—

“(A) ensure equitable inclusion of affected interests;

“(B) engage with members of the management conference, including through—

“(i) the use of consensus-based decision rules; and

“(ii) assistance from impartial facilitators, as appropriate;

“(C) ensure relevant information, including scientific, technical, and cultural information, is accessible to members;

“(D) promote accountability and transparency by ensuring members are informed in a timely manner of—

“(i) the purposes and objectives of the management conference; and

“(ii) the results of an evaluation conducted under subsection (f)(3);

“(E) identify the roles and responsibilities of members—

“(i) in the management conference proceedings; and

“(ii) in the implementation of the plan; and

“(F) seek resolution of conflicts or disputes as necessary.”.

The CHAIR. Pursuant to House Resolution 1248, the gentleman from Maryland (Mr. KRATOVIL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Maryland.

Mr. KRATOVIL. Mr. Chairman, I rise in support of my amendment to H.R. 4715, the Clean Estuaries Act, and voice my support also for the underlying bill.

Let me begin by thanking the chairman, Mr. OBERSTAR, who, as the Chair knows, has the finest voice of all in Congress; and should he ever leave Congress, could certainly go forward in doing commentating somewhere.

But, in any event, Mr. Chairman, Maryland's First Congressional District is defined by the Chesapeake Bay and its waterways. Although not directly part of the National Estuary Program, the program was developed from efforts to protect our Nation's largest estuary, the Chesapeake Bay.

Estuaries are bodies of water, as you've heard, that receive both outflows from rivers and tidal inflows

from the ocean. They are transition zones between fresh water from rivers and salt water from the ocean. The mixing of fresh and salt water provides a unique environment that supports diverse habitats for a wide variety of living resources, including plants, fish, and wildlife.

Estuaries are critical economic engines that generate billions of dollars in revenue each year from fishing and tourism. The sad truth is that along with many of the Nation's estuaries, the Chesapeake is in poor ecological health as well, although we did have, Mr. Chairman, some good news yesterday in terms of the blue crab population which I'm happy to report is rebounding.

Unhealthy estuaries impact not only the commercial and recreational fishing industries, but threaten industries such as tourism, restaurants and charter boats, among others, that generate revenue and create good-paying jobs.

This bill includes effective reforms to that program that will bolster the health of estuaries, as well as the economy and infrastructure of affected communities by increasing transparency, requiring establishment of performance measures and goals, and introducing much needed accountability to the program.

This legislation will support and maintain the Maryland Coastal Bays program as one of the most effective estuary programs in the Nation and ensure that taxpayer dollars are used effectively in the fight to do so.

I have introduced an amendment that I believe will bolster the oversight and accountability of these programs by ensuring a collaborative process involving all stakeholders.

The National Estuary Program is comprised of initiatives across the country that, under my amendment, will now be subject to a streamlined management plan that will ensure all stakeholders play a role in the implementation.

My amendment calls for the equitable inclusion of all relevant estuary stakeholders, the use of neutral facilitators and processes to resolve any conflicts, and the inclusion and use of up-to-date information. Included among these stakeholders will be the region's farming and agricultural representatives, as well as environmental groups, so that all parties will come to the table and reach a consensus agreement about our mutual interests and goals.

While some programs may have used collaborative processes in the past, this amendment will ensure that all new programs and all existing programs undergoing management plan updates will collaborate going forward.

Mr. Chairman, I urge my colleagues to support my amendment, as well as the underlying bill.

I reserve the balance of my time.

Mr. BOOZMAN. Mr. Chairman, I ask unanimous consent to claim the time in opposition.

The CHAIR. Without objection, the gentleman from Arkansas is recognized for 5 minutes.

There was no objection.

Mr. BOOZMAN. Mr. Chairman, again, we do not oppose the amendment.

I yield back the balance of my time.

Mr. KRATOVIL. Mr. Chairman, I'll yield to the chairman, Mr. OBERSTAR, as much time as he may consume.

Mr. OBERSTAR. I thank the distinguished gentleman for this amendment, a very thoughtful, well-crafted amendment to resolve conflicts. That is really what the Congress should be doing, resolving conflicts and creating structures within our programs within which conflict can be resolved. And that is particularly important in development of management plans. There are so many different parties, some at loggerheads over the management of the watershed.

This idea will ensure that we bring the development of these management plans to a reasonable and productive conclusion. And so I thank the gentleman for this amendment. Perhaps if it works, we can apply it to our work with the other body.

Mr. KRATOVIL. I thank the Chair. I also thank the gentleman from Arkansas (Mr. BOOZMAN) for his support of the amendment.

Again, Mr. Chairman, thank you for your support.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chair, I rise in support of the amendment from the Gentleman from Maryland (Mr. KRATOVIL).

This amendment is essentially a reminder to the new programs of the National Estuary Program that collaborative processes should be used when developing the management plan.

Many of the estuary programs are currently using collaborative processes to develop their plans and this amendment encourages these processes to continue in the future.

The gentleman's amendment ensures that all relevant stakeholders in an estuary be given an equal voice. This concept is fundamental for developing a broad-base of support for restoration efforts, and for increasing the overall likelihood of success.

The amendment would also require the use of a neutral party to resolve conflicts that arise during the development of a plan. The use of neutral parties can be an effective way to resolve differences other, more engaged stakeholders may encounter when developing a management plan.

Finally, this amendment requires the inclusion of up-to-date information in the plans.

As the management plans are updated, they should include the most recent information possible so that they are useful in helping achieve the long-term goals of improving the water quality and habitat in the estuaries.

I commend the gentleman for offering this amendment, and urge its adoption.

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

The CHAIR. The question is on the amendment offered by the gentleman from Maryland (Mr. KRATOVIL).

The amendment was agreed to.

Mr. OBERSTAR. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Ms. MOORE of Wisconsin) having assumed the chair, Mr. CUELLAR, Chair of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4715) to amend the Federal Water Pollution Control Act to reauthorize the National Estuary Program, and for other purposes, had come to no resolution thereon.

RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Mr. FLAKE. Madam Speaker, I rise to a question of the privileges of the House and offer the resolution previously noticed.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

H. RES. 1255

Whereas, the Committee on Standards of Official Conduct initiated an investigation into allegations related to earmarks and campaign contributions in the Spring of 2009.

Whereas, on December 2, 2009, reports and findings in seven separate matters involving the alleged connection between earmarks and campaign contributions were forwarded by the Office of Congressional Ethics to the Standards Committee.

Whereas, on February 26, 2010, the Standards Committee made public its report on the matter wherein the Committee found, though a widespread perception exists among corporations and lobbyists that campaign contributions provide a greater chance of obtaining earmarks, there was no evidence that Members or their staff considered contributions when requesting earmarks.

Whereas, the Committee indicated that, with respect to the matters forwarded by the Office of Congressional Ethics, neither the evidence cited in the OCE's findings nor the evidence in the record before the Standards Committee provided a substantial reason to believe that violations of applicable standards of conduct occurred.

Whereas, the Office of Congressional Ethics is prohibited from reviewing activities taking place prior to March of 2008 and lacks the authority to subpoena witnesses and documents.

Whereas, for example, the Office of Congressional Ethics noted that in some instances documents were redacted or specific information was not provided and that, in at least one instance, they had reason to believe a witness withheld information requested and did not identify what was being withheld.

Whereas, the Office of Congressional Ethics also noted that they were able to interview only six former employees of the PMA Group, with many former employees refusing to consent to interviews and the OCE unable to obtain evidence within PMA's possession.

Whereas, Roll Call noted that "the committee report was five pages long and included no documentation of any evidence collected or any interviews conducted by the committee, beyond a statement that the investigation 'included extensive document reviews and interviews with numerous witnesses.'" (Roll Call, March 8, 2010)

Whereas, it is unclear whether the Standards Committee included in their investigation any activities that occurred prior to 2008.

Whereas, it is unclear whether the Standards Committee interviewed any Members in the course of their investigation.

Whereas, it is unclear whether the Standards Committee, in the course of their investigation, initiated their own subpoenas or followed the Office of Congressional Ethics recommendations to issue subpoenas. Therefore be it:

Resolved, That not later than seven days after the adoption of this resolution, the Committee on Standards of Official Conduct shall report to the House of Representatives, with respect to the activities addressed in its report of February 26, 2010, (1) how many witnesses were interviewed, (2) how many, if any, subpoenas were issued in the course of their investigation, and (3) what documents were reviewed and their availability for public review.

The SPEAKER pro tempore. The resolution qualifies.

MOTION TO REFER THE RESOLUTION

Mr. OBERSTAR. Madam Speaker, I move the resolution be referred to the Committee on Standards of Official Conduct.

The SPEAKER pro tempore. The gentleman from Minnesota is recognized for 1 hour on the motion to refer.

Mr. OBERSTAR. Madam Speaker, this is a matter that belongs to the Committee on Standards of Official Conduct.

I yield back the balance of my time and move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the motion to refer.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. FLAKE. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 385, nays 0, answered “present” 18, not voting 27, as follows:

[Roll No. 206]

YEAS—385

Ackerman	Broun (GA)	Crenshaw
Aderholt	Brown (SC)	Crowley
Adler (NJ)	Brown, Corrine	Cuellar
Akin	Brown-Waite,	Culberson
Alexander	Ginny	Cummings
Altmire	Buchanan	Dahlkemper
Andrews	Burgess	Davis (AL)
Arcuri	Burton (IN)	Davis (CA)
Austria	Calvert	Davis (IL)
Baca	Camp	Davis (KY)
Bachmann	Campbell	Davis (TN)
Bachus	Cantor	DeFazio
Baird	Cao	DeGette
Baldwin	Capps	Delahunt
Barrow	Capuano	DeLauro
Bartlett	Cardoza	Deutch
Barton (TX)	Carnahan	Diaz-Balart, M.
Becerra	Carney	Dicks
Berkley	Carson (IN)	Dingell
Berman	Carter	Doggett
Biggert	Cassidy	Donnelly (IN)
Billrakis	Castle	Doyle
Bishop (GA)	Chaffetz	Dreier
Bishop (NY)	Childers	Driehaus
Bishop (UT)	Chu	Duncan
Blumenauer	Clarke	Edwards (MD)
Blunt	Clay	Edwards (TX)
Bocchieri	Cleaver	Ehlers
Boehner	Clyburn	Ellison
Bono Mack	Coble	Ellsworth
Boozman	Coffman (CO)	Emerson
Boren	Cohen	Engel
Boswell	Cole	Eshoo
Boucher	Connolly (VA)	Etheridge
Boustany	Conyers	Fallin
Brady (PA)	Cooper	Farr
Brady (TX)	Costa	Fattah
Braley (IA)	Costello	Finer
Bright	Courtney	Flake

Fleming	Lipinski	Roe (TN)
Forbes	LoBiondo	Rogers (AL)
Fortenberry	Loebsack	Rogers (KY)
Foster	Lowe	Rogers (MI)
Fox	Lucas	Rohrabacher
Frank (MA)	Luetkemeyer	Rooney
Franks (AZ)	Lujan	Ros-Lehtinen
Frelinghuysen	Lummis	Roskam
Fudge	Lungren, Daniel	Ross
Garamendi	E.	Rothman (NJ)
Garrett (NJ)	Lynch	Roybal-Allard
Gerlach	Mack	Royce
Giffords	Maffei	Rush
Gingrey (GA)	Maloney	Ryan (OH)
Gohmert	Manzullo	Ryan (WI)
Goodlatte	Marchant	Salazar
Gordon (TN)	Markey (CO)	Sanchez, Loretta
Granger	Markey (MA)	Sarbanes
Graves	Matheson	Scalise
Grayson	Matsui	Schakowsky
Green, Al	McCarthy (CA)	Schauer
Green, Gene	McCarthy (NY)	Schiff
Griffith	McClintock	Schmidt
Grijalva	McCollum	Schock
Guthrie	McDermott	Schrader
Gutierrez	McGovern	Schwartz
Hall (NY)	McHenry	Scott (GA)
Hall (TX)	McIntyre	Scott (VA)
Halvorson	McKeon	Sensenbrenner
Hare	McMahon	Serrano
Harman	McMorris	Sessions
Hastings (FL)	Rodgers	Sestak
Heinrich	McNerney	Shadegg
Heller	Meeks (NY)	Shea-Porter
Hensarling	Melancon	Sherman
Herger	Mica	Shimkus
Herseth Sandlin	Michaud	Shuler
Higgins	Miller (MI)	Shuster
Hill	Miller (NC)	Sires
Himes	Miller, Gary	Skelton
Hinchey	Miller, George	Slaughter
Hinojosa	Minnick	Smith (NE)
Hirono	Mitchell	Smith (NJ)
Hodes	Moore (KS)	Smith (TX)
Holden	Moore (WI)	Smith (WA)
Holt	Moran (KS)	Snyder
Honda	Moran (VA)	Souder
Hoyer	Murphy (CT)	Spicer
Hunter	Murphy (NY)	Spratt
Inglis	Murphy, Patrick	Stark
Inslee	Murphy, Tim	Stearns
Israel	Nadler (NY)	Stupak
Issa	Napolitano	Sullivan
Jackson (IL)	Neal (MA)	Sutton
Jenkins	Neugebauer	Tanner
Johnson (GA)	Nunes	Taylor
Johnson (IL)	Nye	Teague
Johnson, E. B.	Oberstar	Terry
Johnson, Sam	Obey	Thompson (CA)
Jones	Olson	Thompson (MS)
Jordan (OH)	Olver	Thompson (PA)
Kagen	Ortiz	Thornberry
Kanjorski	Owens	Tiberi
Kaptur	Pallone	Tierney
Kennedy	Pascrell	Titus
Kildee	Pastor (AZ)	Tonko
Kilpatrick (MI)	Paul	Tsongas
Kilroy	Paulsen	Turner
Kind	Payne	Upton
King (IA)	Perlmutter	Van Hollen
King (NY)	Perriello	Velázquez
Kingston	Peters	Visclosky
Kirk	Peterson	Walz
Kirkpatrick (AZ)	Petri	Waters
Kissell	Pingree (ME)	Watson
Klein (FL)	Pitts	Watt
Kratovil	Platts	Waxman
Kucinich	Poe (TX)	Weiner
Dicks	Polis (CO)	Westmoreland
Lamborn	Pomeroy	Whitfield
Lance	Posey	Wilson (OH)
Langevin	Price (GA)	Wilson (SC)
Larsen (WA)	Price (NC)	Wittman
Larson (CT)	Putnam	Wolf
LaTourette	Quigley	Woolsey
Latta	Rangel	Wu
Lee (CA)	Rehberg	Yarmuth
Lee (NY)	Reichert	Young (FL)
Levin	Reyes	
Lewis (CA)	Richardson	
Lewis (GA)	Rodriguez	
Linder		

ANSWERED “PRESENT”—18

Blackburn	Conaway	Lofgren, Zoe
Bonner	Dent	McCaul
Butterfield	Diaz-Balart, L.	Myrick
Buyer	Harper	Simpson
Castor (FL)	Hastings (WA)	Walden
Chandler	Latham	Welch

NOT VOTING—27

Barrett (SC)	Jackson Lee	Radanovich
Bean	(TX)	Rahall
Berry	Kline (MN)	Ruppersberger
Billbray	Kosmas	Sánchez, Linda
Boyd	Marshall	T.
Capito	McCotter	Tiahrt
Gallegly	Meek (FL)	Towns
Gonzalez	Miller (FL)	Wamp
Hoekstra	Mollohan	Wasserman
	Pence	Schultz
		Young (AK)

□ 1616

Mr. FRANK of Massachusetts changed his vote from “nay” to “yea.” Ms. CASTOR of Florida and Mr. WELCH changed their vote from “yea” to “present.”

So the motion to refer was agreed to. The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CLEAN ESTUARIES ACT OF 2010

The SPEAKER pro tempore. Pursuant to House Resolution 1248 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 4715.

□ 1617

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 4715) to amend the Federal Water Pollution Control Act to reauthorize the National Estuary Program, and for other purposes, with Mr. CUELLAR in the chair.

The Clerk read the title of the bill.

The CHAIR. When the Committee of the Whole rose earlier today, proceedings on amendment No. 7 printed in House Report 111-463 offered by the gentleman from Maryland (Mr. KRATOVL) had been disposed of.

ANNOUNCEMENT BY THE CHAIR

The CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 111-463 on which further proceedings were postponed.

AMENDMENT NO. 6 OFFERED BY MS. SHEA-PORTER

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New Hampshire (Ms. SHEA-PORTER) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 294, noes 109, not voting 33, as follows:

[Roll No. 207]

AYES—294

Ackerman Fudge Moran (VA)
 Adler (NJ) Garamendi Murphy (CT)
 Andrews Gerlach Murphy (NY)
 Arcuri Giffords Murphy, Patrick
 Austria Gordon (TN) Murphy, Tim
 Baca Granger Myrick
 Baird Grayson Napolitano
 Baldwin Green, Al Neal (MA)
 Barrow Green, Gene Nye
 Bean Grijalva Oberstar
 Becerra Gutierrez Obey
 Berkley Hall (NY) Oliver
 Berman Hall (TX) Ortiz
 Biggart Halvorson Pallone
 Bilirakis Hare Pascrell
 Bishop (GA) Harman Pastor (AZ)
 Bishop (NY) Hastings (FL) Paulsen
 Blumenauer Heinrich Payne
 Boccheri Heller Perlmutter
 Boozman Herseth Sandlin Perriello
 Boren Higgins Peters
 Boswell Hill Peterson
 Boucher Himes Pierluisi
 Boustany Hinchey Pingree (ME)
 Brady (PA) Hinojosa Platts
 Braley (IA) Hirono Polis (CO)
 Bright Hodes Pomeroy
 Brown, Corrine Holden Putnam
 Buchanan Holt Quigley
 Butterfield Honda Rahall
 Camp Hoyer Rangel
 Cao Inglis Reichert
 Capito Inslee Reyes
 Capps Israel Richardson
 Capuano Jackson (IL) Rodriguez
 Cardoza Jenkins Rogers (AL)
 Carnahan Johnson (GA) Rogers (MI)
 Carney Johnson (IL) Ros-Lehtinen
 Carson (IN) Johnson, E. B. Roskam
 Castle Jones Ross
 Castor (FL) Kagen Rothman (NJ)
 Chandler Kanjorski Roybal-Allard
 Childers Kaptur Ryan (OH)
 Christensen Kennedy Sablan
 Chu Kildee Salazar
 Clarke Kilpatrick (MI) Sanchez, Loretta
 Clay Kilroy Sarbanes
 Cleaver Kind Schalise
 Clyburn Kirk Schakowsky
 Cohen Kirkpatrick (AZ) Schauer
 Connolly (VA) Kissell Schiff
 Conyers Klein (FL) Schrader
 Cooper Kratochvil Schwartz
 Costa Kucinich Scott (GA)
 Costello Lance Scott (VA)
 Courtney Langevin Serrano
 Crenshaw Larsen (WA) Sestak
 Crowley Larson (CT) Shea-Porter
 Cuellar LaTourette Sherman
 Cummings Lee (CA) Shuler
 Dahlkemper Lee (NY) Sires
 Davis (AL) Levin Skelton
 Davis (CA) Lewis (GA) Slaughter
 Davis (IL) Lipinski Smith (NJ)
 Davis (KY) LoBiondo Smith (WA)
 Davis (TN) Loeb sack Snyder
 DeFazio Lofgren, Zoe Space
 DeGette Lowey Speier
 Delahunt Lujan Spratt
 DeLauro Lynch Stark
 Dent Maffei Stupak
 Deutch Maloney Sutton
 Diaz-Balart, L. Manzullo Tanner
 Diaz-Balart, M. Markey (CO) Teague
 Dicks Markey (MA) Thompson (CA)
 Dingell Matheson Thompson (MS)
 Doggett Matsui Tiberi
 Donnelly (IN) McCarthy (NY) Tierney
 Doyle McCollum Titus
 Dreier McDermott Tonko
 Driehaus McGovern Tsongas
 Edwards (MD) McIntyre Turner
 Edwards (TX) McMahon Upton
 Ehlers McNERNEY Van Hollen
 Ellison Meeks (NY) Velázquez
 Ellsworth Melancon Visclosky
 Engel Mica Walden
 Eshoo Michaud Walz
 Etheridge Miller (MI) Waters
 Farr Miller (NC) Watson
 Fattah Miller, George Watt
 Filner Minnick Waxman
 Fortenberry Mollohan Weiner
 Foster Moore (KS) Welch
 Frank (MA) Moore (WI) Wilson (OH)
 Frelinghuysen Moran (KS) Wilson (SC)

Wittman Wolf
 Woolsey Wu
 Yarmuth Young (FL)
 NOES—109
 Aderholt Foxx McMorris
 Akin Franks (AZ) Rodgers
 Alexander Garrett (NJ) Miller, Gary
 Altmire Gingrey (GA) Nunes
 Bachmann Gohmert Olson
 Bachus Goodlatte Owens
 Bartlett Graves Paul
 Barton (TX) Griffith Petri
 Bishop (UT) Guthrie Pitts
 Blackburn Harper Poe (TX)
 Blunt Hastings (WA) Posey
 Boehner Hensarling Price (GA)
 Bonner Herger Rehberg
 Bono Mack Hunter Roe (TN)
 Brady (TX) Issa Rogers (KY)
 Broun (GA) Johnson, Sam Rohrabacher
 Brown-Waite, Jordan (OH) Rooney
 Ginny King (IA) Royce
 Burgess King (NY) Ryan (WI)
 Burton (IN) Kingston Schmidt
 Buyer Kline (MN) Schock
 Calvert Lamborn Sensenbrenner
 Campbell Latham Sessions
 Cantor Latta Shadegg
 Carter Lewis (CA) Shimkus
 Cassidy Linder Simpson
 Chaffetz Lucas Smith (NE)
 Coble Luetkemeyer Lummis
 Coffman (CO) Lungren, Daniel Smith (TX)
 Cole E. Souder
 Conaway Mack Stearns
 Culberson Marchant Sullivan
 Duncan McCarthy (CA) Terry
 Emerson McFall Thompson (PA)
 Fallon McCaul Thornberry
 Flake McClintock Westmoreland
 Fleming McHenry Whitfield
 Forbes McKeon

NOT VOTING—33

Barrett (SC) Kosmas Ruppertsberger
 Berry Marshall Rush
 Bilbray McCotter Sánchez, Linda
 Bordallo Meek (FL) T.
 Boyd Miller (FL) Shuster
 Brown (SC) Mitchell Taylor
 Faleomavaega Nadler (NY) Tiahrt
 Gallegly Neugebauer Towns
 Gonzalez Norton Wamp
 Hoekstra Pence Wasserman
 Jackson Lee Price (NC) Schultz
 (TX) Radanovich Young (AK)

□ 1636

So the amendment was agreed to.
 The result of the vote was announced as above recorded.

Stated for:
 Ms. BORDALLO. Mr. Chair, I was absent from the Chamber today, Thursday, April 15, 2010, due to the travel schedule for my return to my district on account of official business. Had I been present for the rollcall votes taken today in the Committee of the Whole House on the State of the Union on the amendments that were offered to H.R. 4715, the Clean Estuaries Act of 2010, I would have voted as follows: “aye” on the amendment offered by Ms. SHEA-PORTER of New Hampshire (rollcall vote 207).

The CHAIR. There being no further amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WEINER) having assumed the chair, Mr. CUELLAR, Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 4715) to amend the Federal Water Pollution Control Act to reauthorize the National Estuary Program, and for other purposes, pursuant to House Resolution 1248, he reported the bill back to the House with sundry amendments

adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Pursuant to House Resolution 1248, the question on adoption of the amendments will be put engros.

The question is on the amendments.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. JORDAN of Ohio. Mr. Speaker, I have a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. JORDAN of Ohio. I am.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Jordan of Ohio moves to recommit the bill H.R. 4715 to the Committee on Transportation and Infrastructure to report the same back to the House forthwith with the following amendments:

Page 13, strike lines 1 through 3, and insert the following:

“(1) IN GENERAL.—There is authorized to be appropriated to the Administrator an amount as determined under paragraph (3) for each of fiscal years 2011 through 2016 for—
 Page 14, line 2, strike the closing quotation marks and the final period.

Page 14, after line 2, insert the following:

“(3) AMOUNT OF AUTHORIZATION.—In any fiscal year following a fiscal year in which there is no national deficit, the amount authorized under paragraph (1) shall be \$50,000,000. In any fiscal year following a fiscal year in which there is a national deficit, the amount authorized under paragraph (1) shall be \$35,000,000.”.

Mr. JORDAN of Ohio (during the reading). Mr. Speaker, I ask unanimous consent that we dispense with the reading.

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

Mr. OBERSTAR. I object. I only just received the amendment. I want to read it.

The SPEAKER pro tempore. Objection has been heard.

The Clerk will continue.

The Clerk continued to read.

The SPEAKER pro tempore. The gentleman from Ohio is recognized for 5 minutes.

Mr. JORDAN of Ohio. Mr. Speaker, I have a simple motion that every American can understand. It says: Stop the out-of-control spending until we balance the budget and get our fiscal house in order. People are worried. They are worried about what this Congress is doing to their children’s futures, and rightly so.

This year, the Federal Government will take in \$2.1 trillion but will spend \$3.6 trillion. Let me say that again. It will take in \$2.1 trillion and spend \$3.6 trillion. Only in Congress does that math make sense. That’s like a family

making \$50,000 a year but spending \$80,000. If that were your family, Mr. Speaker, making 50 and spending 80, you'd do something about it. You'd cut back. You'd tighten the belt. You'd make responsible decisions. But not this Congress. No, not this Congress. This Congress is spending like there is no tomorrow.

This year, the Federal Government will run a deficit of at least \$1.4 trillion. That's 10 percent of GDP. Any economist in the world will tell you that deficits shouldn't be more than 2 or 3 percent of GDP.

What are we spending money on today? Estuaries. That's right. Estuaries. Most Americans have probably never heard of the term.

With our Nation over \$12 trillion in debt, borrowing money from China every day to pay our bills, taking in \$2.1 trillion, spending \$3.6 trillion, record deficits as far as the eye can see, not dealing with the energy crisis, not dealing with the entitlement crisis, replacing freedoms with mandates, replacing private-sector growth with 16,000 new IRS agents, what are we spending people's money on today, on Tax Day? We are spending it on estuaries, a massive increase in funding for estuaries.

Mr. Speaker, come on. Americans are taking to the streets all across the country today, Tax Day, dumping tea in the harbor and standing up against Congress, which is bankrupting their country. What are the Democrats offering them? More spending on estuaries.

Mr. Speaker, before Congress even considers doubling the funding for this program or any other nonessential spending, we must first balance the Federal budget and begin paying down some of the money we borrowed from China and other countries. Estuaries can wait, Mr. Speaker, but fiscal responsibility cannot.

All this motion says is to keep the spending at what it was last year. After all, a lot of families, a lot of taxpayers, a lot of small business owners have been living on last year's spending levels, maybe even something less.

I would ask my colleagues this, Mr. Speaker:

How bad does it have to get before we can begin to take that modest first step and say maybe estuaries can get by on the same amount of money they were on last year? That's all this motion says. All this motion says is let's just keep them where they were last year.

A "yes" vote on this motion tells the people you represent back home, the people who are paying their taxes today, who elected us and entrusted us to protect their hard-earned money: Yes, I agree that Congress must set priorities. Yes, I agree that we should forgo such increases until the budget is balanced. Yes, I respect you, the taxpayer, enough to say that I can hold the line on spending even if it means only \$35 million for estuaries this year.

Mr. Speaker, I had a coach in high school who was a chemistry and phys-

ics teacher—the toughest teacher in the school and the toughest coach in the State. Every single day in class, every single day in the practice room, he would talk about discipline. He had a great definition. He said that discipline is doing what you don't want to do when you don't want to do it. Basically, that meant doing it his way when you'd rather do it your way. It meant doing things the right way when you'd rather do them the convenient way, the easy way.

Discipline is the quality we need in this Congress today. The easiest thing to do in the world is to spend money, particularly someone else's money.

Really simply, this amendment says: Let's have the discipline to say "no" to spending. Let's have the discipline to say let's do the right thing today. Let's not do the convenient thing. Let's hold the line on spending and treat taxpayers with a little respect on this day of all days. Treat them with a little respect.

I urge a "yes" vote.

I yield back the balance of my time.

Mr. OBERSTAR. I rise in opposition to the motion.

The SPEAKER pro tempore. The gentleman from Minnesota is recognized for 5 minutes.

Mr. OBERSTAR. I am sorry the gentleman from Ohio doesn't have an estuary in his district, but his State is a Great Lakes State. The Great Lakes, as the Nation's fourth seacoast, designated by an act of Congress in 1970, are also designated in this bill as a place of estuaries, of freshwater estuaries.

I am sorry that the gentleman doesn't understand that a great many people do understand what an estuary is. Three-fourths of our population live along areas that are designated as estuaries. Estuaries, the meeting place of fresh and salt water—where new forms of life are created, where new forms of fish and aquatic plants are created—are the richest places on Earth for the creation of maritime life. Estuaries are the common heritage of all Americans. There is a national interest in their protection and in their enhancement.

□ 1645

I am quite surprised at this amendment because in committee consideration no issue was raised about the funding level. Make no mistake about it. The purpose of this amendment is to cut \$15 million out of the authorization level.

Mr. JORDAN of Ohio. Will the gentleman yield?

Mr. OBERSTAR. I do not have time to yield to correct all the gentleman's mistakes.

In the consideration of the bill, I yielded to Mr. PETRI. "We support H.R. 4715," said he. He yielded to the ranking member of the Coast Guard Subcommittee, Mr. LoBIONDO, cosponsor of the bill, and he concluded, saying, "I urge all Members to support H.R. 4715, and I yield back."

There was no discussion in committee. No amendment was filed with the Rules Committee to cut the funding level. The ranking member of our committee, Mr. MICA, who designates himself proudly as a conservative, is supporting this bill.

This is a jobs bill.

Go ahead and laugh. Go ahead and laugh. It shows you don't understand much, Mr. Speaker, those who are laughing. Twenty-eight million jobs depend on coastal areas of the United States, \$185 billion in commercial and recreational fishing from estuaries of the United States, 2 million jobs at stake. Three-fourths of all commercial fishing depend on estuaries. Three-fourths of the U.S. commercial fish catch and 80 percent of the recreational fish catch occurs in the estuarine areas of the United States, and annual fish harvests have declined by \$1.5 billion every year for the last 20-plus years because of impaired estuaries.

This is an investment in America's future. This is an investment in the young people of this country for whom the gentleman proclaims to propose cutting \$15 million. This is an investment. This is not an entitlement. This is an authorization to compete with other programs for the funding necessary to protect our estuaries, which are the beginning places of new life and the homes of millions of jobs and new forms of life and the future of America.

Vote down this pernicious motion.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. JORDAN of Ohio. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on passage of the bill, if ordered; and the motion to suspend the rules and adopt House Resolution 1242, if ordered.

The vote was taken by electronic device, and there were—ayes 192, noes 214, not voting 24, as follows:

[Roll No. 208]

AYES—192

Aderholt	Boehner	Camp
Akin	Bonner	Campbell
Alexander	Bono Mack	Cantor
Altmire	Boozman	Cao
Arcuri	Boren	Capito
Austria	Boustany	Carney
Bachmann	Brady (TX)	Carter
Bachus	Bright	Cassidy
Bartlett	Broun (GA)	Castle
Barton (TX)	Brown-Waite,	Chaffetz
Bean	Ginny	Childers
Biggert	Buchanan	Coble
Bilirakis	Burgess	Coffman (CO)
Bishop (UT)	Burton (IN)	Cole
Blackburn	Buyer	Conaway
Blunt	Calvert	Crenshaw

Cuellar King (NY) Pitts
 Culberson Kingstone Platts
 Dahlkemper Kirk Poe (TX)
 Davis (KY) Kirkpatrick (AZ) Posey
 Dent Kline (MN) Price (GA)
 Diaz-Balart, L. Lamborn Putnam
 Diaz-Balart, M. Lance Reberg
 Donnelly (IN) Latham Reichert
 Dreier LaTourette Roe (TN)
 Duncan Latta Rogers (AL)
 Ehlers Lee (NY) Rogers (KY)
 Ellsworth Lewis (CA) Rogers (MI)
 Emerson Linder Rohrabacher
 Fallin LoBiondo Rooney
 Flake Lucas Ros-Lehtinen
 Fleming Luetkemeyer Roskam
 Forbes Lummis Royce
 Fortenberry Lungren, Daniel
 Foster E. Ryan (WI)
 Foxx Mack Schmidt
 Franks (AZ) Maffei Schock
 Frelinghuysen Manzullo Sensenbrenner
 Garrett (NJ) Marchant Sessions
 Gerlach Marshall Shadegg
 Giffords McCarthy (CA) Shimkus
 Gingrey (GA) McCaul Shuler
 Gohmert McClintock Shuster
 Goodlatte McHenry Simpson
 Granger McIntyre Skelton
 Graves McKeon Smith (NE)
 Griffith McMorris Smith (NJ)
 Guthrie Rodgers Smith (TX)
 Hall (TX) McNeerney Souder
 Harper Mica Stearns
 Hastings (WA) Miller (MI) Sullivan
 Heller Miller, Gary Taylor
 Hensarling Minnick Terry
 Herger Mitchell Thompson (PA)
 Himes Moran (KS) Thornberry
 Hodes Murphy (NY) Tiberi
 Hunter Murphy, Tim Turner
 Inglis Myrick Upton
 Issa Nunes Walden
 Jenkins Nye Westmoreland
 Johnson (IL) Olson Whitfield
 Johnson, Sam Paul Wilson (SC)
 Jones Paulsen Wittman
 Jordan (OH) Peters Wolf
 King (IA) Petri Young (FL)

NOES—214

Ackerman DeLauro Kaptur
 Adler (NJ) Deutch Kennedy
 Andrews Dickles Kildee
 Baca Dingell Kilpatrick (MI)
 Baird Doggett Kilroy
 Baldwin Doyle Kind
 Barrow Driehaus Kissell
 Becerra Edwards (MD) Klein (FL)
 Berkley Edwards (TX) Kratovil
 Berman Ellison Kucinich
 Bishop (GA) Engel Langevin
 Bishop (NY) Eshoo Larsen (WA)
 Blumenauer Etheridge Larson (CT)
 Boccieri Farr Lee (CA)
 Boswell Fattah Levin
 Boucher Filner Lewis (GA)
 Brady (PA) Frank (MA) Lipinski
 Braley (IA) Fudge Loeb sack
 Brown, Corrine Garamendi Lofgren, Zoe
 Butterfield Gordon (TN) Lowey
 Capps Grayson Lujan
 Capuano Green, Al Lynch
 Cardoza Green, Gene Maloney
 Carnahan Grijalva Markey (CO)
 Carson (IN) Gutierrez Markey (MA)
 Castor (FL) Hall (NY) Matheson
 Chandler Halvorson Matsui
 Chu Hare McCarthy (NY)
 Clarke Harman McCollum
 Clay Hastings (FL) McDermott
 Cleaver Heinrich McGovern
 Clyburn Herseth Sandlin McMahon
 Cohen Higgins Meeks (NY)
 Connolly (VA) Hill Melancon
 Conyers Hinchey Michaud
 Cooper Hinojosa Miller (NC)
 Costa Hirono Miller, George
 Costello Holden Mollohan
 Courtney Holt Moore (KS)
 Crowley Honda Moore (WI)
 Cummings Hoyer Moran (VA)
 Davis (AL) Inslee Murphy (CT)
 Davis (CA) Israel Murphy, Patrick
 Davis (IL) Jackson (IL) Nadler (NY)
 Davis (TN) Johnson (GA) Napolitano
 DeFazio Johnson, E. B. Neal (MA)
 DeGette Kagen Oberstar
 Delahunt Kanjorski Obey

Olver Ryan (OH) Tanner
 Ortiz Salazar Teague
 Owens Sanchez, Loretta Thompson (CA)
 Pallone Sarbanes Thompson (MS)
 Pascrell Schakowsky Tierney
 Pastor (AZ) Schauer Titus
 Payne Schiff Tonko
 Perlmutter Schrader Tonko
 Perriello Schwartz Tsongas
 Peterson Scott (GA) Van Hollen
 Pingree (ME) Scott (VA) Velázquez
 Polis (CO) Serrano Visclosky
 Pomeroy Sestak Walz
 Price (NC) Shea-Porter Waters
 Quigley Sherman Watson
 Rahall Sires Watt
 Rangel Smith (WA) Waxman
 Reyes Snyder Weiner
 Richardson Space Welch
 Rodriguez Speier Wilson (OH)
 Ross Spratt Woolsey
 Rothman (NJ) Stark Wu
 Roybal-Allard Stupak Yarmuth
 Rush Sutton

NOT VOTING—24

Barrett (SC) Kosmas Slaughter
 Berry McCotter Tiahrt
 Bilbray Meek (FL) Towns
 Boyd Miller (FL) Wamp
 Brown (SC) Neugebauer Wasserman
 Gallegly Pence Schultz
 Gonzalez Radanovich Young (AK)
 Hoekstra Ruppersberger
 Jackson Lee Sánchez, Linda
 (TX) T.

□ 1708

Messrs. RUSH, JOHNSON of Georgia, CONYERS, HILL, and Ms. KILPATRICK of Michigan changed their vote from “aye” to “no.”

Mrs. LUMMIS changed her vote from “no” to “aye.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. OBERSTAR. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 278, nays 128, not voting 24, as follows:

[Roll No. 209]

YEAS—278

Ackerman Cao Dahlkemper
 Adler (NJ) Capito Davis (AL)
 Andrews Altmiere Capps Davis (CA)
 Baca Arcuri Capuano Davis (IL)
 Baird Carnahan Davis (TN)
 Baldwin Barney DeFazio
 Barrow Castle DeGette
 Bartlett Castor (FL) Delahunt
 Bean Chandler DeLauro
 Becerra Childers Dent
 Berkley Chu Deutch
 Berman Clarke Diaz-Balart, L.
 Biggert Clay Diaz-Balart, M.
 Bilirakis Cleaver Dingell
 Bishop (GA) Clyburn Doggett
 Bishop (NY) Cohen Donnelly (IN)
 Blumenauer Connolly (VA) Doyle
 Boccieri Conyers Driehaus
 Cooper Cooper Edwards (MD)
 Boswell Costa Edwards (TX)
 Boucher Costello Ehlers
 Brady (PA) Courtney Ellison
 Braley (IA) Crenshaw Ellsworth
 Brown, Corrine Crowley Engel
 Buchanan Cuellar Eshoo
 Butterfield Cummings Etheridge

Farr LoBiondo Rogers (AL)
 Fattah Loeb sack Rogers (MI)
 Filner Lofgren, Zoe Rooney
 Fortenberry Lowey Ros-Lehtinen
 Foster Lujan Ross
 Frank (MA) Lynch Rothman (NJ)
 Frelinghuysen Maffei Roybal-Allard
 Fudge Maloney Rush
 Garamendi Markey (CO) Ryan (OH)
 Gerlach Markey (MA) Salazar
 Giffords Marshall Sanchez, Loretta
 Gordon (TN) Matheson Sarbanes
 Grayson Matsui Schakowsky
 Green, Al McCarthy (NY) Schauer
 Green, Gene McCollum Schiff
 Grijalva McDermott Schrader
 Gutierrez McGovern Schwartz
 Hall (NY) McIntyre Scott (GA)
 Halvorson McMahon Scott (VA)
 Hare McNeerney Serrano
 Harman Meeks (NY) Shestak
 Hastings (FL) Melancon Sestak
 Heinrich Mica Shea-Porter
 Herseth Sandlin Michaud Sherman
 Higgins Miller (NC) Shuler
 Hill Miller, George Sires
 Himes Minnick Skelton
 Hinchey Mitchell Slaughter
 Hinojosa Mollohan Smith (NJ)
 Hiroon Moore (KS) Smith (WA)
 Hodes Moore (WI) Snyder
 Holden Moran (VA) Space
 Holt Murphy (CT) Speier
 Honda Murphy (NY) Spratt
 Hoyer Nadler (NY) Stark
 Inslee Napolitano Stupak
 Israel Neal (MA) Sutton
 Jackson (IL) Nye Tanner
 Johnson (GA) Oberstar Taylor
 Johnson (IL) Obey Teague
 Johnson, E. B. Olver Thompson (CA)
 Jones Ortiz Thompson (MS)
 Kagen Pallone Thompson (PA)
 Kanjorski Pascrell Tiberi
 Kaptur Pastor (AZ) Tierney
 Kennedy Paulsen Titus
 Kildee Payne Tonko
 Kilpatrick (MI) Perlmutter Tsongas
 Kilroy Perriello Van Hollen
 Kind Peters Velázquez
 Kirk Peterson Visclosky
 Kirkpatrick (AZ) Pingree (ME) Walden
 Kissell Platts Walz
 Klein (FL) Polis (CO) Waters
 Kratovil Pomeroy Watson
 Kucinich Posey Watt
 Lance Price (NC) Waxman
 Langevin Putnam Weiner
 Larsen (WA) Quigley Welch
 Larson (CT) Larson (CT) Wilson (OH)
 LaTourette Rangel Wilson (SC)
 Lee (CA) Reichert Woolsey
 Levin Rayes Wu
 Lewis (GA) Richardson Yarmuth
 Lipinski Rodriguez Young (FL)

NAYS—128

Aderholt Cole King (IA)
 Akin Conaway King (NY)
 Alexander Culberson Kingston
 Austria Davis (KY) Kline (MN)
 Bachmann Duncan Lamborn
 Bachus Emerson Latham
 Barton (TX) Fallin Latta
 Bishop (UT) Flake Lee (NY)
 Blackburn Blackburn Fleming (CA)
 Blunt Forbes Lewis (CA)
 Boehner Foxx Lucas
 Bonner Franks (AZ) Luetkemeyer
 Bono Mack Garrett (NJ) Lummis
 Boozman Boozman Gingrey (GA)
 Boustany Boustany Gohmert
 Brady (TX) Brady (TX) Goodlatte
 Bright Bright Granger
 Brown (GA) Brown (GA) Graves
 Brown-Waite, Brown-Waite, Griffith
 Ginny Ginny Guthrie
 Burgess Burgess Hall (TX)
 Burton (IN) Burton (IN) Harper
 Buyer Buyer Hastings (WA)
 Calvert Calvert Heller
 Camp Camp Hensarling
 Campbell Campbell Herger
 Cantor Cantor Hunter
 Carter Carter Miller, Gary
 Cassidy Cassidy Issa
 Chaffetz Chaffetz Jenkins
 Coble Coble Johnson, Sam
 Coffman (CO) Jordan (OH) Olson

Owens	Ryan (WI)	Souder	Bishop (NY)	Franks (AZ)	Maloney	Schauer	Smith (TX)	Tsongas
Paul	Scalise	Stearns	Bishop (UT)	Frelinghuysen	Manzullo	Schiff	Smith (WA)	Turner
Petri	Schmidt	Sullivan	Blackburn	Fudge	Marchant	Schmidt	Snyder	Upton
Pitts	Schock	Terry	Blumenauer	Garamendi	Markey (CO)	Schock	Souder	Van Hollen
Poe (TX)	Sensenbrenner	Thornberry	Boccheri	Garrett (NJ)	Markey (MA)	Schrader	Space	Velázquez
Price (GA)	Sessions	Turner	Boehner	Gerlach	Marshall	Schwartz	Speier	Visclosky
Rehberg	Shadegg	Upton	Bonner	Giffords	Matheson	Scott (GA)	Spratt	Walden
Roe (TN)	Shimkus	Westmoreland	Bono Mack	Gingrey (GA)	Matsui	Scott (VA)	Stark	Walz
Rogers (KY)	Shuster	Whitfield	Boozman	Gohmert	McCarthy (CA)	Sensenbrenner	Stearns	Waters
Rohrabacher	Simpson	Wittman	Boren	Goodlatte	McCarthy (NY)	Serrano	Stupak	Watson
Roskam	Smith (NE)	Wolf	Boswell	Gordon (TN)	McCaul	Sessions	Sullivan	Watt
Royce	Smith (TX)		Boucher	Granger	McClintock	Sestak	Sutton	Waxman

NOT VOTING—24

Barrett (SC)	Kosmas	Sánchez, Linda
Berry	McCotter	T.
Billbray	Meek (FL)	Tiahrt
Boyd	Miller (FL)	Towns
Brown (SC)	Murphy, Patrick	Wamp
Gallely	Neugebauer	Wasserman
Gonzalez	Pence	Schultz
Hoekstra	Radanovich	Young (AK)
Jackson Lee	Ruppersberger	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are reminded there are less than 2 minutes remaining in this vote.

□ 1717

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. BOYD. Mr. Speaker, due to personal reasons, I was unable to attend a vote. Had I been present, my vote would have been "yea" on final passage of H.R. 4715—Clean Estuaries Act of 2010.

CONGRATULATING DUKE UNIVERSITY ON WINNING THE NCAA BASKETBALL CHAMPIONSHIP

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and agreeing to the resolution, H. Res. 1242.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Ohio (Ms. FUDGE) that the House suspend the rules and agree to the resolution, H. Res. 1242.

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. SCHAUER. 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 390, noes 0, answered "present" 12, not voting 28, as follows:

[Roll No. 210]

AYES—390

Ackerman	Austria	Barton (TX)
Aderholt	Baca	Bean
Adler (NJ)	Bachmann	Becerra
Akin	Bachus	Berkley
Alexander	Baird	Berman
Altmire	Baldwin	Bigert
Andrews	Barrow	Bilirakis
Arcuri	Bartlett	Bishop (GA)

Bishop (NY)	Franks (AZ)	Maloney	Schauer	Smith (TX)	Tsongas
Bishop (UT)	Frelinghuysen	Manzullo	Schiff	Smith (WA)	Turner
Blackburn	Fudge	Marchant	Schmidt	Snyder	Upton
Blumenauer	Garamendi	Markey (CO)	Schock	Souder	Van Hollen
Boccheri	Garrett (NJ)	Markey (MA)	Schrader	Space	Velázquez
Boehner	Gerlach	Marshall	Schwartz	Speier	Visclosky
Bonner	Giffords	Matheson	Scott (GA)	Spratt	Walden
Bono Mack	Gingrey (GA)	Matsui	Scott (VA)	Stark	Walz
Boozman	Gohmert	McCarthy (CA)	Sensenbrenner	Stearns	Waters
Boren	Goodlatte	McCarthy (NY)	Serrano	Stupak	Watson
Boswell	Gordon (TN)	McCaul	Sessions	Sullivan	Watt
Boucher	Granger	McClintock	Sestak	Sutton	Waxman
Boustany	Graves	McCollum	Shadegg	Tanner	Weiner
Brady (PA)	Grayson	McDermott	Shea-Porter	Taylor	Westmoreland
Brady (TX)	Green, Al	McGovern	Sherman	Teague	Whitfield
Bright	Green, Gene	McHenry	Shimkus	Terry	Wilson (OH)
Broun (GA)	Griffith	McIntyre	Shuler	Thompson (CA)	Wilson (SC)
Brown, Corrine	Guthrie	McKeon	Shuster	Thompson (MS)	Wittman
Buchanan	Gutierrez	McMahon	Simpson	Thompson (PA)	Wolf
Burgess	Hall (NY)	McMorris	Sires	Thornberry	Woolsey
Burton (IN)	Hall (TX)	Rodgers	Skelton	Tiberi	Wu
Butterfield	Halvorson	McNerney	Slaughter	Tierney	Yarmuth
Buyer	Hare	Meeks (NY)	Smith (NE)	Titus	Young (FL)
Calvert	Harman	Melancon	Smith (NJ)	Tonko	
Camp	Harper	Mica			
Campbell	Hastings (FL)	Michaud			
Cantor	Hastings (WA)	Miller (MI)			
Cao	Heinrich	Miller (NC)			
Capito	Heller	Miller, Gary			
Capps	Hensarling	Miller, George			
Capuano	Herger	Minnick			
Carnahan	Hereth Sandlin	Mitchell			
Carson (IN)	Higgins	Mollohan			
Carter	Hill	Moore (KS)			
Cassidy	Himes	Moore (WI)			
Castle	Hinchee	Moran (KS)			
Castor (FL)	Hinojosa	Moran (VA)			
Chaffetz	Hirono	Murphy (CT)			
Chandler	Hodes	Murphy (NY)			
Childers	Holden	Murphy, Patrick			
Chu	Holt	Murphy, Tim			
Clarke	Honda	Myrick			
Clay	Hoyer	Nadler (NY)			
Cleaver	Hunter	Napolitano			
Clyburn	Inglis	Neal (MA)			
Coble	Inslee	Nunes			
Coffman (CO)	Israel	Obey			
Cohen	Issa	Olson			
Cole	Jackson (IL)	Olver			
Conaway	Jenkins	Ortiz			
Connolly (VA)	Johnson (GA)	Owens			
Conyers	Johnson (IL)	Pallone			
Costa	Johnson, E. B.	Pascarell			
Costello	Johnson, Sam	Pastor (AZ)			
Crenshaw	Jones	Paul			
Crowley	Jordan (OH)	Paulsen			
Cuellar	Kanjorski	Payne			
Culberson	Kaptur	Perlmutter			
Cummings	Kennedy	Perriello			
Dahlkemper	Kildee	Peters			
Davis (AL)	Kilpatrick (MI)	Peterson			
Davis (CA)	Kilroy	Petri			
Davis (IL)	Kind	Pingree (ME)			
Davis (KY)	King (IA)	Pitts			
Davis (TN)	King (NY)	Platts			
DeGette	Kingston	Poe (TX)			
DeLauro	Kirk	Polis (CO)			
Dent	Kirkpatrick (AZ)	Pomeroy			
Deutch	Kissell	Posey			
Diaz-Balart, L.	Klein (FL)	Price (GA)			
Diaz-Balart, M.	Kline (MN)	Price (NC)			
Dicks	Kucinich	Putnam			
Dingell	Lamborn	Quigley			
Doggett	Lance	Rahall			
Donnelly (IN)	Langevin	Rangel			
Doyle	Larsen (WA)	Rehberg			
Dreier	Larson (CT)	Reichert			
Driehaus	Latham	Reyes			
Duncan	LaTourette	Richardson			
Edwards (TX)	Latta	Rodriguez			
Ehlers	Lee (CA)	Roe (TN)			
Ellison	Lee (NY)	Rogers (AL)			
Ellsworth	Levin	Rogers (KY)			
Emerson	Lewis (CA)	Rohrabacher			
Engel	Lewis (GA)	Rooney			
Eshoo	Linder	Ros-Lehtinen			
Etheridge	Lipinski	Roskam			
Fallin	LoBiondo	Ross			
Farr	Loebsack	Rothman (NJ)			
Fattah	Lofgren, Zoe	Roybal-Allard			
Filner	Lowe	Royce			
Flake	Lucas	Rush			
Fleming	Luetkemeyer	Ryan (OH)			
Forbes	Luján	Ryan (WI)			
Fortenberry	Lummis	Salazar			
Foster	Lungren, Daniel	Sanchez, Loretta			
Fox	E.	Sarbanes			
Fox	Lynch	Scalise			
Frank (MA)	Mack	Schakowsky			

ANSWERED "PRESENT"—12

Bralley (IA)	Courtney	Kratovil
Cardoza	DeFazio	Maffei
Carney	Edwards (MD)	Nye
Cooper	Kagen	Oberstar

NOT VOTING—28

Barrett (SC)	Hoekstra	Ruppersberger
Berry	Jackson Lee	Sánchez, Linda
Billbray	(TX)	T.
Blunt	Kosmas	Tiahrt
Boyd	McCotter	Towns
Brown (SC)	Meek (FL)	Wamp
Brown-Waite,	Miller (FL)	Wasserman
Ginny	Neugebauer	Schultz
Gallely	Pence	Welch
Gonzalez	Radanovich	Young (AK)
Grijalva	Rogers (MI)	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are less than 2 minutes remaining in this vote.

□ 1725

Mr. KRATOVLJ changed his vote from "no" to "present."

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 877

Mr. FORBES. Mr. Speaker, I ask unanimous consent to remove Ms. ESHOO of California as a cosponsor of H.R. 877.

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

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 5 o'clock and 25 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1910

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro

tempore (Mr. JACKSON of Illinois) at 7 o'clock and 10 minutes p.m.

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, April 15, 2010.

Hon. NANCY PELOSI,
The Speaker, House of Representatives,
Washington, DC.

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on April 15, 2010 at 6:46 p.m.:

That the Senate passed with an amendment H.R. 4851.

With best wishes, I am

Sincerely,

LORRAINE C. MILLER,
Clerk of the House.

MAKING IN ORDER CONSIDERATION OF SENATE AMENDMENT TO H.R. 4851, CONTINUING EXTENSION ACT OF 2010

Mr. LEVIN. Mr. Speaker, I ask unanimous consent that it be in order at any time to take from the Speaker's table the bill (H.R. 4851) to provide a temporary extension of certain programs, and for other purposes, with the Senate amendment thereto, and to consider in the House, without intervention of any point of order or question of consideration, a motion offered by the chair of the Committee on Ways and Means or his designee that the House concur in the Senate amendment; that the Senate amendment be considered as read; that the motion be debatable for 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means; and that the previous question be considered as ordered on the motion to final adoption without intervening motion.

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

There was no objection.

CONTINUING EXTENSION ACT OF
2010

Mr. LEVIN. Mr. Speaker, pursuant to the order of the House of today, I call up the bill (H.R. 4851) to provide a temporary extension of certain programs, and for other purposes, with the Senate amendment thereto, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The Clerk will designate the Senate amendment.

The text of the Senate amendment is as follows:

Senate amendment:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Continuing Extension Act of 2010".

SEC. 2. EXTENSION OF UNEMPLOYMENT INSURANCE PROVISIONS.

(a) IN GENERAL.—(1) Section 4007 of the Supplemental Appropriations Act, 2008 (Public Law 110–252; 26 U.S.C. 3304 note) is amended—

(A) by striking "April 5, 2010" each place it appears and inserting "June 2, 2010";

(B) in the heading for subsection (b)(2), by striking "APRIL 5, 2010" and inserting "JUNE 2, 2010"; and

(C) in subsection (b)(3), by striking "September 4, 2010" and inserting "November 6, 2010".

(2) Section 2002(e) of the Assistance for Unemployed Workers and Struggling Families Act, as contained in Public Law 111–5 (26 U.S.C. 3304 note; 123 Stat. 438), is amended—

(A) in paragraph (1)(B), by striking "April 5, 2010" and inserting "June 2, 2010";

(B) in the heading for paragraph (2), by striking "APRIL 5, 2010" and inserting "JUNE 2, 2010"; and

(C) in paragraph (3), by striking "October 5, 2010" and inserting "December 7, 2010".

(3) Section 2005 of the Assistance for Unemployed Workers and Struggling Families Act, as contained in Public Law 111–5 (26 U.S.C. 3304 note; 123 Stat. 444), is amended—

(A) by striking "April 5, 2010" each place it appears and inserting "June 2, 2010"; and

(B) in subsection (c), by striking "September 4, 2010" and inserting "November 6, 2010".

(4) Section 5 of the Unemployment Compensation Extension Act of 2008 (Public Law 110–449; 26 U.S.C. 3304 note) is amended by striking "September 4, 2010" and inserting "November 6, 2010".

(b) FUNDING.—Section 4004(e)(1) of the Supplemental Appropriations Act, 2008 (Public Law 110–252; 26 U.S.C. 3304 note) is amended—

(1) in subparagraph (C), by striking "and" at the end;

(2) by inserting after subparagraph (D) the following new subparagraph:

"(E) the amendments made by section 2(a)(1) of the Continuing Extension Act of 2010; and".

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the enactment of the Temporary Extension Act of 2010 (Public Law 111–144).

SEC. 3. EXTENSION AND IMPROVEMENT OF PREMIUM ASSISTANCE FOR COBRA BENEFITS.

(a) EXTENSION OF ELIGIBILITY PERIOD.—Subsection (a)(3)(A) of section 3001 of division B of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5), as amended by section 3(a) of the Temporary Extension Act of 2010 (Public Law 111–144), is amended by striking "March 31, 2010" and inserting "May 31, 2010".

(b) RULES RELATING TO 2010 EXTENSION.—Subsection (a) of section 3001 of division B of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5), as amended by section 3(b) of the Temporary Extension Act of 2010 (Public Law 111–144), is amended by adding at the end the following:

"(18) RULES RELATED TO APRIL AND MAY 2010 EXTENSION.—In the case of an individual who, with regard to coverage described in paragraph (10)(B), experiences a qualifying event related to a termination of employment on or after April 1, 2010 and prior to the date of the enactment of this paragraph, rules similar to those in paragraphs (4)(A) and (7)(C) shall apply with respect to all continuation coverage, including State continuation coverage programs."

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the provisions of section 3001 of division B of the American Recovery and Reinvestment Act of 2009.

SEC. 4. INCREASE IN THE MEDICARE PHYSICIAN PAYMENT UPDATE.

Paragraph (10) of section 1848(d) of the Social Security Act, as added by section 1011(a) of the

Department of Defense Appropriations Act, 2010 (Public Law 111–118) and as amended by section 5 of the Temporary Extension Act of 2010 (Public Law 111–144), is amended—

(1) in subparagraph (A), by striking "March 31, 2010" and inserting "May 31, 2010"; and

(2) in subparagraph (B), by striking "April 1, 2010" and inserting "June 1, 2010".

SEC. 5. EHR CLARIFICATION.

(a) QUALIFICATION FOR CLINIC-BASED PHYSICIANS.—

(1) MEDICARE.—Section 1848(o)(1)(C)(ii) of the Social Security Act (42 U.S.C. 1395w–4(o)(1)(C)(ii)) is amended by striking "setting (whether inpatient or outpatient)" and inserting "inpatient or emergency room setting".

(2) MEDICAID.—Section 1903(t)(3)(D) of the Social Security Act (42 U.S.C. 1396b(t)(3)(D)) is amended by striking "setting (whether inpatient or outpatient)" and inserting "inpatient or emergency room setting".

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall be effective as if included in the enactment of the HITECH Act (included in the American Recovery and Reinvestment Act of 2009 (Public Law 111–5)).

(c) IMPLEMENTATION.—Notwithstanding any other provision of law, the Secretary of Health and Human Services may implement the amendments made by this section by program instruction or otherwise.

SEC. 6. EXTENSION OF USE OF 2009 POVERTY GUIDELINES.

Section 1012 of the Department of Defense Appropriations Act, 2010 (Public Law 111–118), as amended by section 7 of the Temporary Extension Act of 2010 (Public Law 111–144), is amended by striking "March 31, 2010" and inserting "May 31, 2010".

SEC. 7. EXTENSION OF NATIONAL FLOOD INSURANCE PROGRAM.

(a) EXTENSION.—Section 129 of the Continuing Appropriations Resolution, 2010 (Public Law 111–68), as amended by section 8 of Public Law 111–144, is amended by striking "by substituting" and all that follows through the period at the end and inserting "by substituting May 31, 2010, for the date specified in each such section."

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall be considered to have taken effect on February 28, 2010.

SEC. 8. COMPENSATION AND RATIFICATION OF AUTHORITY RELATED TO LAPSE IN HIGHWAY PROGRAMS.

(a) COMPENSATION FOR FEDERAL EMPLOYEES.—Any Federal employees furloughed as a result of the lapse in expenditure authority from the Highway Trust Fund after 11:59 p.m. on February 28, 2010, through March 2, 2010, shall be compensated for the period of that lapse at their standard rates of compensation, as determined under policies established by the Secretary of Transportation.

(b) RATIFICATION OF ESSENTIAL ACTIONS.—All actions taken by Federal employees, contractors, and grantees for the purposes of maintaining the essential level of Government operations, services, and activities to protect life and property and to bring about orderly termination of Government functions during the lapse in expenditure authority from the Highway Trust Fund after 11:59 p.m. on February 28, 2010, through March 2, 2010, are hereby ratified and approved if otherwise in accord with the provisions of the Continuing Appropriations Resolution, 2010 (division B of Public Law 111–68).

(c) FUNDING.—Funds used by the Secretary to compensate employees described in subsection (a) shall be derived from funds previously authorized out of the Highway Trust Fund and made available or limited to the Department of Transportation by the Consolidated Appropriations Act, 2010 (Public Law 111–117) and shall be subject to the obligation limitations established in such Act.

(d) EXPENDITURES FROM HIGHWAY TRUST FUND.—To permit expenditures from the Highway Trust Fund to effectuate the purposes of

this section, this section shall be deemed to be a section of the Continuing Appropriations Resolution, 2010 (division B of Public Law 111-68), as in effect on the date of the enactment of the last amendment to such Resolution.

SEC. 9. SATELLITE TELEVISION EXTENSION.

(a) AMENDMENTS TO SECTION 119 OF TITLE 17, UNITED STATES CODE.—

(1) IN GENERAL.—Section 119 of title 17, United States Code, is amended—

(A) in subsection (c)(1)(E), by striking “April 30, 2010” and inserting “May 31, 2010”; and

(B) in subsection (e), by striking “April 30, 2010” and inserting “May 31, 2010”.

(2) TERMINATION OF LICENSE.—Section 1003(a)(2)(A) of Public Law 111-118 is amended by striking “April 30, 2010”, and inserting “May 31, 2010”.

(b) AMENDMENTS TO COMMUNICATIONS ACT OF 1934.—Section 325(b) of the Communications Act of 1934 (47 U.S.C. 325(b)) is amended—

(1) in paragraph (2)(C), by striking “April 30, 2010” and inserting “May 31, 2010”; and

(2) in paragraph (3)(C), by striking “May 1, 2010” each place it appears in clauses (ii) and (iii) and inserting “June 1, 2010”.

SEC. 10. EXTENSION OF SMALL BUSINESS LOAN GUARANTEE PROGRAM.

(a) APPROPRIATION.—There is appropriated, out of any funds in the Treasury not otherwise appropriated, \$80,000,000, for an additional amount for “Small Business Administration—Business Loans Program Account”, to remain available until expended, for the cost of fee reductions and eliminations under section 501 of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5; 123 Stat. 151) and loan guarantees under section 502 of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5; 123 Stat. 152), as amended by this section: Provided, That such costs shall be as defined in section 502 of the Congressional Budget Act of 1974.

(b) EXTENSION OF SUNSET DATE.—Section 502(f) of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5; 123 Stat. 153) is amended by striking “April 30, 2010” and inserting “May 31, 2010”.

SEC. 11. SENSE OF THE SENATE REGARDING A VALUE ADDED TAX.

It is the sense of the Senate that the Value Added Tax is a massive tax increase that will cripple families on fixed income and only further push back America’s economic recovery and the Senate opposes a Value Added Tax.

SEC. 12. DETERMINATION OF BUDGETARY EFFECTS.

(a) IN GENERAL.—The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

(b) EMERGENCY DESIGNATION FOR CONGRESSIONAL ENFORCEMENT.—This Act, with the exception of section 4, is designated as an emergency for purposes of pay-as-you-go principles. In the Senate, this Act is designated as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

(c) EMERGENCY DESIGNATION FOR STATUTORY PAYGO.—This Act, with the exception of section 4, is designated as an emergency requirement pursuant to section 4(g) of the Statutory Pay-As-You-Go Act of 2010 (Public Law 111-139; 2 U.S.C. 933(g)).

MOTION TO CONCUR

Mr. LEVIN. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. Levin moves that the House concur in the Senate amendment.

The SPEAKER pro tempore. Pursuant to the order of the House of today, the motion shall be debatable for 1 hour, equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means.

The gentleman from Michigan (Mr. LEVIN) and the gentleman from Texas (Mr. BRADY) each will control 30 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. LEVIN. Mr. Speaker, I ask unanimous consent that Members have 5 legislative days to revise and extend their remarks.

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

There was no objection.

Mr. LEVIN. Mr. Speaker, I now yield myself as much time as I may consume.

Mr. Speaker, actually, this issue can be stated very succinctly, very briefly and, I think, very compellingly. We now have 6½ million unemployed workers who have been looking for a new job for over 6 months. That’s twice the number of long-term unemployed compared to any other time on record before this recession. I repeat, twice the number of long-term unemployed compared to any other time on record before this recession.

Furthermore, under both Democrats and Republicans, we have routinely considered extended unemployment benefits emergency spending, and we’ve passed extensions before in this House by voice vote. And yet, in the other body, Republicans blocked assistance to these jobless workers and to their families. They claimed their opposition was rooted in concern about the deficit.

Well, just briefly saying what that’s all about, in the past, those who now raise this issue have presided over increases in the deficit, paying for tax cuts, paying for the Iraq war, paying for other programs, passing them without paying for them at all.

□ 1915

So, in a word, we should now rise together and pass this bill. The unemployed people of this country are waiting. Those looking for work when there are no jobs available are waiting for action by this House. At long last, the Senate has acted, and I’m hopeful that we’ll be able to reach beyond partisan divide, beyond partisan rhetoric and pass this bill with a strong, strong bipartisan vote.

The unemployed people of this country deserve it. They’re looking to this House. And those who talk about balancing budgets who have not balanced them in the past should not be now trying to do so on the backs of hundreds of thousands of unemployed in our beloved country.

I reserve the balance of my time.

Mr. BRADY of Texas. Mr. Speaker, I yield myself so much time as I may consume.

Mr. Speaker, I support American workers and families, and that is why I must oppose the legislation before us that would heap another \$18 billion onto the dangerous deficits this Congress has already amassed and that American workers will ultimately be made to pay for in the coming years. On this Tax Day, as an overburdened Nation staggering under dangerous deficits, we need to send this bill back to the drawing board and return with legislation that is paid for that will not create more debt, that will help create more jobs instead of economic uncertainty and, ultimately, more job losses.

The legislation before us would extend for another 2 months special Federal spending programs that today allow unemployed workers to collect up to 99 weeks of benefits in most States. That is nearly 2 years of unemployment checks today which are by far an all-time U.S. record. That compares with a total of up to 26 weeks of benefits payable in almost all States during normal times.

We all want to help unemployed workers who are frustrated by a White House who has taken their eye off the economic ball. They’re frustrated by this Congress that has sought an extreme agenda rather than focusing on jobs. But it is impossible to ignore the fact that those extra 73 weeks of Federal benefits paid today, a full 17 months courtesy of Federal taxpayers, come at an enormous price.

In all, this bill would add \$18 billion—that is more than the size of the entire NASA budget—add that to this year’s trillion dollar deficit, including \$13 billion more for the unemployment benefits it would extend. That is on top of the approximately \$100 billion spent so far on these programs; and, if extended for the remainder of this year as we expect, another \$50 billion more would be added to the national debt.

None of this has or will be paid for. In fact, the Federal unemployment account has long since been bankrupted; yet we continue to spend, and now are being bailed out with general revenues. And who will bail out general revenues when they run out? Taxpayers, through more taxes and more general revenues the government extracts from them.

So far in the past year and 2 months since the President has been in office, taxpayers are paying \$2,100 more per individual because of \$670 billion in new tax increases. And if President Obama’s budget is approved by the Democratic Congress, we will heap almost \$3 trillion more on American taxpayers. And what’s sad, again, is that we continue to heap debt without any opportunity, without any promise that is kept to pay for them.

When our Democrat friends took office, they promised they would pay for the wars, pay for the Iraq and Afghanistan wars, but not a dime yet. They

promised they would balance the budget. Today we see trillion dollar deficits as far as the eye can see. They enacted PAYGO and said we're going to pay for all new spending, but as this bill today shows, they've done nothing of that and, in fact, have invented extravagant loopholes, declared anything an emergency simply as an excuse to continue spending. And, of course, they promised to curb earmarks. In fact, eliminating earmarks could nearly pay for this bill, but they've not kept that promise either.

Mr. Speaker, we can do better than this. What unemployed workers really want are jobs and paychecks, not almost 2 years of unemployment checks and more massive debt for our country. Unfortunately, jobs are something Democrats in this Congress have been totally incapable of delivering.

Instead of creating 3.7 million jobs as promised, their stimulus bill was followed by 3 million more job losses. Instead of holding unemployment under 8 percent as promised, it soared to nearly 10 percent and remains close to that today.

Sixteen million Americans are unemployed, including record numbers for over a year. In fact, the White House promised, if you passed the stimulus, 90 percent of the new jobs we create would be in the private sector. The opposite is true. The private sector has lost 3.7 million jobs, but government jobs have been created—almost 300,000. So the people who are getting these unemployment benefits are the ones whose promises have not been kept by this White House and this Democrat Congress.

We need to start over and actually start paying for new spending, starting with this bill. The only way to do that is to defeat this bill and bring it back in a paid-for fashion.

But beyond that, Mr. Speaker, we also need to do the things that really help create jobs for workers. We can start by stopping frightening the job creators; businesses who are delaying important rehiring decisions, investment decisions, frightened by all of the new taxes proposed in Congress, the new health care mandates, the rising energy taxes, the talk of new regulations. We have to stop frightening consumers who know that, ultimately, they'll be relied on to pay this terrible debt.

We need to reward innovation and small business job creation through lower taxes and support for innovation, and we need to pursue free trade agreements that find new customers for American workers and American companies. That is why, Mr. Speaker, we must send this bill back and make it paid for, and stop punishing American workers and families.

I reserve the balance of my time.

Mr. LEVIN. I yield myself 30 seconds.

Once again, the party of "no" has spoken. Every jobs bill that has come before us they have voted "no." When the President came to power, we were

losing 779,000 jobs a month. The last month we gained 162,000 jobs. The people of this country deserve more than a "no," another "no" from the party of "no."

I now yield 3 minutes to the distinguished gentleman from the State of Washington who is chairman of the subcommittee, Mr. McDERMOTT.

Mr. McDERMOTT. Mr. Speaker, my good friend from Texas, I couldn't have asked for a better setup man for a straight man because, I dare say, there are many Members at one time or another who had something to say hypocritical either on the floor or on the campaign trail. But I don't ever recall the blatant hypocrisy behind the cornerstone of an argument to deny benefits to hundreds of thousands of people who have lost their jobs through no fault of their own, that is, until the recent debate about extending unemployment benefits.

The Senate Republicans, and now my House Republican colleagues, have cut off unemployment benefits for hundreds of thousands of jobless Americans for the last 2 weeks because they say they're upset about the budget deficit. Isn't that something. They claim we can't afford to help the unemployed unless the cost of these benefits is offset, even though Congress has routinely considered such benefits to be emergency spending which doesn't require offsets.

Maybe my mind is failing, I don't know, but I don't remember these concerns coming up from our Republican colleagues when there was discussion about the \$1 trillion cost of the wars in Afghanistan and Iraq, not a penny of which was offset. President Bush never asked for any sacrifice from the American people. He said, We can just go out and fight a war and it will be paid for sometime when I'm not here. I also don't recall any Republicans expressing concern about the nearly \$2 billion spent on two successive tax cuts that went mainly to the wealthy. That is why you will have to forgive me if I seem a little frustrated that Republicans have miraculously discovered fiscal responsibility. I don't know. They must have turned over a rock somewhere.

When they're talking about unemployment benefits, they suddenly worry about paying for it. A measly \$18 billion. President Bush put us \$3 trillion in debt, and now they're worrying about \$18 billion. They were happy to help their President turn the biggest surplus in our Nation's history into the biggest deficit in our Nation's history, but now when it comes to help the unemployed workers and their families, Senate Republicans say we just can't afford to do it. So they delayed and obstructed the bill for weeks until the Senate finally cleared the Republican filibuster earlier this evening.

We're here tonight to pass that bill to provide an extension through May for a number of programs that are expiring at the end of the month, includ-

ing Federal unemployment insurance. We're going to take another one of these votes in June.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. LEVIN. I yield the gentleman an additional 1 minute.

Mr. McDERMOTT. We will be back here on June 1 going through this same charade all over again. We will hear about the terrible budget deficits. But the people who are unemployed and can't buy food to put it on the table, they're not listening to you people.

The benefits under this bill will be retroactive, so unemployed workers who were cut off during the last 2 weeks will receive compensation. That is the least we can do for those who have lost their job through no fault of their own.

Six weeks from now, as I say, we will be back to continue this again. We will be pushing for a much longer extension of Federal unemployment programs to ensure that jobless Americans are not continually held hostage every month to the Republicans and their hypocrisy.

I was recently reading an article about a man who was laid off. He had an MBA. He played by the rules, made a good living, but it was taking him many months to find work. He said, For someone that is unemployed right now, you need to turn off the news. It will affect the positive attitude you need to have. You've got to be positive, because it's not easy."

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. LEVIN. I yield the gentleman an additional 1 minute.

Mr. McDERMOTT. Americans can't stomach this Republican hypocrisy anymore. And I sincerely hope that when the unemployed go to vote in this election, they remember the attitude of the Republicans toward them when they were in need, because maybe then the Republicans will get the message.

Mr. BRADY of Texas. I yield myself 30 seconds.

I would remind people the Democratic Congress handed President Obama a trillion dollar deficit, eight times larger than Republicans when we held this Congress. The stimulus bill alone was larger than the Iraq and Afghanistan wars. And, unfortunately, only 6 percent of Americans feel the stimulus has helped create jobs in America. What a terrible waste.

With that, I would yield 3 minutes to the distinguished gentleman from Kansas (Mr. MORAN).

Mr. MORAN of Kansas. Today is April 15, Tax Day, and across the country citizens concerned with the direction our Nation is headed are rallying together to send Washington, D.C., a message. Though I was unable to join the people at these rallies, it is my duty to be here in the House of Representatives today to share their message and to speak and to vote against this bill.

First, this bill is shortsighted because it increases the deficit by \$18 billion, a cost to be paid for by future

generations. This Congress has spent and borrowed its way into record deficits.

Second, the so-called doc fix in this bill is an example of Congress avoiding real solutions necessary to improve health care for Americans. The short-term doc fix included in this bill is hardly a fix when Kansas hospitals and doctors have to endure this wait-and-see game every few months while still working to care for folks and keep their doors open. We need a permanent solution to this ongoing problem so that doctors can regain a sense of stability and predictability in their practices.

And thirdly, despite its intention, this bill does little to address our country's persistent high unemployment rate. Rather than continuing to spend money we do not have, Congress needs to pursue a strategy of job creation. This legislation is yet another unfortunate example of "business as usual" in our Nation's capital; same old story from a Congress that needs to learn its lessons from the American people, a story told one more time on this Tax Day, April 15.

Mr. LEVIN. I reserve the balance of my time.

Mr. BRADY of Texas. I yield myself as much time as I may consume for closing remarks.

□ 1930

Mr. Speaker, if the Democrat stimulus plan had worked as promised, we wouldn't be here tonight. If we had really created 3.7 million new jobs, as President Obama promised, as this Democrat Congress promised, these programs would have phased out already. Instead, we witness another 3 million Americans sitting home tonight without a job.

If the unemployment rate were 7.4 percent and falling as Democrats promised, these programs would be phased out, and we would be celebrating job creation. Instead, unemployment is near 10 percent and will remain at that level for more than a year. Consider that when the other side says we have to extend unemployment benefits to reduce unemployment, we have to extend unemployment to reduce unemployment. Consider that when the other side claims that Vice President BIDEN once said we have to spend money to keep from going bankrupt. We have to raise health care costs to reduce health care costs.

Well, we have done the stimulus and spent and spent and spent and added trillions of dollars to this dangerous American debt. Meanwhile, we are 6 million jobs short of where Democrats promised we would be. It hasn't worked. It's time to stop the madness. It's time to stop the spending. Defeat this bill and bring back legislation that will actually create jobs, not add to our Nation's horrible debt.

I yield back the balance of my time.

Mr. LEVIN. Mr. Speaker, I close, quoting a woman who spoke to my of-

fice today from Eastpointe, Michigan. She was laid off from a large accounting firm, and she says, "I was there for 2½ years. The firm let me go because they had some clients who closed shop because of the economy the way it is. It was nothing I did. I received a raise every year I was there. I've been unemployed ever since. That was the end of May of last year, 2009.

"Without unemployment, we'd be in a lot of trouble. I'd probably lose my car."

Mr. Speaker, holding unemployed Americans, hundreds of thousands of them, like this woman, hostage to score what some think may be political points I think is reprehensible.

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise in support of Senate Amendment to H.R. 4851, the Continuing Extension Act, to extend a range of programs.

On March 17, the House passed H.R. 4851, emergency legislation that would extend a range of programs that unfortunately expired. These programs included: unemployment benefits; help with health insurance for the unemployed, COBRA; the highway bill; satellite TV; delay in the cut in Medicare physician payments; flood insurance; and small business loan guarantees. We passed this emergency legislation in the House, but Republican Senator JIM BUNNING single-handedly blocked passage of this emergency measure, despite the critical needs of millions of families across the United States during this economic downturn.

As a result, a 2-day shutdown of these programs that jeopardized unemployment benefits for more than 1 million Americans and furloughed thousands of highway and transit workers. This bill compensates Transportation Department employees who were furloughed during the lapse in the Federal highway, highway and motor carrier safety, and public transit programs. Unfortunately, Republican Senator COBURN has now put a hold on H.R. 4786, which passed the House by voice vote last week, to address this problem for transportation workers.

The following programs are now being extended:

Unemployment Insurance: Extends unemployment benefits, including the increased payouts and longer duration of benefits from the Recovery Act through May 5.

Help with Health Insurance for Unemployed Workers, COBRA: Extends eligibility for the COBRA health insurance 65 percent subsidy for people who have lost their jobs through April 30.

Medicare Physician Payments: Extends current Medicare payment rates for physicians, preventing a 21 percent payment reduction, through April 30, 2010.

Flood Insurance: Extends the National Flood Insurance Program authorization through April 30.

Satellite Television: Extends the compulsory copyright license used by satellite television providers through April 30, 2010.

Compensation for Furloughed Employees: Provides compensation for federal employees furloughed during March 1 and 2 as the result of the lapse in expenditure authority from the Highway Trust Fund.

Medicare Therapy Caps Exceptions: Extends exceptions process for beneficiary payment limits on outpatient therapy services through April 30, 2010.

Poverty Guidelines: Extends current provision maintaining 2009 poverty guidelines through April 30, 2010, to prevent a lowering of the poverty line due to deflation in 2009.

This bill is the right thing to do. We still need to do more to put jobs in the hands of Americans. Unemployment in the Houston-Sugar Land-Baytown region climbed to 5.4 percent in October, according to a recent report from the Texas Workforce Commission. There were 152,300 people without jobs during the month out of a total civilian labor force of about 2.8 million, compared with 144,200 people, or 5.1 percent, unemployed out of a civilian labor force of 2.8 million in September, according to the TWC. The unemployment rate in October was up from 4 percent a year ago. Getting all Americans back to work is, and should be our number one priority.

Mr. Speaker, I am very pleased to join my colleagues in doing the right thing for the American people in these challenging economic times. We owe that to the people whom we are sent here to serve.

Mr. CONYERS. Mr. Speaker, I rise in strong support of H.R. 4851, the "Continuing Extension Act of 2010." Earlier today, the Senate passed this critically important measure, which will provide short term extensions to several lapsed programs, including extended unemployment benefits and COBRA health insurance subsidies. The bill also ensures that physicians who care for Medicare patients will not suffer a debilitating cut in their reimbursement rates, which could potentially cause them to cease providing care.

We pass these needed and humane extensions tonight to ease the pain being felt by our fellow citizens around the country. I sincerely hope this is the last time we are forced to cut off this social lifeline because of the dilatory tactics of Senate Republicans. Food, shelter, and health care are too important to be subjected to petty political battles. I encourage all my colleagues to support the bill.

Mr. STARK. Mr. Speaker, I rise in support of the Senate amendments to H.R. 4851, the Continuing Extension Act of 2010. As its title suggests, this bill continues a number of vital programs affecting people's health and economic wellbeing. It deserves strong bipartisan support. I'd like to highlight several key components.

On the economic front, the legislation will ensure that hundreds of thousands of workers can maintain their unemployment benefits by extending and fully funding both the Emergency Unemployment Compensation and Extended Benefits programs for an additional 2 months. It also continues the \$25 per week supplementary payment for all unemployment recipients.

With regard to health care, this legislation will continue the temporary COBRA premium assistance program through May 31 of this year. This program was created in the American Recovery and Reinvestment Act and provides a 65 percent COBRA premium subsidy for workers who have been involuntarily terminated. The subsidy is available for up to 15 months. This program has allowed workers who've lost their jobs during the recession to maintain their families' health insurance as they search for new employment. It is an important program and I am pleased to support this extension. I also look forward to pursuing legislation to extend this program through the end of the year.

The bill also protects Medicare for our senior citizens and people with disabilities by forestalling a 21 percent payment cut to Medicare physicians. Passage of this bill provides a reprieve until the end of May, but isn't a long term solution.

With regard to Medicare physician payments, the House passed legislation late last year that would have permanently solved our ongoing dilemma with the sustainable growth rate, SGR, physician payment formula in Medicare. Our legislation, H.R. 3961, would have created a new formula that emphasized primary care and encouraged physicians to join together in accountable care organizations to provide more efficient higher quality care.

I am committed to continuing to work with my colleagues in Congress, the Administration, and the physician community to eliminate the SGR and move to a revised payment formula that ensures that physicians are fairly compensated and enhances quality and efficiency in Medicare.

These programs are too important to let a few Republican Senators hold them hostage month by month. I urge my colleagues to vote yes to extend these vital programs now and to work with us on a bipartisan basis for longer term solution on them all.

Mr. CAMP. Mr. Speaker, I rise in support of this bill, despite its obvious shortcomings.

On March 17, the House approved the prior version of this bill, which would have extended Federal unemployment, COBRA and related benefits, plus the Medicare "doc fix," through the month of April.

Everyone in this town knew those benefits and programs were poised to expire at the end of March if Congress failed to act. But because Senate Democrats refused to pay for a 1 month extension and House Democrats refused to pay for even a 1 week extension, hundreds of thousands have missed an unemployment benefit payment, among other painful effects.

Now that the Senate has finally acted, we are considering a bill to extend these programs, yet again. Only this time, the extension is not just for 1 month, but 2. Predictably, this will add twice as much to the already massive deficit—\$18 billion instead of \$9 billion.

Unfortunately, efforts in the Senate to add offsets, so that these important provisions do not add to the deficit, were defeated. And, disappointingly, as it has continued to do in recent months, the House is debating this bill today under procedures which do not even allow us to offer a paid-for alternative.

In the past, I have consistently voted for bills extending unemployment benefits. I will reluctantly vote for this bill today, because voting yes is the only way to continue these important benefits for laid off workers in my State, where the unemployment rate is a staggering 14 percent.

Simply put, we should not punish those workers for the failure of the Congress to find a way to pay for the extension of these benefits. Similarly, we shouldn't punish seniors, who risk losing access to doctors if we don't reverse the 21 percent cut in the physician fee schedule that took effect at the start of this month. We all knew this cut was coming, yet for the second time in as many months, the Democrats' failure to act allowed this cut to go into place.

But everyone should know this bill is far removed from what we really should be doing.

What we should really be doing is paying for the new spending we approved, instead of simply adding it onto our already overcharged national credit card.

In the longer run, we all know that unemployed workers and their families need something more than another round of extended unemployment benefits. Most of all they need jobs. And jobs are something this majority has been totally incapable of producing.

A little over a year ago, Democrats promised their trillion-dollar stimulus plan would create 3.7 million jobs. Yet that bill was followed by 3 million more job losses. Unemployment rose to 10 percent instead of the 8 percent peak the other side promised. And now 16 million Americans are unemployed, with millions out of work for over a year, both all-time records.

They deserve our help, but they also deserve a job and a country not sinking ever deeper into debt.

Mr. Speaker, the American people are generous. And they know that these continued unemployment benefits—especially in areas of the country where jobs are scarce—are important. But they also deserve a Congress that acts responsibly.

It is too late to add offsets to this bill, and I am not prepared to vote against it for that shortcoming, since it would further hurt many who are most in need of our help. But the next time we deal with this issue, Members need to have a real choice so that we can help workers without hurting future taxpayers by driving up the debt by tens of billions of dollars.

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

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to the order of the House of today, the previous question is ordered.

The question is on the motion by the gentleman from Michigan (Mr. LEVIN).

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. LEVIN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 289, noes 112, not voting 29, as follows:

[Roll No. 211]

AYES—289

Ackerman	Bright	Connolly (VA)
Aderholt	Brown, Corrine	Conyers
Adler (NJ)	Brown-Waite,	Costa
Altmire	Ginny	Costello
Andrews	Buchanan	Courtney
Arcuri	Burgess	Crenshaw
Baca	Butterfield	Crowley
Baird	Camp	Cuellar
Baldwin	Cao	Cummings
Barrow	Capps	Dahlkemper
Bean	Capuano	Davis (AL)
Becerra	Cardoza	Davis (CA)
Berkley	Carnahan	Davis (IL)
Berman	Carney	Davis (KY)
Biggert	Carson (IN)	Davis (TN)
Bilirakis	Cassidy	DeFazio
Bishop (GA)	Castle	DeGette
Bishop (NY)	Castor (FL)	Delahunt
Blumenauer	Chandler	DeLauro
Bocchieri	Childers	Dent
Bonner	Chu	Deutch
Boren	Clarke	Diaz-Balart, L.
Boswell	Clay	Diaz-Balart, M.
Boucher	Cleaver	Dicks
Brady (PA)	Clyburn	Dingell
Braleay (IA)	Cohen	Doggett

Donnelly (IN)	Levin	Reyes
Doyle	Lewis (GA)	Richardson
Driehaus	Lipinski	Rodriguez
Edwards (TX)	LoBiondo	Roe (TN)
Ehlers	Loebsock	Roybal-Allard
Ellison	Lofgren, Zoe	Rogers (AL)
Ellsworth	Lowe	Rogers (MI)
Engel	Lujan	Ros-Lehtinen
Eshoo	Lynch	Ross
Etheridge	Maffei	Rothman (NJ)
Farr	Maloney	Royal-Allard
Fattah	Manzullo	Rush
Filner	Markey (CO)	Ryan (OH)
Foster	Markey (MA)	Salazar
Frank (MA)	Marshall	Sanchez, Loretta
Fudge	Matheson	Sarbates
Garamendi	Matsui	Schakowsky
Gerlach	McCarthy (NY)	Schauer
Giffords	McCollum	Schiff
Gordon (TN)	McDermott	Schock
Grayson	McGovern	Schrader
Green, Al	McHenry	Schwartz
Green, Gene	McIntyre	Scott (GA)
Griffith	McMahon	Scott (VA)
Grijalva	McNerney	Serrano
Gutierrez	Meeks (NY)	Sestak
Hall (NY)	Melancon	Shea-Porter
Halvorson	Michaud	Sherman
Hare	Miller (MI)	Shimkus
Harman	Miller (NC)	Shuler
Hastings (FL)	Miller, George	Sires
Heinrich	Minnick	Skelton
Heller	Mitchell	Slaughter
Herseth Sandlin	Mollohan	Smith (NJ)
Higgins	Moore (KS)	Smith (WA)
Hill	Moore (WI)	Snyder
Himes	Moran (VA)	Space
Hinchee	Murphy (CT)	Spratt
Hinojosa	Murphy (NY)	Stark
Hirono	Murphy, Patrick	Stearns
Hodes	Murphy, Tim	Stupak
Holden	Nadler (NY)	Sutton
Holt	Napolitano	Tanner
Honda	Neal (MA)	Taylor
Hoyer	Nye	Teague
Inslee	Oberstar	Thompson (CA)
Israel	Obey	Thompson (MS)
Jackson (IL)	Olver	Tiberi
Johnson (GA)	Ortiz	Tierney
Johnson (IL)	Owens	Titus
Johnson, E. B.	Pallone	Tonko
Jones	Pascrell	Tsongas
Kagen	Pastor (AZ)	Turner
Kanjorski	Paulsen	Upton
Kaptur	Payne	Van Hollen
Kennedy	Perlmutter	Velázquez
Kildee	Perriello	Vislosky
Kilpatrick (MI)	Peters	Walden
Kilroy	Peterson	Walz
Kind	Petri	Waters
Kirk	Pingree (ME)	Watson
Kirkpatrick (AZ)	Platts	Watt
Kissell	Pollis (CO)	Waxman
Klein (FL)	Pomeroy	Weiner
Kratovil	Posey	Welch
Kucinich	Price (NC)	Whitfield
Langevin	Putnam	Wilson (OH)
Larsen (WA)	Quigley	Woolsey
Larson (CT)	Rahall	Wu
LaTourette	Rangel	Yarmuth
Lee (CA)	Reichert	Young (FL)

NOES—112

Akin	Cooper	Inglis
Alexander	Culberson	Issa
Austria	Dreier	Jenkins
Bachmann	Duncan	Johnson, Sam
Bachus	Emerson	Jordan (OH)
Bartlett	Fallin	King (IA)
Barton (TX)	Flake	King (NY)
Bishop (UT)	Fleming	Kingston
Blackburn	Forbes	Lamborn
Blunt	Fortenberry	Lance
Bono Mack	Fox	Latham
Boozman	Franks (AZ)	Latta
Boustany	Frelinghuysen	Lee (NY)
Brady (TX)	Garrett (NJ)	Lewis (CA)
Brown (GA)	Gingrey (GA)	Linder
Burton (IN)	Gohmert	Lucas
Buyer	Goodlatte	Lummis
Calvert	Granger	Lungren, Daniel
Campbell	Graves	E.
Cantor	Guthrie	Mack
Carter	Hall (TX)	Marchant
Chaffetz	Harper	McCarthy (CA)
Coble	Hastings (WA)	McCaul
Coffman (CO)	Hensarling	McClintock
Cole	Herger	McKeon
Conaway	Hunter	

McMorris	Rogers (KY)	Smith (NE)
Rodgers	Rohrabacher	Smith (TX)
Mica	Rooney	Souder
Miller, Gary	Roskam	Sullivan
Moran (KS)	Royce	Terry
Myrick	Ryan (WI)	Thompson (PA)
Nunes	Scalise	Thornberry
Olson	Schmidt	Westmoreland
Paul	Sensenbrenner	Wilson (SC)
Pitts	Sessions	Wittman
Poe (TX)	Shadegg	Wolf
Price (GA)	Shuster	
Rehberg	Simpson	

NOT VOTING—29

Barrett (SC)	Jackson Lee	Ruppersberger
Berry	(TX)	Sánchez, Linda
Bilbray	Kline (MN)	T.
Boehner	Kosmas	Speier
Boyd	Luetkemeyer	Tiahrt
Brown (SC)	McCotter	Towns
Capito	Meek (FL)	Wamp
Edwards (MD)	Miller (FL)	Wasserman
Galleghy	Neugebauer	Schultz
Gonzalez	Pence	Young (AK)
Hoekstra	Radanovich	

□ 2008

Mr. YOUNG of Florida changed his vote from “no” to “aye.”

So the motion was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

HOOR OF MEETING TOMORROW

Mr. POLIS. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 1 p.m. tomorrow, and further, that when the House adjourns on that day, it adjourn to meet at 12:30 p.m. on Tuesday, April 20, 2010, for morning-hour debate.

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

There was no objection.

**CONGRATULATING THE
PHILADELPHIA DAILY NEWS**

(Ms. SCHWARTZ asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. SCHWARTZ. Mr. Speaker, today, it is my unique honor to congratulate Barbara Laker and Wendy Ruderman from the Philadelphia Daily News, winners of the prestigious 2010 Pulitzer Prize for investigative reporting. Their resourceful reporting exposed a rogue police narcotics squad, resulting in an FBI probe and in the review of hundreds of criminal cases tainted by the scandal.

Their investigative reporting series in the Philadelphia Daily News exposed allegations that a narcotics cop and his informant fabricated evidence so that the police could obtain warrants to enter homes and to make arrests. The series led to appropriate actions that better ensure the integrity and confidence that our law enforcement officers deserve.

Ms. Laker and Ms. Ruderman represent the finest tradition in the profession of journalism. Their commitment to journalistic principles, including the fulfillment of the role the press

can play in exposing serious public failings, has earned them this prestigious prize and the accompanying well-deserved recognition.

Ms. Laker and Ms. Ruderman have brought excellence to the Philadelphia Daily News and to the Greater Philadelphia area. I congratulate them on their achievement and on the recognition they have received for their journalistic excellence.

**HONORING THE LIFE AND SERVICE
OF FALLEN ARMY RANGER COR-
PORAL MICHAEL JANKIEWICZ**

(Mr. GARRETT of New Jersey asked and was given permission to address the House for 1 minute.)

Mr. GARRETT of New Jersey. Madam Speaker, I rise today in honor of Corporal Michael Jankiewicz, a recently fallen Army Ranger. Only 23 years old, this young man was killed in Afghanistan on April 9 when his Osprey helicopter crashed in Zabul province, just about 200 miles southwest of Kabul.

Michael grew up in my district. After graduating from Ramsey High School in 2006, he pursued his childhood dream and enlisted in the U.S. Army. You know, his father recalled that, even at 3 years old, Michael was talking about becoming a U.S. soldier. While pursuing his dream, he became a true hero, serving two tours in Iraq and two additional tours in Afghanistan with the 75th Ranger Regiment stationed out of Fort Benning, Georgia.

As an active Army Ranger, he saw some of the most dangerous action, but when Michael talked about his service to his family, his father says he would typically just say, “I just can’t wait to get back to my platoon.”

This young corporal was part of our Nation’s premier light infantry force. Every day that he wore his uniform, he dedicated his best to this great country. He was among some of the best soldiers in the world because of the careful screening process and arduous training the Rangers must endure.

Michael is survived by his mother, Serena; by his father and stepmother, Anthony and Carmen; by his grandfather, Abraham Friedman; by his sister, Michelle; by his stepsister, Noemi Cagley; and by his stepbrother, Hector Emmanuelli.

His dedication to his country and to his fellow soldiers represents his tremendous sense of loyalty and selflessness. Corporal Michael Jankiewicz is a true American hero. His country will never forget him. He will never be forgotten by his friends, by his family, or by this country for whom he fought.

□ 2015

SPECIAL ORDERS

The SPEAKER pro tempore (Ms. TITUS). Under the Speaker’s announced policy of January 6, 2009, and under a previous order of the House, the fol-

lowing Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. ALTMIRE) is recognized for 5 minutes.

(Mr. ALTMIRE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

ARIZONA IMMIGRATION BILL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Colorado (Mr. POLIS) is recognized for 5 minutes.

Mr. POLIS. Madam Speaker, I rise today to discuss the consequences of our failure to pass comprehensive immigration reform.

On Tuesday, lawmakers in Arizona passed new immigration enforcement legislation that allows local law enforcement officials to single out undocumented immigrants based solely upon a “reasonable belief” that they are undocumented and imprison them for up to 6 months. This bill will significantly undermine the efforts of many law enforcement agencies towards curbing racial profiling by police throughout the country and will increase crime by taking cops off their beats fighting crime and instead using them to enforce Federal immigration laws.

Arizona would force untrained State police officers to take the role of Federal immigration agents and somehow make the determination of whether the person is documented or not based upon their subjective belief or observations. It effectively mandates local police to engage in racial profiling and discrimination. This law would mandate the arrest of a person who can’t present documentation of legal status. We can imagine all sorts of abuses and unnecessary harassment that will result from such an ill-conceived law. When one goes to the grocery store or takes one’s kids to school, do we take a passport with us? I know I don’t.

The true culprit here, sadly, is the United States Congress, not Arizona. Because we have refused to take action, States are being pressured on all sides to act. States have haphazardly passed a patchwork of laws in an attempt to deal with the pressing issue of immigration. These local laws have unintended consequences which often lead to disastrous results, as we will surely see in Arizona.

The Arizona law is a symptom of our broken immigration system, and only Congress can truly solve the crisis. Immigration is fundamentally a Federal issue, and yet we here in Congress continue to fail in meeting our responsibility that’s allocated to this body and the Federal Government. Until we can pass comprehensive immigration reform, these misguided local laws will continue to be passed in vain attempts to address the issue at a local level,

and we will continue to suffer from the unintended consequences and abuses that they foster.

Yes, Arizona will suffer because of this law. How can we expect to recover from our recession if we chase away our workers, shrink our tax base, and scare honest, hardworking American families? Blanket discrimination and persecution is not the way to solve the immigration or economic crisis.

In order to prevent more States from following in Arizona's footsteps, I encourage my colleagues in Congress to act immediately to pass comprehensive immigration reform.

NO JUSTICE FOR LINDSAY BRASHIER

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, Evelyn Mezzich is 32 years of age. She has a husband, a 2-year-old son, and she has a college degree she earned in the United States.

Evelyn Mezzich is also a charged killer and an absconder from the law. In a gross miscarriage of justice, she has been allowed to live out her luxurious life in her native country of Peru. She has never had to face the justice system for her crimes in the United States. She didn't have to face the consequences of her reckless conduct while living in America.

You see, in 1996, Evelyn Mezzich was driving drunk in Texas. She fell asleep at the wheel and had a head-on collision with a telephone poll. Mezzich had minor injuries, but in the collision she killed her 18-year-old roommate, Lindsay Brashier, and permanently paralyzed a third passenger.

Mezzich was indicted for intoxication manslaughter in Texas. What that means is she was charged with a felony of drinking, driving, and killing somebody.

After posting bail, she and her parents snuck out of town, and they headed back to their home country of Peru. Mezzich continues to live an unapologetic lifestyle in Peru without remorse or without reform. A few years ago, she put up a MySpace page on the Internet. She posted pictures of herself drinking and partying with friends. She had a wild bachelorette party, also drinking and partying with her girlfriends, complete with a male stripper. She listed her favorite song as Nelly Furtado's "Promiscuous Girl."

Here's a photograph that she placed on the Internet with some of her friends; and, of course, she is the one with the drink, partying, having a good time, all the while escaping justice in Texas for the crime that she had committed. She actually listed on her MySpace page that drinking and partying with friends was one of her favorite activities. She listed her motto: "Life's too short; so live it up." Obviously, she has not changed her attitude or lifestyle.

Madam Speaker, Evelyn Mezzich knows better than anyone how short life is. She is responsible for tragically cutting short the life of another person, Lindsay Brashier, an 18-year-old honor student who was just beginning in the prime of her life.

This is a photograph of Lindsay taken shortly before the homicide in Texas. She wanted to be a surgeon; and, thanks to Evelyn, Lindsay never had that chance.

After Evelyn Mezzich jumped bail in Texas, a warrant was issued for her arrest. In 2001, the FBI found Mezzich, who was, ironically, having a good time on her honeymoon. But a bizarre loophole in the U.S. and Peruvian extradition laws meant that Mezzich would remain free. Since 2001, that loophole has been fixed, but Mezzich's not about to come back to America to stand trial. She's having too much fun in Peru.

Madam Speaker, it's time for Evelyn Mezzich to be brought back to Texas and to stand trial for the homicide of this person, Lindsay Brashier, a homicide that occurred 14 years ago. But Peru refuses to allow the criminal to be extradited. You see, it seems that Evelyn Mezzich's father is a big shot in Peru and apparently is using his influence to keep his drunk little girl from facing the music in the United States. It's a flagrant disregard for the provisions of the extradition treaty between Peru and our country. Daddy's reputation as a prominent doctor appears to be shielding his daughter from criminal extradition for homicide.

This intolerable behavior by the Peruvian Government is nonsense. By allowing Evelyn Mezzich to live in comfort and security, they are committing a grave injustice against the family of Lindsay Brashier and against Lindsay's memory.

During this month and during next week, we honor crime victims like Lindsay. Lindsay's mother, Marilyn Datz, has dedicated these past 14 years to get justice for her daughter; yet no justice has occurred.

So I urge the Department of Justice and the State Department to press Peru to overturn Peru's refusal to extradite and bring Evelyn Mezzich back to Texas to face the music. Let a jury decide what to do with this fugitive from justice. Because, Madam Speaker, justice is what we do in the United States, and it's about time there was some justice for Lindsay Brashier.

And that's just the way it is.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Ms. WOOLSEY) is recognized for 5 minutes.

(Ms. WOOLSEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

IRAN

The SPEAKER pro tempore. Under a previous order of the House, the gen-

tleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

Mr. BURTON of Indiana. Madam Speaker, it's the end of the week. Another week has gone by, and the Middle East continues to be a tinderbox waiting to explode. Abraham Lincoln said, "Let the people know the facts and the country will be saved." And one of the things that bothers me is it's hard for us to get the facts sometimes.

The President of the United States, Mr. Obama, this week had a summit that was supposed to deal with nuclear proliferation. And they had leaders from all over the world there, and they were talking about how to stop the proliferation of nuclear weapons from getting into countries that may cause a problem and weapons that might get into terrorists' hands that could destroy an awful lot of the human race.

But he didn't talk about Iran. It almost never happens anymore. He doesn't talk about Iran. They say that there are going to be sanctions put on Iran that's going to stop them from developing their nuclear weapons program, but the sanctions never take place. We have been talking about sanctions, I know, now for at least 5 or 6 years, and Iran just keeps thumbing their nose at the rest of the world, the United Nations, the United States, and everybody, and they continue to build a nuclear weapons program. They say they're not, but they are, and I think everybody in the world knows it.

Now, this week, the head of the Iranian Nuclear Commission—I think that's the title he has—said that the Bushehr nuclear power plant will be operational in just a couple of months, the production of nuclear fissionable material within a couple of months. And our military leaders say that Iran could have a nuclear weapon in as little as 1 year, and some people say a lot quicker than that. Yet instead of doing something about it, we continue to fool around talking about putting sanctions on them week after week, month after month, year after year, and they continue to build a nuclear weapons program.

And when the head of Israel comes here, Mr. Netanyahu, the Prime Minister. The President gives him the cold shoulder and starts telling him if he doesn't do certain things that we're not going to be supporting them, as we should be. And I think that's terrible. Our only real strong ally in the Middle East that has been with us through thick and thin is Israel, and we should be supporting them right now and doing everything we can to keep the Middle East from going up in smoke. Because if Iran gets a nuclear weapon, there's no question in my mind that they'll use it if they get an opportunity. Because Mr. Ahmadinejad, the President of Iran, continues to say he wants, as his number one objective, to wipe Israel off the face of the Earth. And I can tell you right now if I know Bibi Netanyahu, and I think I do, he's not going to let that happen. So because we are fooling around, we are

still dealing with the possibility of a major conflagration over there.

Now, how does that affect the Middle East? Well, Israel is in jeopardy, but if Iran gets nuclear weapons and we don't do something about it and Israel doesn't, then all those countries around there are going to be intimidated, and they are all going to start moving toward radical Islam. That's my view, anyhow. And that is something we can't allow to happen. We can't allow that whole area to go down that road.

But in addition to that, we get about 30 percent or 40 percent of our energy from the Middle East, and if that happens, we are going to have trouble getting the oil that we need to keep our lights on, to keep the gasoline in our cars, and all the other things that we do with energy.

So I would just like to say that, instead of holding these conferences, if I were talking to him, Mr. President, and I know I can't, but if I were, I would say quit fooling around. Get with the program. Let Ahmadinejad and the Iranians know that we are not going to stand by and let them become a nuclear power with nuclear weapons. Because if they do, if they continue down that path, we along with Israel will do whatever is necessary to stop them.

They need to know that. As long as they know we're just talking and pushing papers around and talking about sanctions, they are not going to stop. They are only going to stop when they know we mean business. And, Mr. President, you are sure not giving them the right signal, in my opinion.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

(Ms. KAPTUR addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

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 addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

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 addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentle-

woman from Florida (Ms. ROS-LEHTINEN) is recognized for 5 minutes.

(Ms. ROS-LEHTINEN addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from North Carolina (Ms. FOXX) is recognized for 5 minutes.

(Ms. FOXX addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Tennessee (Mrs. BLACKBURN) is recognized for 5 minutes.

(Mrs. BLACKBURN addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. ROHRABACHER) is recognized for 5 minutes.

(Mr. ROHRABACHER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

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HONORING THE LIFE OF RICHARD J. MORGAN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. GARRETT) is recognized for 5 minutes.

Mr. GARRETT of New Jersey. Madam Speaker, on September 11, 2001, almost 3,000 individuals were victims of the most devastating act of terror in our Nation's history. First responders and civilians, mothers and fathers, husband and wives, friends and neighbors, the terrorists acted with impunity toward their victims, and our Nation still mourns this tragic loss.

This evening I'd like to specifically remember one of those victims, and that is Richard J. Morgan. Morgan, or Dick as he was known to his friends, was many things to many people. He was an adoring husband to his wife, Patricia, a beloved father to his four children, a proud grandfather to his seven grandchildren, and a respected colleague to all that he worked with, and also a cherished friend to those who were fortunate enough to ever have known him.

Dick graduated with a degree in civil engineering from Manhattan College and an MBA from New York University, and he would go on to serve his Nation in the National Guard.

Then in 1967, he and Patricia settled down in the little town of Glen Rock, New Jersey, where they became active participants in their community and a local church as well.

For 41 years, Dick worked with Con Edison, being promoted all the way from being a splicer to serving as vice president of emergency management.

It was in that capacity that Dick raced to the World Trade Center on that fateful Tuesday morning. And like so many other brave first responders, Dick responded to the call of duty. He ran into the smoke and the fire but, sadly, he was lost when the North Tower collapsed at 10:28 a.m. At the time of his death, Dick was coordinating the emergency response, along with the Fire Department of New York with their chief of department. Today, quite fittingly, Dick is the only civilian memorialized with the Fire Department of New York Randall's Island Training Facility for having given his life in the line of duty on September 11, 2001.

Recently, I became aware that Dick had not been nominated for the 9/11 Heroes Medal of Valor and, as a result, had been incorrectly classified as simply a visitor on the National September 11 Memorial, instead of a first responder classification that he deserved. So over the past few months my staff has worked with the Department of Justice to ensure that this heroic first responder was properly memorialized. And last month I was happy to hear that the family has been assured that their request has now been granted. And I am thankful to the Department of Justice, to my colleagues from New York, and the many others who assisted in swiftly rectifying this oversight.

Proper recognition for our fallen heroes is but a small token of gratitude when compared with the enormous sacrifice. Whether at the World Trade Center, on the battlefield, or in the communities, our soldiers and first responders, they all take a great risk to keep us safe, and they sometimes pay the tremendous sacrifice.

And what can we here do in return? Well, we can remember their service. We can live worthy of their sacrifice and take every single opportunity to thank them and the ones that they leave behind.

On behalf of a grateful Nation, I express my sincere gratitude to Dick Morgan and pledge to his family that his example will not be forgotten. Dick will always be remembered as a man who epitomized valor, cherished opportunity to serve, and actively made his community a better place. He earned the respect of so many through his hard work, through his commitment and a genuine interest in the lives and the fates of others.

So I am proud to represent Dick's family here in Congress, and our entire Nation can be proud of the sacrifice of this American hero.

THE PROGRESSIVE CAUCUS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Minnesota (Mr. ELLISON) is recognized for 60 minutes as the designee of the majority leader.

Mr. ELLISON. Madam Speaker, I'll claim the time for the Progressive Caucus tonight. I have some boards that

are going to assist me in the presentation, so we'll just take a very brief moment to get set up here.

Madam Speaker, my name is KEITH ELLISON, and I am here yet again on behalf of the Progressive Caucus to talk about a progressive message, a progressive message, the idea of which, Madam Speaker, is to help convey to the American people that there is a body of Members of this United States Congress who care about making America fairer, more inclusive, greater respect for due process of law, promoting peace around the world. There is a Progressive Caucus in the United States Congress. Many Members are a part of it, over 80; and we are advocating policies that would make America at peace with its neighbors, promoting peace around the world, being a force for bringing nations together.

We here are talking about immigration reform. And I'm joined today by one of our very best speakers and a freshman leader here in the Congress who has distinguished himself very early on in many areas, Mr. JARED POLIS, who I'm going to yield to in just a moment.

But tonight, Madam Speaker, we're going to be talking about taxes because today is tax day. We're going to be talking about taxes from a progressive point of view. The point is that the United States Congress has been doing some tax cutting on behalf of the American people—but not from the perspective of the people who've been most blessed among us—from the perspective of the hardworking folks who have to put it down every day to make it; those folks who can use a small tax cut to make sure that they can meet their needs, groceries, things they need around the house.

As a matter of fact, Madam Speaker, you pay fewer taxes under President Obama than under President Bush. This may not apply to the most wealthy Americans, but it applies to the vast majority of Americans. And so it's in this spirit today that we're going to be talking about a progressive message as we discuss progressive taxation, which are the dues that we pay in a civilized society to make our society function properly.

And so I'd just like to yield to the gentleman from Colorado, Mr. JARED POLIS, who's joined me tonight. I yield to the gentleman from Colorado.

Mr. POLIS. Well, I thank the gentleman from Minnesota. And people know, taxes are relative to one's income. I've heard from many people, and of course in this recession people are hurting across the board from the wealthy to the poor. And I think even those who pay the highest rate of tax, many of them would say, you know, I would gladly pay the tax rate we had in the Clinton administration if I had the income that we had through the nineties.

What you pay is relative to how much you earn. Currently, the highest marginal rate at 35 percent, with the

expiration of the Bush tax cuts will return to 39.6 percent. That's the same rate it was when people were doing very well during the boom years.

Taxes are the investment. They're the price that we pay for the freedoms that we enjoy in our country. They're what fund our public projects and, yes, worthy and unworthy. I, as a taxpayer, wasn't happy that my taxes were going to fund the Iraq war, and continue to. But that's what our representative system is all about.

And I know there's many Americans out there today who weren't happy that their taxes might go to help provide health care for those who can't afford it. But the fact is, it's the price we pay for the freedoms that we enjoy as Americans, and we enjoy more freedoms as Americans than people anywhere else in the world.

The noble experiment that was begun by our Founding Fathers over two centuries ago has evolved over the years and become something that every one of them would be proud of having given birth to.

We invest in many public projects. You know, in the nature of a democracy, each and every citizen, in fact, each and every Member of Congress is not likely to agree with every item that's spent. I know I don't. I voted "no" on some. I know my colleague from Minnesota voted "no" on some. Our colleagues and friends on the other side of the aisle voted against some of those. But this is a representative democracy.

We here in Congress, each serving and being elected by our constituents, are doing our best to allocate those dollars in a way to provide for the common good, the very concept that is conceptualized so effectively in our founding documents. That's what we do every day.

And this being tax time, everybody is reminded of how much they have to pay. And I think it's also important for us to remind them how much they get, the fact that people all over the world would risk dying, going across the desert to try to live in our country, what America stands for, globally, in terms of freedom, of unprecedented levels of prosperity that our middle-class families enjoy. That's what the American Dream is all about. That's what our country is all about.

And, no, it's not just the government that establishes this dream. But what it is is it's the rule of law, and it's a government formed among men governing by the consent of the governed to provide for the common good. We won't always get it right. But that's the investment that we're making when we pay taxes.

And even though I opposed the Iraq war and didn't like to see my tax dollars go there, even though I continue to oppose the escalation of troops in Afghanistan, and don't want to see my tax dollars going there, I know that the investment I make in paying my taxes is one that I can be proud of as an

American. Knowing that it goes through title I to serve schools across our country that serve at-risk youth; knowing that it goes to help make health care more affordable for American families; knowing that it goes to help so that people who are unemployed don't lose their homes, can still put food on the table for their families; to know that our seniors have health care; to know that our young people have health care, and we're making it more accessible for people in the middle; to know that we're funding our roads, our bridges, our infrastructure, our arteries of commerce that empower the private sector to produce the prosperity that has made America unique—that's what it means to pay taxes.

That's why every year, in April, when I pay mine, I feel that same lump in my throat and in my belly as every American; but I know, deep inside, that I would not trade it for anything else. And I am proud that I have this opportunity to be able to contribute to this greatest of the great countries and help America continue to be a beacon unto the nations and a light for future generations.

I thank the gentleman from Minnesota.

Mr. ELLISON. Well, I thank the gentleman for yielding back. I got a little misty there. Listening to the gentleman from Colorado, I think he just made an excellent statement about the importance of paying taxes in our society.

None of us wants to fork it over on tax day. We all kind of do it feeling like, gee whiz, I wish I could keep this dough. But the fact of the matter is that if you like great roads, if you want EMS service, if you want the United States military to protect the borders of this country, if you want police, if you want fire, if you want public schools, if you want Head Start, if you want Medicare, if you want TRICARE, if you want Social Security, if you want things like bridges and infrastructure and many other important public services, taxes are what we have to pay.

Now, I agree with the gentleman. You know, there are things that my tax dollars go to that I wish they didn't go to. But you know what? The fact is that we live in a representative democracy, and that's just the way it is. That's why we get out and we engage in the public debate to argue how and where our tax dollars are allocated. But never forget, not even for a moment, that taxes are the dues that we pay to live in a civilized society.

The fact is, though, that Democrats have been, and progressives have been, pretty good at cutting taxes for Americans. The fact is, here's a quote from somebody who was an adviser to Ronald Reagan. And I know my friends in the Republican Caucus love to brag about Ronald Reagan.

Here's what this gentleman, Mr. Bruce Bartlett, had to say about this

issue: Federal taxes are very considerably lower by every measure since Obama became President.

Now, you would think the way they bang on President Obama that he's just a tax-and-spend liberal. That's what they like to tell you, but it's not true.

The fact is, taxes targeted to working-class people can help stimulate the economy. What we're opposed to from the Progressive Caucus is giving tax cuts to the wealthiest Americans, which create deficits which all the rest of us have to bear.

But the Obama administration and the Democratic Caucus in Congress have helped to lower the burden on Americans so that Americans can take care and pay for the things that they need.

As I said before, here's an important board I'd like to draw folks' attention to. You pay fewer taxes under President Obama than under President Bush. Note, this may not apply to the wealthiest Americans. But if you're working hard every day, if you're putting it down every day, if you're working hard for a living and you're part of the great middle class, you pay lower taxes than under George W. Bush, and that is an important thing to bear in mind.

Every congressional Republican voted against a tax cut for 95 percent of America. Let me say it one more time: every congressional Republican voted against a tax cut for 95 percent of American families. So we're not talking about who's for tax cuts and who's against them. We're talking about who's for tax cuts for the middle class people and who's for tax cuts for the wealthiest Americans.

I just want to be clear: I have friends who have been very blessed and have economic wealth, and I think that's just fine. I'm not against that at all. But I do say that to whom much is given, much is expected. And that goes to taxes as well. And so I'm not in favor of cutting the taxes of the wealthiest Americans. I'm in favor of cutting the taxes of Americans who are struggling hard every day to put food on the table for their family. That's who I think needs the tax cut. And I'm going to just tell you one more thing about that.

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When very, very, very, very well-to-do people get a tax cut, they don't need the money. It can sit up in an account somewhere. But when working-class people get a tax cut, working-class people put that money back into the economy. And that means that if they're using their little tax cut to go out and purchase an item that they need to help their family—whether it's electronic goods or whether it's a new washing machine, whatever it is—they're putting that money into the economy.

Let's say they build a new washing machine. Then somebody at some local retailer who sells washing machines is

going to make a sale. And if that sale is made, then they're going to have revenue for their retail outlet, which means they're going to be able to keep my nephew and yours on the payroll at that particular retail outlet. And then the manufacturer may be able to stay in business as well.

So the fact is that when working people get a tax cut, it actually has a stimulative effect for the economy; whereas, if the very well-to-do get a tax cut, like the Republicans like to do, that really doesn't help the economy very much because the very definition of being rich is you don't need the money. So you might spend it and you may not. Who knows. But working-class people use those tax cuts.

And so when every congressional Republican voted against a tax cut for 95 percent of Americans—as I said, when every congressional Republican voted against a tax cut for 95 percent of American families, I think the American people ought to know that, because the people who claim to be the big tax cutters really are not very good at cutting taxes for people who could actually use a tax cut. They're just good at cutting taxes for people who really don't need one and who have plenty of money anyway.

So let me just go through a few things.

Since coming to Congress and assuming the Presidency, the Democratic agenda has made historic progress through creating jobs, cutting taxes for working Americans, and investing in the future prosperity of our country. This year, millions of American working families are paying fewer taxes and getting record refunds. This is not a coincidence. This is because of the American Reinvestment and Recovery Act, also known as the stimulus bill, but quite separate from the bailout which happened under George Bush's watch.

Over one-third of the Recovery Act is tax cuts for the middle class. Very important. Over one-third of the Recovery Act is tax cuts for the middle class. The Recovery Act has already provided about \$160 billion in tax cuts to American families and businesses. Nearly \$100 billion, nearly 100 billion, nearly \$100 billion of that has gone directly into the pockets of working families. And this year's average refund is about \$3,000, about a 10 percent increase over last year. That's a good thing for families who need money to keep on moving.

Federal taxes—as I just read a moment ago, a former Republican adviser to President Ronald Reagan said, Federal taxes are very considerably lower by every measure since Obama became President, and yet the Republican caucus bangs on President Obama relentlessly, mercilessly all the time. But the fact is he is better at lowering taxes for working-class people than George Bush was. This is by their own expert Bruce Bartlett. I wonder how they're going to try to misrepresent that.

Since last year, this Democratic Congress and President Obama have en-

acted more than \$800 billion for working families and small businesses. The Making Work Pay tax cut. That gives 95 percent of working families an immediate and sustained tax relief. Now, that's a big deal. Making Work Pay.

The fact is, the well-to-do in our country, they get tax cuts all the time. But what about people who are working hard every day? This tax cut where 95 percent of American working families got immediate and sustained tax relief was an important thing. It was about \$400 for the individual, \$800 for joint filings. That is very important.

Here's another tax credit. Child tax credit cuts taxes for families and more than 16 million children by reducing the minimum amount of earned income used to calculate the tax credit from \$3,000 to about \$2,000.

The earned income tax credit. Very important antipoverty program. Earned income tax credit expands the credit increasing it for families with three or more children. This is also very important. The earned income tax credit, an active, antipoverty program which helps working people and even low-income people. It's a good thing.

The American opportunity tax credit. Up to \$2,500 in tax credits to help an additional 4 million students attend college. Now, the university doors and the college doors have to stay open to the American middle class and the poor, but if you allow the other caucus, the Republican caucus to stay in charge, those doors are slowly going to be shut. But under the Democratic majority and under the progressive leadership of President Obama, we've seen the American opportunity tax credit, up to \$2,500 in tax credit, to help an additional 4 million students attend college. This is a progressive thing. It's a good thing brought to you by the Democrats.

The alternative minimum tax relief. Now, this protects 26 million middle class Americans from being hit by the AMT. In the 1970s, Members of Congress said, You know what? There are some people, some folks who aren't paying any taxes at all, so we're going to have something called the alternative minimum tax to make sure everybody pays something. But because it wasn't indexed over the years, inflation made it so that people who were in the middle class were getting hit by this tax. The Democrats, under the leadership of President Obama and NANCY PELOSI, helped to protect 26 million middle class Americans being hit by the AMT. Very, very important.

First-time home buyer tax credit increases existing credit to \$8,000 and removes the repayment requirement.

All totaled, the Democratic-led 111th Congress has enacted more than \$800 billion in tax credits with another \$285 billion making their way through Congress, such as permanent estate tax relief and R&D tax credits to spur business innovation. Many of these tax cuts are immediate, and more than half of the Recovery Act tax cuts already

are in the hands of the American families and businesses. And \$40 billion of the tax credits, or 4 million small businesses offering health care coverage to their employees starting this year. That's an immediate benefit for small businesses who want to offer health care to their employees to get a tax credit, a big deal to help people get health care and to help small businesses in the same swing.

So the fact is the Recovery Act, it takes 25 tax cuts for Americans, including the fastest and one of the most widely shared tax cuts in American history, the Making Work Pay tax cut credit or tax cut. Ninety-five percent of Americans benefited from it. Not one Republican voted for it. Think about that when you think about who is looking out for the American people and trying to cut taxes, even though we started this session tonight talking about the importance of taxes and the fact that some taxes are necessary. And we don't run from that idea.

The fact is taxes are the dues you pay to live in a civilized society. But despite that, the Democrats, under the leadership of President Obama and Speaker PELOSI, have been cutting taxes. This is an important thing for people to bear in mind and think about as they go forward, particularly on this Tax Day, particularly as they think about their refund. Who helped you get that, Madam Speaker? It was the party in the majority.

The Recovery Act also gives a tax cut by making your home more efficient, buying a house, buying a car, and sending a child to college; all very important. The result of the Recovery Act is that tax refunds are already up 10 percent, pushing average refunds to a record \$3,000 per taxpayer. That is huge.

So Congress has enacted job-creating tax incentives to spur hiring out-of-work Americans, strengthening small businesses with tax credits and accelerated write-offs so they can expand more and hire more.

One of the taxes is the business incentive to create jobs; 10 billion over 10 years. It involves a lot things which I'm going to talk about in a moment, but the main thing is that we need to understand that while taxes are the dues that we pay to live in a civilized society, the people who represent the majority in this Congress are actively trying to reduce that burden so that Americans can have a little extra money in their pockets, not so much the well-to-do people who already have enough.

The fact is folks who are working so hard every day to put food on the table, maybe the washing machine broke, they've got to get a new one, these things are going to help their families out quite a bit.

And I really admire those families who are well to do and who may not have been among those 95 percent who got a tax cut. Many of them know, however, that their good fortune is be-

cause of the public and the taxes people before them have paid: the people who pay the taxes for roads and bridges; the people who pay the taxes for our universities and colleges; the people who pay for Head Start, Social Security; people who pay for fire and roads, firefighters, police officers, to make our society a good place to live. These folks understand that, and so they don't complain about paying taxes. They pay them because they know that it's what we need to have a society that is free from foreign aggression, that our streets are safe, that there are firefighters out there looking out for Americans. And if they should have a problem with a fire in their home or business, we understand.

So this is not a matter of dividing well-to-do Americans from the rest of us. It's a matter of saying, Look, Middle class folks need a tax cut too, and the well-to-do have gotten well cared for while the Republicans have been in charge, and many of the policies that they enacted have brought us this recession that we're just trying to emerge from now. But the fact is, if you invest in the middle class through tax cuts, it will pay dividends in the long run.

And we're already starting to see unemployment decrease. Won't be long before we have positive job growth because of these important tax relief policies that Democrats, led by President Obama and Nancy PELOSI, have led to enact.

So, let me move on and talk a little bit about my own State of Minnesota. It's a State where people work hard every day. We're a State where we're very proud. We have among the highest voter turnout in the entire country. I'm proud to announce that only one State has a greater response to the census than our great State of Minnesota, and those are our neighbors to the east, Wisconsin. We're coming to get you, Wisconsin. We want to be first in that.

But the fact is I'm so proud to be from the State of Minnesota. It's a wonderful place, and there is no prettier place than Minnesota, especially in the springtime.

But I want to talk about the American Reinvestment and Recovery Act which significantly cut taxes for Minnesota families, too. Two million families in Minnesota. That is the number of families in Minnesota that will receive a tax cut of up to \$400 or \$800 for a married joint filing couple under the Making Work Pay tax credit that is included in the Recovery Act.

Also, 895,000 individuals are the number of people in Minnesota living on Social Security and supplemental security income and railroad retirement income and veterans benefits who will receive a one-time recovery payment of \$250 under the Recovery Act.

And then, also, 157,000 families in Minnesota are the folks who benefited from the Federal tax credits for college expenses. Minnesota is a high edu-

cation State. We have some of the highest ACT scores in the Nation, and we take education very seriously in the State of Minnesota. So it's really a great benefit that so many families will be able to benefit from the Federal tax credits for college expenses.

So in 2009 and in 2010, families in Minnesota with children in college will be able to claim a larger Federal tax credit, and that's a good thing for even me and my family since I've got two kids in college right now. And you know how tough that can be. There are more than 41,000 students in Minnesota, 41,000 students in Minnesota who previously did not benefit from the college tax credit but will now benefit as a result of the Recovery Act. That's a lot of people. A lot of young people saying, You know what? I have enhanced my skill, developed my mind, and can contribute to this society of ours in a greater way because Democrats believe in reducing and offering tax credits for me to be able to do what I've got to do.

□ 2100

For 182,000 children in Minnesota, that's the number of children in Minnesota who will benefit from the expanded child tax credit that's included in the Recovery Act.

And, of course, children need a tax relief, too, because that's where their parents can afford to get them the things they need, whether they be clothes or school supplies or food or anything like that. Children need their families to have less to have to pay if, as long as it's responsible, as long as it's paid for, as long as it makes sense, it's a good thing.

Again, I don't want to go too far. Because the fact is, folks, while I believe in cutting taxes for people, I also just want to remind folks taxes are the dues that we pay to live in a civilized society. Taxes pay to keep our roads nice and taxes pay to fill up the potholes in places like Minnesota where we have come through a large, tough, winter.

Taxes pay for police officers, taxes pay for firefighters, taxes pay for public works employees, taxes pay our soldiers so that they can defend our country, and taxes go to pay for Head Start to educate our children at university and at the middle, K-12 level.

So I am not here to say taxes are bad. That's a Republican thing to say that taxes are evil or that taxes are a punishment or that they are punitive. I don't believe that at all. I don't believe that for a second.

But I do say that when we can responsibly cut taxes to the middle class, we should do so. We should do so. That's just common sense, and the Democrats have proven that we believe that because we did it. And the fact is we didn't get any Republican support to do that. Because, as I just want to remind you for those of you who maybe just tuned in, every congressional Republican voted against a tax cut for 95 percent of Americans. I don't how they

can stand up and call themselves looking out for the American middle class with a straight face, but I am sure they will manage somehow.

Let me also talk a little bit more about Minnesota businesses. Because, of course, in Minnesota we believe in entrepreneurship. We believe that people should allow their creative talents to bring their services and goods to the market so that other people can participate in those and enjoy those things for a fair price and, therefore, those businesses can hire people, and we can really have our economy working well.

So I just want to mention, you know, that the Recovery Act significantly cut taxes for businesses as well, about 385,000 sole proprietors, 385,000 sole proprietors in Minnesota that filed with the IRS in 2007. Well, the fact is the Recovery Act provided relief for those businesses by providing, one, tax breaks for small businesses, expensing and bonus appreciation, businesses that purchased new capital equipment, providing small businesses with temporary, 5-year net operating loss, carryback, and providing small businesses with estimated tax payment relief, and excluding 75 percent of the gains on small business stock from capital gains purchased in 2009 and 2010 and, finally, providing businesses with relief from paying taxes on income resulting from discharged debt.

Minnesota businesses, again, about \$1.1 billion, about \$1.1 billion is the amount of additional dollars in the hands of consumers in the State of Minnesota as a result of Making Work Pay. That means that if you take that tax cut that 95 percent of all Americans benefited from and you bring it right to the great State of Minnesota and you ask yourself, well, how much did that mean to the Minnesota economy, that's \$1.1 billion that our families have to be able to spend on their needs so that they can make their ends meet, and they can put that money into the economy to help bolster the sales for our businesses that are out there.

Moving right along, about 538 units, about 538 units, housing units, are being constructed in Minnesota under a low-income housing tax credits exchange program that was enacted as part of the Recovery Act. That's a lot of houses, a lot of places for people to live, and that's a very, very big deal.

So I just want to say that I think that Democrats who responsibly cut taxes on the middle class, not the irresponsible tax cuts for the well-to-do who don't even need a tax cut, but Democrats responsibly cutting taxes for the middle class are helping America get stronger and get better after an 8-year nightmare where they cut taxes for the richest people, didn't enforce the financial regulation, allowed Wall Street to run wild, and allowed predatory mortgage lending to take place. Now we pay the awful price for that, but it's a good thing because Demo-

crats to the rescue are making sure that this economy is coming back strong, in part by responsible tax cuts to the middle class, and I am proud of that.

Let me move on to just talk a little bit about, just pose a question to people who may be listening, Mr. Speaker, and the question is, are you better off on Tax Day? There is a group called Third Way that prepares a report and asks the question, are you better off on Tax Day? And here are a few things that they found, Mr. Speaker, that I would just like to share with you.

Third Way compares three average middle-class families' tax returns from the 2007 to the 2009 returns under President Obama. They posed a question, is the average middle-class American better off under Obama's tax policies or under Bush? They compare the differences between tax credits offered by the Bush administration and the Republican Congress to those offered by Obama and the Democratic Congress. And in every case the answer was, without question, yes, Americans are better off with President Obama in the White House and Democrats in Congress.

This Third Way report, which I hope people will take a look at, says definitively on many measures that Americans are simply better off. Democrats are just better at managing the economy. We are better when it comes to deficits, better when it comes to tax cuts, better when it comes to jobs, better, better, better.

Of course, if you are a very super rich person, you may have to pay some taxes that you didn't have to pay before. But the fact is you have better services for it, and you have the pride of knowing that you are making a contribution to your fellow Americans, improving the quality of life for everybody, not just yourself. I think that means a huge deal for people. Because I think Americans, even well-to-do Americans, are extremely patriotic and want to know that their fellow Americans are doing well and that the ladder of opportunity has not been pulled up, as Republicans always try to do, but that it's still there for Americans who want to work hard and climb that ladder from the poor or even the middle class up to a higher income level.

So I just also want to talk about some results from the tax justice report on the Obama tax cuts. This Citizens for Tax Justice report says the following. The analysis notes that 53 percent of Americans believe that the President has kept taxes the same, 24 percent believe the President has raised taxes, and only 12 believe the President has cut taxes. But the fact is he has cut taxes overwhelmingly. This was part of the spin machine that we hear all the time and we are trying to correct tonight.

But by the analysis of the Citizens for Tax Justice, tax cuts enacted by Obama and the Democratic Congress reduced the Federal income taxes for

the tax year 2009 for, actually, they find, 98 percent of all working families. I just said 95, but according to this think tank it's even higher than that.

The Citizens for Tax Justice also observe one reason why the broader American public may not realize that the President cut their 2009 taxes is that the tax cut that affected most people took effect gradually by reducing withholding on wages. So you see a little more in your paycheck every week, but it's still there, still there for you to be better off and do what you need to do for your family.

They also note, well, I would also add that the spin machine doesn't help. But the fact is, it's there. The folks have it.

This Center for Tax Justice also says that, in addition to massive middle-class tax cuts, the Recovery Act made direct cash payments to a large population of Americans, including Social Security recipients, and extended unemployment benefits to out-of-work Americans.

And, so, this report, which I am going to hold up so people can see, this is kind of small type, but I just hope folks can look at that, see, right there, it says President Obama cut taxes for 98 percent of working families in 2009. Mr. Speaker, I think that's pretty good. I think that that's all right, and I think that's something to be commended, something to be proud of.

Mr. Speaker, as I just want to keep saying, you know, as I am standing up here talking about cutting taxes, I don't want any of the folks who might be tuned in tonight to get the impression that I am against taxes. I am in favor of paying the dues that we must pay in order to have a civilized society. I don't want people to pay more than they should pay, and I certainly do want every dollar to be used responsibly.

I am totally against any kind of wasteful spending or boondoggles, and I am absolutely against the spending that we did to fight the Iraq war, which was offered to us by President Bush and the Republicans. They told us it was weapons of mass destruction and everything else, and none of that was true. That was an enormous expense on the American people, not to mention loss of life, both Americans and Iraqis.

But the fact is is that I don't like every expenditure that the government makes, but the fact is that in a democratic society we have the majority rules. We elect the President and trust that those decisions will be made responsibly. They are not always done that way, but I wouldn't change this system for any system in the world.

The fact is, Mr. Speaker, tonight we are talking about taxes. Tonight is, today is Tax Day. Many Americans are probably still rushing out to the mailbox to make sure that that tax filing gets into the mailbox and gets stamped tonight so that they can get their taxes in on time, and maybe the ones who are the early birds have already done that a long time ago and taken care of

that business. But the bottom line is, Mr. Speaker, that today, Tax Day, is a big deal in America.

It's the day that we can stop and think about how lucky, how we have benefited by being in this great country of ours, where we have a great Constitution that protects our liberties. We have great public employees who work hard every day to make sure Americans have good services, teachers, firefighters, police officers, people who work in Head Start every day to try to help the children, people who really get out there and give all they have to help Americans.

It's a great day to just think about how lucky we are as Americans to have the Medicare system to help our seniors, TRICARE to help our soldiers, and now we are going to have over 32 million Americans get health care under the newly passed health care bill. These things, our taxes go to these things, and I am proud that they do.

It means that we live in a society that has compassion, it means we have a society that is responsible, that is going to meet the needs of all Americans, and it means that it is going to be done in a responsible way. Not the way the Republican caucus has done in the past, which is just cuts taxes for the wealthiest Americans and then creates massive deficits, but in a responsible way that's paid for and that broad cross-sections of Americans benefit from.

This is the kind of tax cut that we need. This is the kind of help that we need. Not the Bush-type tax cuts but Obama tax cuts, which go to benefit large percentages of Americans.

Every congressional Republican voted against a tax cut for 95 percent of American families, Mr. Speaker. These 95 percent of Americans, I betcha they are going to be remembering that come November.

Anyway, the fact is that this is a very important day. This is Tax Day. This is the day that we think about our investment in our country. This is the day that we say, you know what? Not everything the government spends money on I agree with, but I am happy that I am in America and can benefit from living in this great country.

Being an American is not free. If you have the income to help pay the dues, to pay the costs of this society, you should help. There is nothing wrong with it. It's not a punishment. Some of our Republican caucus friends will say it's a punishment or taxes are evil or they are bad or something like that. They shouldn't be higher than they are supposed to be, but they ought to be high enough to pay for the needs of the government so we don't have massive deficits.

□ 2115

And yet they have created these massive deficits that Democrats are trying to dig us out of right now.

So let me just say, as I begin to wind down—and just signaling to my Repub-

lican Caucus folks that if they're going to take the rest of the time, it might be a good time to think about getting up—the fact is that under Democratic leadership we passed a bill that would promote hiring incentives. We passed health care legislation that would promote health care and small businesses to be getting a tax credit in order to cover Americans to offer them health care. We have offered tax cuts to 95 percent of Americans.

Democrats believe in middle class tax cuts that are responsible and paid for. Democrats believe that it is progressive to put money in the hands of Americans when it doesn't explode deficits and when it does help spur demand and when it does help Americans meet their daily expenses. We're not in favor of huge tax cuts for people who don't really need them—and didn't even ask for them—but we are in favor of responsible tax cuts to middle class Americans.

So on tax day, I joined with you just the other day this weekend in signing my tax form. I owed this year, but as I said goodbye to my money, I knew that if it was going to take care of a kid who needed a meal or give a young soldier the equipment they need in defending our country or to help this country do better and be more effective, well, I'm willing to do that because I think it's my duty as an American to do so.

So with that, I yield back and thank the Speaker for the time.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. TEAGUE). Members must address their remarks in debate to the Chair and not to a viewing audience.

TAX DAY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Texas (Mr. BURGESS) is recognized for 60 minutes as the designee of the minority leader.

Mr. BURGESS. I thank the Speaker for the recognition. I thank the leadership on my side for allowing me to talk this hour.

Mr. Speaker, it is April 15. It is the day that we file our taxes, or in some cases we submit a request for an extension. In the interest of full disclosure, I did submit a request for an extension, not because—well, I will tell you, when I was practicing medicine when I was a physician, my taxes were a great deal more complicated than they are today. But even today it is difficult to keep up with all of those various pieces of paper that you must collect after a year's worth of living and deliver to your accountant in order that they may accurately and correctly assess your taxes. That is one of the things that has always bothered me. It is one thing to pay taxes. The previous gentleman said

it's one of our obligations for living in a free society; I don't dispute that—I may dispute the level at which he wants to see us taxed—but at the same time, I don't see why it always has to be so hard. I would like to give people another option, and that's what I want to talk about this evening, Mr. Speaker.

But, actually, first, I do need to talk a little bit about what we just heard over the past hour because it was a wonderful story; but, Mr. Speaker, maybe if we're going to tell stories we ought to start out with, "Once upon a time" and end up with, "And they lived happily ever after."

The gentleman was quite correct in quoting a poll that said only 12 percent of Americans believe that President Obama has cut taxes. But what do you think is the reason for that? Maybe it's because in the last 15 months taxes in this country have increased by \$670 billion and counting, according to the Committee on Ways and Means. Many of these tax hikes include taxes on people whom the President said during his campaign for the Presidency that people would not see a tax increase. And what are some of those? Well, the previous gentleman alluded to the fact that we just passed and the President just signed a massive health care bill. But, really, if we were honest in our discussion about that bill, we would call it a massive tax increase bill because honestly that's what it was. It didn't really have that much to do with health care, but it sure had a lot to do with taxes.

There is going to be a new tax on individuals who don't purchase government-approved insurance. And guess what? That tax will fall on Americans, some Americans who earn less than \$200,000 a year, violating the pledge made by President Obama when he was campaigning for the highest office in the land. Now, for most people that's not a great surprise because there were so many promises made that were not kept during that campaign.

Oh, remember things like, I'm going to take public financing for my Presidential campaign. Remember the great transparency hoax that was played upon the American people: oh, sure, we'll create a health care bill and I'll have everybody in around a big table and we'll invite C-SPAN in so you can see who's standing with the special interests and who's standing with the American people. Well, guess what? You didn't get to do that, did you, because that was another promise that wasn't kept.

Well, promises to not raise taxes on Americans earning less than \$200,000 a year unfortunately were one of the first casualties of this administration, and the sad thing is it continues to be a casualty of this administration.

What about the new tax on employers who fail to fully comply with the government health insurance mandates? That might fall on some people who earn less than \$200,000 a year. It's

not going to happen for a couple of years because they did stretch some of these things out in the health care bill; but what about the 40 percent excise tax on some health plans that cost over a certain amount of money? That's the health care plan that costs over a certain amount of money, but it may belong to someone who earns under \$200,000 a year or a married couple that earns under \$250,000 a year.

What about the ban on the purchase of some over-the-counter drugs for people who happen to have a health savings account or a health reimbursement account? What about the increase in Medicare tax on wages and self-employment income and the imposition of a 3.8 surtax on certain investment income for individuals who earn over certain amounts of money? These are significant changes that occurred in our Tax Code, but they were passed in a health care bill. That's why you didn't know about them; they were hidden in this bill that we passed last month.

Now, for some people, not for all, but for some people with high medical expenses, there is a threshold that has to be met. Your medical expenses have to be more than 7.5 percent of your adjusted gross income before those expenses are tax deductible. Now, to be sure, if someone's medical expenses are over 7.5 percent of their adjusted gross income, that's an individual who spent a good deal of money on medical care that year. You would think that we wouldn't want to punish that person further, but in fact that's just what we did in this health care bill. We raised that threshold to 10 percent. So that means people who have a lot of medical expenses will now have to spend 10 percent of their adjusted gross income before they can begin to deduct those expenses from their income tax.

We've imposed a new \$2,500 cap on people who contribute to their own flexible spending accounts. There is going to be a new annual tax on some health insurance policies. There's going to be a new tax on some pharmaceuticals; some of those taxes will fall on people who earn under \$200,000 a year.

How about this? A new excise tax on medical devices, a 2.3 percent tax on medical devices. These are class 2 and class 3 devices as defined by the Food and Drug Administration. So, okay, tongue depressors and Band-Aids will not be taxed, but syringes will be. Well, who's going to pay that tax on the syringes? Well, in all likelihood in that instance it is going to be the doctor in the doctor's office because doctors have very little way of passing charges onto the patient because most of their arrangements are contractual with insurance companies or with Medicare and Medicaid, and they're not going to pay the tax. It will be difficult to pass the charge onto the patient because those charges are capped. So, actually, that will be the physician's office that gets to pay those taxes. In fact, Mr. Speaker, everything from lasers to leaches

are taxed under this new excise tax that's coming on certain medical devices.

What if you earn under \$200,000 a year and happen to go to a tanning salon? Well, guess what? A 10 percent tax on that activity for you even though you earn under \$200,000 a year. And there will be a new tax on some self-insured health plans; and, yes, some of those may fall on people who earn under \$200,000 a year.

There will be new penalties for non-qualified health savings account distributions. Now, people shouldn't take money out of their health savings accounts unless it's for a health expenditure; but rather than just having that money then convert to taxable income, there is actually going to be a double penalty on those types of purchases. And the list goes on.

The other gentleman did this, so I'll do the same thing. As you can see, there is a significant amount of writing on this page of paper. No, you can't read it from your distance, but I did read many of the things that are contained on this page. And get this, get this: all of these additional taxes, and what did we hear the other day?

Someone floated the notion of a value-added tax, a VAT tax, as a way to deal with the deficit and some of the increase in Federal spending that's going to occur as a consequence of this health care bill that we passed. We heard it a couple of times last spring when we first started talking about this health care bill. Some people came on the Sunday shows and talked about—some people from the administration came on the Sunday shows and talked about a value-added tax, and then all of that talk was tamped down pretty quickly when that trial balloon was met with so much disfavor. But now that the bill has passed, maybe we will need that VAT tax in order to pay for it. That will be a tax increase on some individuals who earn under \$200,000 a year.

There is no question that unless this Congress takes some action before the end of the year—and quite honestly, I don't know where the time and energy will come for this Congress to do this, but the tax policies that were enacted in 2001 and 2003 expire at the end of this year. Many of those tax policies will affect people who earn under \$200,000 a year. The expiration of a tax policy means we revert to tax levels that were present in 2001. Guess what? That's going to be a tax increase on some people who earn under \$200,000 a year.

And what are we going to do about the inheritance tax, the appropriately named "death tax"? We haven't even talked about that. That is one of those other things that will have to be tackled before the end of the year. Time is running out. It's an election year. People aren't willing to do difficult things during an election year, so it becomes problematic as to whether or not those things will be fixed.

Mr. Speaker, it's often said that there is nothing certain in this life ex-

cept death and taxes. And I will tell you from the standpoint of a physician that sometimes death is less complicated than our tax system. Let me just give you an example here.

Most of us are familiar with the name Sam Rayburn because, after all, that's who the Rayburn Building is named for. Sam Rayburn was, in fact, my Congressman when I was a small child in the north and northeast Texas area. He served for a long time. When he first came to Congress back in 1913, he was part of a Congress that enacted the Federal income tax. Back in 1913, it was a bill by standards in those days, it was 400 pages. But look what's happened over time. By the end of the Second World War, it was 8,200 pages; by the time a man landed on the Moon it was 16,500 pages. In 1979, when Ronald Reagan won his second term, it was 26,300 pages. When the Republicans took control of Congress, it was over 40,000 pages. In 2004, 60,000 pages. And here we are today, 2010, and it is 71,684 pages long. That's a lot of Tax Code for people to keep up with. And as the complexity has increased, the cost for individuals to comply with their obligations under the Tax Code has increased as well.

And why has this happened? Whose fingerprints are all over all of these pages of the Tax Code? Well, it's the fingerprints of people here in the House of Representatives because under the Constitution all revenue bills have to originate with the House of Representatives.

The Committee on Ways and Means is charged with that tough duty and, as a consequence of trying to appease one constituency or punish another, we've added pages and pages and pages of complexity to the Tax Code. I dare say in various committees today there have been proposals discussed that would either punish or reward American citizens because, in trying to drive a certain type of behavior—maybe towards green jobs or renewable energy as we did in our Committee on Energy and Commerce today—we're going to drive things in a direction where we want the social transformation to occur, and we're going to do that with the Tax Code. Any time we want to punish a special interest group or reward a stakeholder, we add a new credit or a new law to the Tax Code.

□ 2130

The result is a Federal law that is literally fraught with opportunities for avoiding taxes. There are loopholes within the law that people will try to exploit, and some will do it quite successfully. For everyone who exploits a loophole and avoids taxes, some other honest American is going to have to make up that difference or is going to be added to the deficit, and that honest American's children or grandchildren are going to pick up the difference. So, these are things that are not done without consequence and that are not done without penalty. Now, think of this:

The Internal Revenue Service for fiscal year 2010, the current fiscal year, was appropriated an amount of money of almost \$12 billion—\$11.6 billion, so almost \$12 billion—to administer the activities of that Federal agency.

What is a comparable amount?

Well, I'll tell you that is more than what this country spent in defending itself with the missile defense program. Arguably, as to what may become our first line of defense against a rogue state or a nation that means us ill, we spent more on administering the Internal Revenue Service. Guess what? That is only going to increase under the health care bill that passed out of this House a mere 3 or 4 weeks ago.

In fact, within the health care bill, there are provisions for hiring—I do not remember the number exactly, but I think it was over 16,000 new agents for the Internal Revenue Service. We didn't really do much for hiring or for training new doctors or new nurses, but we did add a ton of new IRS agents to administer and to force the new Tax Code changes that were incorporated into that bill. As a consequence, you may have to go to H&R Block for your prenatal care.

The current Tax Code is a significant burden on all Americans. We spend billions of hours and billions of dollars complying, and that doesn't even count the billions of hours that we spend complaining about the Tax Code. The average taxpayer loses about 30 percent of his or her income to Federal, State, and local taxes. That is a greater share of income than is spent on food, clothing, and housing combined. According to the National Taxpayers Union, in 2009, American families and businesses spent almost 8 billion hours complying with the Tax Code. That is 8 billion hours that they weren't spending with their families or engaged in some productive activity. The cost of all of that time spent on complying with the Tax Code is estimated in excess of \$110 billion.

In addition to the lost time, last year, Americans paid nearly \$30 billion for help in preparing their taxes, using either software programs or tax preparation professionals. That is a little more than \$200 for the average taxpayer in the course of the year. Per person, that \$200 to comply with the Tax Code doesn't sound like a great deal, but we are in a recession, Mr. Speaker. Americans are struggling to make ends meet. Who wants to be in favor of making Americans waste money that they can ill afford?

The National Taxpayer Union estimates the cost for Federal tax compliance by corporations was nearly \$160 billion, which was 54 percent of the corporate income tax collected in fiscal year 2008. In other words, we are spending just as much to comply with the Tax Code but are collecting half as much. The time and money should be spent by families and businesses who are growing the economy and creating jobs.

I mean, after all, what is the one thing the American people want us to do this year? They really weren't so interested in health care. They were interested in national defense, but it still falls pretty low on the scale. The one thing they want us to do is to create a climate, to create an atmosphere, where small businesses feel comfortable about creating jobs and about adding employees. That's our number one charge this year—to grow the economy and to create jobs. It's so simple. I wonder why we can't remember that.

A Gallup Poll out today, Tax Day 2010, shows that 63 percent of Americans believe their taxes will increase in the next 12 months. Again, 63 percent believe their taxes will increase in the next 12 months. That's right. They're not buying that stuff that President Obama cut their taxes, because, as we know, he did not. Only 4 percent expect a change that will reduce their taxes. The tax climate is unsteady and unpredictable for Americans. In addition to not being right, that instability is one of the things that is responsible for the very poor showing we have had with job creation in the last 15 months.

Now, this is some polling done by a group called American Solutions. It is from last year, but I think it is still appropos to the discussion at hand.

Sixty-nine percent of people think that the Federal income tax system is unfair; 70 percent favor tax incentives for companies that keep their headquarters in the U.S. That is not a surprising figure, but look at this: 82 percent of Americans think the option of a single-rate system would give taxpayers the convenience of filing their taxes with just a single sheet of paper. That's 82 percent. As Ronald Reagan used to say, those 80 percent issues are ones that he likes to get behind.

The fact is, if the system were fair and simple, you probably wouldn't have such a high number of people thinking it's unfair. The fact is, if the system were fair and simple, you wouldn't have those billions of dollars spent in tax compliance. It would be pretty straightforward. Now, I talked a little bit about it with that opening list that I went through; but again, it is important to sort of underscore some of the changes that people are going to see this year, not 4 years from now but this year, as a result of the health care bill that was passed last month.

Beginning January 1, 2012, according to the Joint Committee on Taxation, ObamaCare will limit the medical expense deduction, which will raise taxes by \$15 billion over 10 years. Under current law, if out-of-pocket medical expenses, including health insurance premiums and medical procedures, are not covered by health insurance and if they exceed 7½ percent of adjusted gross income, these expenses are fully deductible, but it will increase to 10 percent under the bill that we passed. Some of the most expensive and comprehensive health insurance plans don't cover some high-cost medical procedures,

such as in vitro fertilization where the cost for the procedure and for the prescription drugs can run as high as \$20,000 per treatment cycle, and some families can have multiple cycles within a year. Those are the people who are going to be hit by this change from 7½ percent of adjusted gross income to 10 percent on most Americans. The Joint Committee on Taxation estimates this new limit will affect 14 million taxpayers—or 14.8 million taxpayers, 14.7 of whom will earn less than \$200,000 a year at the time that it is put into effect.

There are some things I would like to point out which Steve Forbes wrote in a book a couple of years ago, in a book on the flat tax. It's called the "Flat Tax Revolution." It's probably still available on Amazon. There are some interesting facts that he relates in the book of how Washington really just doesn't get it when they write tax law.

Quoting from the book, in 1989, Senator Bob Packwood requested a revenue forecast from Congress' Joint Committee on Taxation on a hypothetical tax increase, raising the top rate to 100 percent on incomes over \$200,000.

So, just as a study, just as an exercise, let's just see what their projection is if we just take all income, every scrap of income, away from people who earn over \$200,000. The Joint Committee on Taxation responded by forecasting increased revenues of \$204 billion in 1990—and again, these figures are somewhat old—\$204 billion in 1990 and increased revenues of \$299 billion in 1993.

Essentially, the Joint Committee on Taxation predicted that people would continue to work even if the government taxed them out of every penny they earned. It doesn't sound like they're living in the real world, does it? If you take every penny that people earn, why are they going to set their alarm clocks and go to work the next day? It's likely not going to happen.

A second point that they quoted in the book is that the Congressional Budget Office predicted that the 1986 corporate tax rate increase would raise government revenues from \$89 billion to \$101 billion. So this is over \$10 billion because of the increase in the corporate tax rate. Yet what actually happened is that corporations altered business practices, and revenues decreased to \$84 billion. So, instead of getting an additional \$10 billion, they actually scored \$5 billion less than they would have had they left the tax rate alone.

It's tough because Americans get that. They understand that. If you tell the average American, Hey, next year, your taxes are going to be 100 percent of everything you earn, they're going to say, Fine, I'm not going to work. See ya.

When we think about it, in our committees here in Congress, we say, Well, if you tax everybody at 100 percent, yeah, you're going to bring in some additional revenues. In fact, it will be significantly increased next year and the

year after that. Well, that's nonsense. That's not taking into account fundamental human behavior. If you take away everything from people, they're not going to show up for work the next day.

Now, we know what works when it comes to changing the Tax Code. We got a glimpse of it in Ronald Reagan's administration when he cut the taxes in half in 1986. As a result of that reform, the economy grew; revenues increased, and jobs were created.

Nina Olson, in writing in 2007 the National Taxpayer Advocate, talked about simplifying the Tax Code as one of her recommendations, and I'm quoting here: The complexity of the code increases the likelihood that honest taxpayers will make inadvertent mistakes. It creates opportunities for taxpayers to avoid paying their fair share of taxes and makes it difficult for the Internal Revenue Service to administer the tax system. Simplifying the tax law could improve the audit process and allow less of a taxpayer burden.

Well, what a phenomenal idea, simplifying the tax law. Now, who could be against that?

In 1981, there was a simple concept put forth by Robert Hall and Alvin Rabushka. This was revisited in 1995, 15 years ago, by my predecessor in this body, who was former Majority Leader Dick Armey, and most recently in the book that Steve Forbes published on the "Flat Tax Revolution." All of those authors were calling for the same type of tax reform in our Tax Code—that it be flatter, fairer, and more simple.

So what would it look like if we were to do something like that, flatten the tax and broaden the base? Okay. I want everyone to close their eyes and visualize that shoe box or that suitcase full of receipts you took down to your accountant, and then visualize the sheets of paper you're going to get back from your accountant that you're going to have to file unless you file online.

What if it were a great deal more straightforward? What if it were a great deal simpler?

That blueprint would be the flat tax. In fact, there has been legislation that was introduced early last year—H.R. 1040 for the individuals who want to look it up on Thomas. H.R. 1040 allows for a person to opt into a single-rate tax system, to opt into a flat tax.

Why would you have it as an optional? Why would you have it as an opt-in?

Well, we have created this Tax Code, remember, of many, many thousands, tens of thousands of pages, and we've done that to drive behavior in a certain way. So one of the things you wouldn't want to do is change things suddenly. After all, we've encouraged people to comply or to live these very complicated tax lives in order to get the benefits of the tax system. You can't very well just say, well, we're going to change everything overnight, but we

could allow people to opt in to a single-rate system. I, for one, would gladly do that. Even if it meant I paid more taxes, I would gladly do that and give up that shoe box full of receipts that I've got to sit down and go through every year with my accountant.

Now, a lot of people are concerned about the home mortgage deduction on things like a flat tax, but if it's an optional flat tax, then you make the decision. You know, the home mortgage deduction in some markets doesn't really amount to as much as it does in other markets. In some areas in Texas, the home mortgage deduction really may be as little as \$1,000 a year in real dollars saved by itemizing and going through that exercise with your taxes. In other markets, where real estate prices are quite, quite high—and there are still some of those markets in this country—then it may be prudent to continue with taking that mortgage deduction.

Let's give people the option. Let's give them the choice. If someone has constructed their finances around being in the IRS code, fine. They may stay there. Yet, if someone wants the freedom to get out from beneath that code, we ought to allow them the freedom to do so. We ought to trust Americans to be able to make up their own minds on what would work best for them.

□ 2145

Well, how would this form work? It's really pretty simple. Yes, you are going to need a little personal information. I know the sensitivities to that with the census right now, but some personal information so that the taxes can be properly allocated to the proper individual. Income on one line: wages, tips, compensation. But this does exclude interest, dividends, and capital gains. Interest and dividends would be taxed at the point of origin, not at the point that they are received by the individual. Personal exemptions.

This form was drawn up a couple of years ago. These numbers, in fact, depending upon how incomes have grown, may change a little bit. But essentially the first \$36,000 for a family of four would be exempt from income taxes. Married, filing jointly, \$25,580. Single head of household, \$16,330. Number of dependents multiplied by \$5,510. Add those all up. Taxable income, line 1, all income; minus deductions, line 3; line 4, calculate the tax; multiply line 4 by .19; taxes already withheld, subtract that, get a refund or the taxes you owe.

What did that take? Thirty seconds? Forty-five seconds? I read fast. The print was large. How different is that from what you just went through with your accountant? How different is that from what you have been doing with the Tax Code?

If we gave the people the option of simplifying their lives or continuing the Tax Code, I think that over time you would see so many people leave the Code and opt for a simplified system as

their lives became more simple, and you would no longer have the need for this great behemoth of an agency we now know as the IRS. It would just simply be a collection, a clearinghouse, for receiving these forms and tallying up the bills.

Now, I went through some of the calculations on the number of hours, the number of dollars. There is no way to calculate, no way to calculate, the hours of stress that the current IRS Code imposes on average, law-abiding Americans. It's impossible to calculate or quantify the number of migraine headaches or tension headaches that are caused by trying to keep up with the IRS forms.

One of the things that people tell me repetitively is, yes, they want to save money where they can, but one of the things they really want is they want some time back in their lives. How important would that be to give that time that is now devoted to compiling and going through check stubs at the end of the year and keeping receipts and keeping up and chasing papers all over the house and trying to run down expenses that you didn't keep up with and now you're trying to go back and recreate those trails—how about giving all that time back to Americans who would prefer to be under a flat tax?

You really do eliminate the special preferences. No double taxation of interest and dividends. This bill creates a single-rate structure. No taxes on dividends. No taxes on savings. We are told all our lives we have got to save money, and how insulting is that when passbook savings rates are extremely low but, on top of that, you have got to pay 25, 30 percent of that in income taxes? It erodes the incentive for saving.

I will give you an example. When I was in the practice of medicine, I thought at one time I need to keep 3 months of what it would cost me to run my practice. I need to keep 3 months in cash where I could get to it quickly if I needed to in order to keep the wolf from the door, if things weren't going well financially.

So I did that, and I got through the year, and everything went okay. And what I found was I was paying the business tax then on that money that I had kept in the business, and when that money was eventually distributed to the partners, the doctors, it was taxed again. So we were doubly taxed on that money.

I didn't do that very long because there's no reason to do that. Tax the money only one time when it's distributed to the partners. Otherwise, there's no reason to keep the money in the business and have to pay taxes on it twice, once when you earn it and once when it's distributed.

But the behavior behind wanting to keep 3 months of operating income, operating capital available to me, that was a good concept. It that was a sound concept. But the Tax Code punished me for doing that. The Tax Code punished

me for sound thinking. The Tax Code punished me for being reasonable.

Now, doing the tax via a flat tax would also remove the Clinton tax on Social Security earnings. And one of the things that really got me thinking about the flat tax when Congressman Armev wrote the book in 1995 and introduced the legislation, the tax year 1993, just out of pure serendipity, out of pure coincidence, Bill Clinton's first year in office as President of the United States, he and I earned about the same amount of money. I think I earned just a little bit more, but I may have had a better year.

Of course, the President's income tax filing and the amount of income taxes the President paid were public knowledge. That was printed in a story in the newspaper. So I did a very simple calculation. His salary was X. This was the amount of money he had paid in taxes. So what percentage of his salary did he end up paying in taxes? And the number was within a percentage point or two of around 20, 21 percent. I did the same for my taxes, and I paid 31 percent.

So that led me to a conclusion that there was within our Tax Code the Clinton paradox. Why should two people who earn essentially the same amount of dollars pay a substantially different tax rate?

A flat tax would make a great deal more sense. There would be no reward for perhaps a questionable deduction from your income tax; and, at the same time, we could give people back a significant amount of their time and energy during the course of the year with keeping up with receipts and that quality time that we all spend with our accountant every year. So I credit President Clinton with making me a believer in the concept of a flat tax, because it really came home at that point.

What would happen with a flat tax? You think savings would increase if we stopped punishing people for saving money? It might. Businesses also would be taxed at a flat 19 percent with deductions for goods and services, materials, wages, salaries, and pensions and the purchase of capital equipment, structures, and land. And those capital outlays would be immediately expensed. We saw the power of that in 2003 when the tax policy of 2003 was enacted.

You know, in 2003, a lot of people don't remember it now but we were having trouble with the unemployment rate being high. I think it was up to 6 or 7 percent. And it was a terrible thing that it was that high, and President Bush was to blame for this, and we really needed to hold him accountable for this high unemployment rate.

So, okay, he did something about it. He did something about it with a change in the Tax Code, and that was passed in May of 2003. It was a contentious vote when it happened. But after it passed, by July of 2003, job creation started on an upward trajectory; and

really, until September of 2008, every quarter there was an increase in the number of jobs created in this country.

We have got to create between 120,000 and 150,000 jobs every month in this country just to keep up with people that are entering the workforce. So that was an extremely important change in the Tax Code, and one of the things it did was it allowed for immediate expensing of capital outlays rather than a long depreciation schedule in businesses, that the cap on capital outlays was increased significantly, from \$10,000 to \$30,000. The result was businesses did go out and make that capital investment, did improve their businesses; and, as a consequence, the tax receipts really increased. Jobs increased. And it appeared to me that that was a sound way to go about dealing with a downturn in the economy.

And, Mr. Speaker, I frankly do not understand, do not understand why we will not undertake similar policies today with our unemployment hovering around 10 percent. And one of the most pernicious aspects of that is young people just completing their education are ending up in the ranks of the unemployed and they are losing those early productive years, which may have a deleterious effect on the remainder of their productive lifetime.

It seems like almost any group with whom you speak, regardless of the age demographic, the beginning of the working years in the late teens and early 20s, the pre-retirement age, or those in between, everyone is having difficulty. Every one of those demographic groups is having trouble finding work. And, as a consequence, we are creating what may well turn out to be a longitudinal problem that, should we take the time to solve it now, would really be to our great benefit.

The long-term unemployment numbers are startlingly high. The unemployment numbers for minorities are startlingly high. The unemployment numbers for people who are in their late teens and early 20s are startlingly high. Why wouldn't we consider something that worked as recently as 8 or 9 short years ago? In fact, those policies are going to expire, and we may well make things worse rather than better.

One of the things that I do want to address, and we heard this in the last hour, on Tax Day 2010, are you better off this Tax Day? The little cartoon here says, "I'm sorry, sir, but you can't claim Citibank, Goldman Sachs, AIG, Bank of America, Wells Fargo, Fannie Mae, Freddie Mac, GM, and Chrysler as dependents." So are you better off this Tax Day? You answer the question.

There is an option that we could take to fundamentally transform the tax system in this country, and it would be liberating for individuals and businesses alike. Fundamental tax reform in this country is something the American people are crying for. Eighty percent, according to the American Solutions Study from a year or two ago, want us to do something about that.

Through both Democratic and Republican majorities, we have talked about it, but we haven't taken that work on. President Bush convened a tax panel during his second term. The result of that was disappointing. The recommendations were all over the place, and no one really proposed legislation as a consequence of that tax reform panel.

It is incumbent upon this Congress, the next Congress. Regardless of which party is in the majority, it is incumbent upon them to come to some realistic conclusions about simplifying the Tax Code. For too long we have put this burden on our citizens in order to get them to comply with what the previous speaker said was our obligation for living in a free society, and that is the payment of income taxes. For too long we have made that too difficult. We have made that too onerous. And, as a consequence, we have had a deleterious effect on our economy. Right now, our economy is suffering. We would do people a great service by simplifying the Tax Code, unleashing the power of the American economy.

Look, this economy is too vibrant to keep down for too long. Even the United States Congress is not capable of keeping this economy suppressed. The economy will recover. But the recovery will be more robust and more prolonged if we will create a sensible tax policy to go along with that recovery.

□ 2200

THE DIRECTION THAT THIS NATION NEEDS TO GO

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Iowa (Mr. KING) is recognized for 60 minutes.

Mr. KING of Iowa. Mr. Speaker, it's a privilege and honor to have the opportunity to address you here on the floor of the House of Representatives. And having listened to my colleague, Doctor and Congressman BURGESS, speak in the previous segment in the previous hour, I'll pick up on some things that are on my mind and see if we can clarify the direction that this Nation has taken and the direction that this Nation needs to go.

This is tax day, April 15. This is the day that there are a lot of bleary eyes from people that have stayed up way into the night trying to do their own taxes. We have some people out there that have borrowed the money to pay the tax preparer so that they can file their taxes on time. And we have people that have paid the tax preparer to file an extension because they couldn't get their paperwork in on time.

We have a huge amount of American dollars that are invested in paying tax preparers and doing tax preparations. And I often think about this economy that we have and ask the question, you know, what about these sectors of the

economy? Is there anything contributed to the economy by paying accountants and IRS agents to collect money?

And I'll argue that the White House gets it wrong. The President's economic advisers get it wrong. They seem to believe that this economy is a giant chain letter, and if they can just go into the U.S. Treasury, or borrow from China or borrow from the Saudis and dump a few hundred billion or a few trillion dollars into this economy and give a lot of it away and get people to spend the money, or do it on contracts and the shovel-ready projects, which actually are some of this that has the least amount of demerit and some merit to it—they seem to think that throwing these dollars through the economy stimulates the economy and then we grow.

But the flaw in that premise is this, that, you know, this economy isn't built on spending. It's not built on something that's viewed by the White House as a giant chain letter, where you just dump in the hundreds of billions of dollars, and somehow we go out and spend money and the economy spends. That's the Keynesian economist approach. That's the approach that John Maynard Keynes actually rebutted himself back during the thirties when he said that he could solve all the unemployment in the world.

Now, remember who Keynes was. He was an economist who was a contemporary of Franklin Delano Roosevelt. And he was credited with producing the concept that if you have a shrinking economy, you can stimulate it by borrowing money and spend; the Federal Government can dump that money into the economy and have that flow through the economy and stimulate it.

Now, John Maynard Keynes made the remark about the early or mid-thirties that he could solve all the unemployment in the world. This is how good this Keynesian economics approach it is, that he would solve all the unemployment. This is the author of his own program, of course. He would solve all the unemployment in the world this way. If he could just go to an abandoned coal mine and go out into that abandoned coal mine with a little drill rig and drill a whole bunch of holes out there across that coal mine, and then he'd take American currency, cash money, greenbacks, and then bury them down in these holes in this abandoned coal mine. And then Keynes went on to say, he'd fill that whole coal mine up with garbage.

Now we would have an abandoned coal mine with holes punched in it with drill rigs all over the place, presumably in some kind of grid pattern or random pattern, these holes all full of cash, hundreds of feet of garbage piled over the top of it. And he said he could solve all the unemployment in the world by just simply now turning the world's entrepreneurs, or the American entrepreneurs, loose to go dig out the garbage, dig up the money and take the cash.

That's pretty similar to what you're talking about with these Keynesian economics. You try to get people to work to do things that are make-work. And the President himself said, we're not going to pay people just to dig a hole and fill it back up. I thought that that was an interesting metaphor or way to compare that since I've spent my life digging holes and filling them back up. And I can tell you that it pays if you're digging the hole for some purpose, that builds something that has value.

Our economy, our economy, Mr. Speaker, needs to be built upon the foundation of increasing our productivity. Americans have to make things. We have to produce things. We have to expand services so that our economy grows.

If you think of it in terms of what it would be like if we were still back in the tribal village, and if we didn't have any money to work with, and we had to trade, how do we grow wealth?

Well, some of us would make bows and arrows, and some of us would make the arrowheads, and some of the people would skin the hides and make the clothes. And pretty soon we'd find out that some are good at one thing, others are good at another thing, and then we start to trade these products back and forth, and we have clothing, and we have weapons, and we have utensils, and we have gardeners, and we have hunters and people that specialize. And after a while, this wealth builds because we acquire material goods that increase.

First they provide the necessities of life, which the simplistic term is food, clothing, and shelter. And then we add to our material goods, all of this out of the wealth that comes from producing something that has value and trading it or selling it and then taking the money and buying something from someone else for something that has value to us. That's how this economy works. And it's got to be based on our productivity. Americans have to build things. We have to make things.

And here we are on tax day with these millions of Americans that have filled out their forms and spent their money to do so so that they can do their best to comply. And a lot of Americans that don't want to walk close to the edge of complying with the IRS, they don't want to face an audit, and so they perhaps pay a little more in taxes than they owe because they don't want the question to come up.

Frank Luntz produced a number that was pretty interesting to me, and it was this: that 58 percent of Americans would rather have a root canal than a tax audit. I didn't ask him if that was without anesthetic. For me, I'd take the root canal without the anesthetic before I would want to go through a tax audit. But a lot of the American people today are very concerned about a potential tax audit, so they're paying a little more taxes than they might otherwise.

They had to file. They drop it in at the last minute. And we have post of-

fices that will close at midnight tonight so that people that are hustling up to fill out their tax returns can drop those in and get them postmarked by midnight. And that will be advertised, and they'll plan it. And procrastination will take place. It's not something we enjoy doing.

This day, this day that the 16th amendment enabled all those years ago was a day that brought tens of thousands of Americans into this city, and they have been demonstrating and rallying and giving speeches and singing God Bless America. These are true patriotic Americans that are here in this city today. And they're at over 700 locations around America.

We're going to try to get a real count on how many Americans came out today that carried an American flag, that brought up the new standard of the constitutional conservatives that are the new majority makers for America. The new standard is an American flag and a yellow Gadsden Don't Tread on Me Flag to fly. That Don't Tread on Me, it carries a message that adds to Old Glory. And I am very, very happy to tell you, Mr. Speaker, that I have one flying outside my office at 1131 Longworth. Anybody that walks by there that sees that flag knows where I stand. That's the new standard of liberty. It's a new standard of freedom, and it supports and defends the United States of America. It flies with deference to Old Glory, and it supports and defends the principles that are in the Constitution and the principles of free enterprise and free enterprise capitalism.

I would wonder, watching the activities and the behaviors at the White House over this last year and a half or so, if they actually would agree with one of the questions that are on the naturalization flash cards that are put out by the U.S. citizenship immigration services. These are the people that provide the services to naturalize new legal immigrants to become American citizens. These flash cards, a stack about this thick, Mr. Speaker, and nice little glossy things about like that. And I regret that I didn't bring one over here.

But there are around 120-or-so questions, and it'll start out on the one side of the flash card, you can read it and it'll say, Who's the Father of our country? And you snap it over the other way and it'll say, we know this, Mr. Speaker, George Washington.

You look at one side of another flash card and it will say, Who emancipated the slaves? Flip it over to the other side: Abraham Lincoln.

Now here's the one that might stump the White House today. And it's this: What is the economic system of the United States of America? Flip that flash card over: free enterprise capitalism.

□ 2210

Haven't seen a lot of that going on out of the White House in quite some

time. In fact, when I look at what has been happening out at the White House, it starts with this. At the tail end of the Bush administration—with the full support and endorsement of then-candidate and United States Senator Barack Obama and now President, we saw the Secretary of the Treasury Henry Paulson come to this Capitol September 19, 2008. And he came into our closed-door session and he said, You need to give me \$700 billion, and you need to give it to me now. And if you ask any questions or if you try to amend my request in any way, you'll mess up the works. But what's bound to happen or what could be happening is we could see a complete meltdown of the global currency and the confidence and capital and collateral, and we could see the entire world money supply fall apart if they lose this confidence.

So he said, Give me \$700 billion, give it to me now, and if you have any ideas, they will not be as good as his own ideas. He said that he'd been watching this now for, I believe he said 13 months and we had only been watching it for 24 hours—some had—therefore, his ideas were a lot better than ours and his should not be questioned. And to come to this Congress and ask for \$700 billion of the taxpayers' money without an assurance that his plan, if he carried it out and he got the money, would actually work. Well, that was the TARP proposal. Seven hundred billion.

The Congress eventually authorized and appropriated \$350 billion in one chunk in early October, I believe it was, of 2008 and another \$350 billion to be reauthorized by the next Congress, people to be elected later, approved by people to be elected later and approved by a President to be elected later and a Secretary of the Treasury to be confirmed after his tax problems later.

So that started this, \$700 billion in TARP. And we saw in rapid-fire succession behind that came the nationalization of three large investment banks, government takeover of three large investment banks.

Then we saw, while this was going on, government takeover of the insurance company, Mr. Speaker, AIG, to the tune of about \$180 billion dumped in because, remember, these entities are entities that are too big to be allowed to fail.

Now, that's a new concept for America. We never had that concept before. All through our history books and the current documents, I know of no place where we had come to a conclusion that these businesses were too big to be allowed to fail and so, therefore, we were going to prop them up with taxpayer dollars. But that is what happened.

\$700 billion in TARP; three large investment banks nationalized, taken over by the Federal Government; AIG nationalized, taken over by the Federal Government; Fannie Mae and Freddie Mac taken over by the Federal Govern-

ment; and, by the way, formally locked into that full nationalization by Executive order of the President right before Christmas last year. And that saddled the American taxpayers with a \$5.5 trillion contingent liability in addition to the capital that had to go in to prop up Fannie and Freddie—and never mind all of the people that got rich out of that, including the Chief of Staff at the White House.

So we don't know what happened in all of those places because the chairs of the committees here in this Congress control the investigations of this Congress. But we saw \$700 billion in TARP, three large investment banks nationalized—AIG nationalized, Fannie Mae, Freddie Mac nationalized.

By now, Mr. Speaker, people are nervous, but they think they've elected some folks who understand high finance better than they do. This is a constitutional Republic, and we are to elect people to this Congress that owe the American people our best judgment and our best effort. And they trusted that best judgment and best effort and they trusted that we had access to more information and we'd use our good judgment.

But when the Federal Government got into the nationalization of General Motors and Chrysler, all almost simultaneously, the American people began to lose their faith in the judgment of the White House and their Congress and their government. Because even though the American people may not have confidence that they understand investment banking and high finance and insurance and the secondary mortgage market, the Fannie and Freddie components of this, the American people understand cars. We love our cars. We especially love our American-made cars. We love them. We drive them. We fix them. We show them. We collect them, and we make them.

And we know that if you want to make an automobile and sell a lot of them, it takes a lot of dealers to sell them. Anybody's intuition can tell them that if you go out in your garage or up in your attic or out in your shop and you invent the master widget and you patent that master widget and decide you're going to sell that widget across the country and the world, what you do easily is first lock down your patent, set up your manufacturing so you can meet the demand, and then you go out and set up dealers. And if you want to sell a lot of widgets, you have to have a lot of dealers, and you have to support and promote your dealers.

But when the Federal Government came in with a bankruptcy settlement that cut the numbers of dealers by 3,400 dealers in America, the American people know that the automakers didn't have a financial burden with the auto dealers. The auto dealers owned their franchises. They supported themselves. They paid for the services that they got out of the automakers. And for the White House to decree that there was

going to be 3,400 dealers that got shut down in America, not only was that an unjust taking of the property rights of their franchise, but it also brings about sales of less automobiles. You can't sell more cars with fewer dealers even though they'll say, Well, we had bigger and better dealers that were healthier. That is not the point.

A lot of car dealers are face-to-face, retail marketing, neighborhood niche marketing. That service that goes on between the restaurant and the church and out there in the dealer's lot, a lot of that got shut down. But the American people saw that happen, Mr. Speaker, and then they really lost their faith in the judgment of the White House and this Congress and the Federal Government and they began to pay attention.

And we saw bankruptcy terms that were dictated by the White House, and when that was presented to the bankruptcy court, there wasn't a change that was made by that court. They accepted the terms that were dictated by the White House.

And we had a car czar at the White House that was 31 years old that had never made a car, sold a car, I don't think fixed a car—I don't know if he owned one, and if he did, I don't know if it was an American car. So all of this brings a high degree of nervousness on the part of the American people.

And then they see the President of the United States go down there and do his glad-handed grip and grin with Hugo Chavez of Venezuela. When I saw those fellows standing side by side with this grip and grin of this two-handed handshake—the old buddy handshake—I looked at that, and someone asked me in the Washington Journal program—I believe it was the following morning—what that made me think. Well, I thought a lot of the things that other people thought, but I also thought that Hugo Chavez is a nationalizer of the businesses that he's taken over in Venezuela, including a cargo rice plant not too long earlier than that. He is a piker when it comes to nationalization compared to our President, Mr. Speaker.

Three large investment banks nationalized. AIG nationalized. Fannie Mae and Freddie Mac—formerly private, marginally quasi-government at the time—nationalized. General Motors nationalized. Chrysler nationalized. The CEO of General Motors fired and replaced by the President of the United States. The President of the United States appoints all but two of the board members of General Motors.

And the shareholders, the secured creditors saw their assets in those companies wiped out. Even though they were secured assets, they wiped them out and they handed share ownership of 17½ percent of General Motors over to the unions. And the Speaker of the House, Mr. Speaker for the evening, made the statement going into this that she would not give bargaining leverage to the automakers over the

unions, and that is the way it shook out. The unions got bargaining leverage over the automakers. And now we have a Federal Government that is running the car companies, and the unions have an ownership share, at least in General Motors, to a significant amount, 17½ percent is my recollection.

And then on top of that, if you're a government, a Federal Government, and you're running a car company like General Motors or Chrysler and you're having trouble competing, you're also running the regulatory organization.

□ 2220

So I am not, Mr. Speaker, suggesting that I know anything that the American people don't know about what might have brought about the intense scrutiny of Toyota that cost them at least a \$16 million fine for their throttle and untold amounts of negative publicity on their throttle control and a number of other things.

But I will only submit, Mr. Speaker, that I have the American people coming to me on a regular basis and ask me if that intense scrutiny of the regulators on Toyota couldn't have something to do with the need of the Federal Government to see General Motors and Chrysler succeed, perhaps, more.

I don't have any evidence that would suggest that. But the appearance of impropriety certainly exists, Mr. Speaker, and the American people don't want to see one-third of their private sector activity nationalized and taken over by the Federal Government. But that's what's happened, one-third of the private sector activity swallowed up in those eight entities that I talked about.

Oh, and by the way, on the tail end of that is \$787 billion in this thing called the economic stimulus plan, of which 6 percent of Americans think actually worked, 94 percent believe that it didn't help and didn't do any good.

Now, this is a pretty sick scenario, \$700 billion in TARP, \$787 billion in economic stimulus plan, eight huge national entities nationalized—and these are net private entities that are nationalized—one-third of the private sector activity nationalized. Now where are we? Now we get to ObamaCare, and ObamaCare is another 18 percent that was formerly private. Now it's under the auspices of the Federal Government, command and control and regulate.

Yes, some will say that these are private insurance companies, and it's not the Federal Government. But the Federal Government will effectively cancel every health insurance policy in America and reauthorize only those that meet the new standards that will be written, not the standards that we have today.

The options that the American people have will be diminished, not increased. American freedom will be diminished and not increased. The costs will go up for these premiums, because

the Federal Government will impose more and more mandates on these health insurance policies. They will require that every health insurance policy covers contraceptives, and they will require that it covers mental health, and they will require piece after piece after piece, and one of these is require that health insurance policies cover the children up to age 26. Huh. I didn't really raise a family with the idea that my kids would start to grow up at age 26, and the law has been that 18 is a good place to say that they are grown up. Now, we like to keep them around longer than that and get them a college education and transition them into adulthood, but we do not need the super nanny Federal Government setting a 26-year standard because somebody in this Congress thought it was a good idea.

I had a young man come to me this afternoon at one of the Tea Party rallies; and he said, well, I am 23 years old. Don't you want me to have insurance under my parents until I am 26? And I said, no, I want you to grow up. When do you think you are going to be an adult? You are not one yet at 23?

I mean, well, then why 26? Why not 28? Why not 32? Why not all the way to Medicare eligibility? Then you have got the whole thing covered.

This is the mentality that's going on. This is a President that believes in single payer. He said so over and over again. He debated Hillary Clinton, who was for single payer. The bill that she brought back to this Congress in 1993 and 1994 was single payer. That means that the Federal Government pays it all.

They got all they could get to toss us into the abyss of socialized medicine. They went as far as they could go. They imposed a bill on the American people, that ObamaCare bill that about 3 weeks ago passed off the floor of this House and went to the White House for his signature. On the day that it passed this House and went to the White House, it could not have passed the United States Senate. On the merits of the bill, it sure looked to me like it couldn't pass the House either, Mr. Speaker.

But, nevertheless, ObamaCare became the law of the land, and it's going to take 4 years to implement the socialized medicine policy, but immediately the tax increases kick in. And so I will lay out a better sequence, I think, Mr. Speaker, and it is this.

The American people are rising up. They have filled this capital city up time and time again. They did so on November 5 of last year. They did so on November 7. They did so the previous 9/12. The day after September 11, the 9/12 Project Group, hundreds of thousands came to this city.

They are doing it again. This coming September, there will be other rallies across the country. The tens of thousands that are here in this city today are multiplied across some 700 locations, thousands and thousands of peo-

ple that I think will add up into the millions that come to the streets and say, enough, I have had enough. I have had enough of watching my country run into the ditch. I have had enough of watching this overspending, this irresponsible increase in our spending without regard to trying to balance a budget or any sense of fiscal responsibility.

If you simply want something for your constituents and you sit on Appropriations Committee or you are in tight with the Speaker or you have somebody, then a staff that can write that number in for you, the spending just comes, and we will see.

We will see again no appropriation bills probably come out of this House, no budget probably come out of this House, because if we passed a budget, however irresponsible the budget is, it still is a spending constraint and a debate point. So they are going to avoid a budget and just spend all the money they want to spend. But they have a little trouble because there is an election coming and the American people are getting real savvy to these tricks.

So what I think will happen will be we will see a continuing resolution or several of them that deal with these appropriations components, kick the can down the road. Then there will be an election in early November, and then I think they come back with an omnibus spending bill that will take these continuing resolutions, these CRs, as we call them, and stack it up in about 3,600 pages and someplace between 500 billion and a trillion or more dollars will get spent. And there won't be any amendments allowed, and there will be a limited amount of debate, and, once again, the American people will not have the opportunity to scrutinize what's going on here in this House of Representatives.

I suggest this, that I have a bill that's called the CUT Act, to cut the unnecessary tab is what CUT stands for, cut the unnecessary tab, the CUT Act. And it recognizes that there is an upward spiral of spending that's naturally built into this system. The President proposes his spending. The House, by Constitution, has to start the spending here. If the House doesn't want to say no to the President of the United States, they just simply take the President's proposed budget and add the things into it that they want, and they send it over to the Senate, who doesn't want to say no to the President and doesn't want to say no to the Speaker of the House or the will of the House. So they simply accept the spending that's come from the President, increased by the House, and they stack their spending goodies on top of that.

The Senate is really good at adding lots of billions of dollars, and now it has to come back around to the House where the Speaker will not want to say no to the Senate or the President again. So it will jack up the spending

again, and the bill will go to the President's desk, and we will go deeper into debt.

That's the spending spiral that happens when you have a ruling troika, Mr. Speaker. That's when the President of the United States, the Speaker of the House, and the Majority Leader in the United States Senate, all of the same party, all with super majorities—well, HARRY REID is just one short of that super majority over there—the three of them could go into a phone booth and decide what they want to do with, to or for America.

What has happened has been a sad, sad state of affairs indeed, irresponsible spending, ObamaCare, unconstitutional, and in a whole number of ways, no budget coming forth, the tax cuts that were so important in stimulating our economy back in 2003, that would be those cuts that were signed into law May 28, 2003, the second half of the Bush tax cuts. Those tax cuts are set to expire at the end of this year.

Right now, Mr. Speaker, it's a good year to die, because there is no inheritance tax. However, it goes back to a super high rate the first of next year, and no action has been taken.

And even though we have a bit of an extenders package today, there is nothing there for the blenders credit for biodiesel, and it's hanging our capital investment out to dry. The people that have followed the direction of the Federal Government and risked their capital, when the government put out the message that was we want to see renewable fuels developed in an industry and to replace at least in part gasoline, we built an industry, the ethanol industry, the biodiesel industry. In fact, the first legislation that I drafted and introduced as a new Member of Congress was that blenders credit for biodiesel.

□ 2230

And these biodiesel plants now, with hundreds of millions of dollars invested and hundreds of thousands of employees altogether, have shut down, many of them, perhaps all of them in my State are shut down and they are being mothballed. There is silence there where there was production before, 24/7 production in many of their cases. Now it's silence. You might hear a fan run. It's a cooling fan; that's about it. They have to make a decision on whether they walk away and cut their employees loose and leave them unemployed and lose that good core workforce or whether they try to eke it out and stay in. And this Congress has an obligation to turn that card over and get that blender's credit passed so that the 14 plants that I know of in Iowa that are shut down that are viable with it can get up and running again. One of those plants is being dismantled and shipped to India.

I make this point to the Speaker and the environmentalists that are in this Congress, that if it's your idea to build a second generation of renewable fuels,

such as cellulosic ethanol or sugar-cane based or whatever it might be, unless we have a viable first generation which we have built—and it's not viable today without the credit—if we don't have a viable first-generation renewable fuel, then we're not going to be able to build a second generation. You cannot attract capital to that industry when government doesn't keep their word. And this time it has gone on too long; it has gone on since the first day of this year.

This is the 15th of April. That's January, February, March and half of April, and all of those have been money-losing weeks for the people that stepped forward to do the bidding of the government. So I'm hopeful that we get that turned around and get that passed out of this House and we do so soon and send that component at least to the President. It is a responsibility, and it is irresponsible to just kick the can down the road.

But, Mr. Speaker, I take us back to ObamaCare. And what is the solution? First, I think I should go through a list of some of the things that are wrong. A half a trillion dollar cut in Medicare punishes our seniors. I represent, I believe, the most senior congressional district in America. A half a trillion cut, and what happens? AARP, or the American Association of Retired Persons—or People—cut a deal with the White House to support a half a trillion dollar cut to the benefits to their members. And why? I think it's because the bill mandates that people buy insurance, and AARP is in the insurance business. I don't know that, but I would sure like to hear the straight story about what went on back there with the President and Rahm Emanuel and the representatives of AARP.

I'd like to know what went on with the health insurance companies, why so many of them supported this. This is anathema to their beliefs. But could they have just concluded that the Federal Government is going to compel everybody to buy health insurance, therefore it's a bigger market for them? And why would they feed the alligator, hoping that they get eaten last? Haven't they seen the pattern? Do I need to explain that, Mr. Speaker? Okay, I will.

I'm glad that you nodded in the affirmative. And that would be this: back in the sixties—I think the year would have been '62 and '63—we had at that time all of the property and casualty flood insurance in America was private, not government. And because we had had some floods, there was an argument made in this Congress that the Federal Government should provide all the flood insurance—or should provide, excuse me, competition in the flood insurance business. And so the Federal Flood Insurance Program began just to keep the insurance companies honest and make sure they could provide the flood insurance that was necessary in the flood plains that we had.

So one would think that the Federal Government would set up a little com-

pany and sell flood insurance and these other companies would just get more competitive, leaner and meaner, and more of them, perhaps, and we would have good flood insurance in America. But what happened was the Federal Government squeezed out 100 percent of the private sector property and casualty flood insurance so that today, Mr. Speaker, if you want to buy flood insurance for your home or your office or your factory or your farm, or whatever it might be, you have no choice but to buy that flood insurance that's provided by the Federal Government. That's what has happened. One hundred percent of the private sector in 1962, and over a number of years the Federal Government swallowed up all of the private sector flood insurance.

Now, one might say this is an anomaly, it really isn't a pattern, it was a circumstance, it had special circumstances involved with it so we can't anticipate that the Federal Government will swallow up the health insurance industry. Well, here is the definitive irony, and that is this: years ago—about the time that I was going to college anyway—I believe that all of our student loans were private, not government. And then government decided they wanted to get into the business, so they took a chunk of the student loans over. But they said, oh, we don't want to own it all, we don't want to run the whole thing, we just simply want to provide some competition here because that will make everybody better. I don't know why anyone would think that the private sector doesn't provide enough competition, and I will talk about that in a moment, Mr. Speaker.

So when the Federal Government got involved in the student loan business only to provide some competition and do a segment of the market and let them compete against each other, a lot of us said, no, the Federal Government is positioning themselves to take over 100 percent of the student loans program. And however that was denied for some time, it hasn't been denied in this Congress since Speaker PELOSI picked up the gavel, not by the other side of the aisle, not by GEORGE MILLER. It was his goal all along, and he will tell you that he's been honest about that. But in any case, that's what happened. Written into the reconciliation package of ObamaCare was the final nail in the coffin to anything except Federal student loan programs. The private stuff was all swallowed up, it's wrapped up, it's packaged up, and it's wiped out.

So we have examples before us: flood insurance, formerly 100 percent private, Federal Government got involved in that, now it's 100 percent government. You have the student loan program that was formerly 100 percent private, the Federal Government got involved in that, now it's 100 percent government. And here we are, the health

insurance program, where the President of the United States has consistently said we don't have enough competition in the health insurance industry so he just wanted to start one more company, a Federal health insurance company, just to provide some competition. No, it would never replace all those other companies, just to provide some competition. Now, here are some facts that I mentioned that I would bring out a few minutes ago:

When ObamaCare passed, we had 1,100 health insurance companies in America, 1,100. That's not a mistake; it's not a decimal point out of line. We have—or at least a couple, 3 weeks ago had that many companies, 1,100 health insurance companies selling right in the neighborhood of 100,000 possible health insurance policy variations. So if you go shopping out there, 1,100 companies, 100,000 policies and 50 States—and, yes, you can't buy in all those because buying insurance across State lines is not something that has been accepted.

So, simply, if you wanted more competition, you would allow people to buy insurance across State lines and you would end this question. But the President's idea was create some Federal competition because what happens is when the Federal Government gets involved, then they turn in and they subsidize. And when they subsidize, then no private sector can compete with them. Oh, and by the way, a little known tidbit fact, the Federal Flood Insurance Program that they run 100 percent of now is \$19 billion in the red. So the premiums don't reflect the risk, and people continue to build in the flood plains out of proportion to the high risk that's there, and we have more and more property that we have to protect with Federal taxpayer dollars, and it just snowballs, and it gets worse and worse and worse.

Well, ObamaCare drives up cost, it discourages research and development, it will reduce quality, it discourages doctors and health care providers. I said that our doctors in America, they may not be on suicide watch, but they are assigned to only use plastic silverware, and it's kind of hard to conduct surgery with that, so it has been real hard on the health care providers.

□ 2240

The freedom and the liberty component of this is the worst part when we think, Mr. Speaker, that, ever since 1973, the people on that side of the aisle—I'll call it the left side of the aisle—primarily, and a few on our side made the argument that *Roe v. Wade* is settled law, that a woman has a right to an elective abortion under any circumstances and that the government has no business telling a woman what she can or can't do with her body. That argument was made by men and women—by almost everybody on that side of the aisle and by a few of the people on this side of the aisle. It's a pretty interesting point. The Federal Government has no business telling a

woman what she can or can't do with her body.

Now look at it. The very same people who have made this argument since 1973 are saying to us, Well, the Federal Government has every right to tell everyone in America what they can or can't do with their bodies, and that includes thou shalt buy a government-approved health insurance policy or sign up for Medicaid. We'll make sure we can give you a stipend if you don't have the money, and we'll tax you if you do have the money. If you're an employer with 50 or more employees, you'll have to make sure they all have government-approved health insurance. If you're an employer with 49 employees, thou would be stupid to hire the 50th one.

So we'll see a lot of small businesses that will reach that level of growth, and they'll stop. They might go out and create another entity and roll some employees into that and stop. We will not just see all kinds of machinations of business configurations for the purposes of tax delay or avoidance that is driven by this Tax Day and the IRS, but we are going to see, also, business models that will be configured in order to avoid the Federal mandate because the Federal mandate requiring people to provide health insurance because they're employers is immoral and is unjust and is impractical, and it will create convoluted business arrangements.

I am for, Mr. Speaker, abolishing ObamaCare, for repealing ObamaCare. I have introduced a bill that repeals ObamaCare. Congresswoman MICHELE BACHMANN has also introduced a bill that repeals ObamaCare. They happen to be verbatim in their language. PARKER GRIFFITH has one and, I believe, BOB INGLIS. They are a couple other names that come to mind. I am for all of them. I want to work with all of them and with everyone else who has a bill. It's interesting. Within the 2,700 pages of ObamaCare, nobody read it all, I don't believe. If they did, they didn't understand it all.

I have a bill that I drafted that addresses this, and it's far better than the one they put in. I asked the College Republicans to sit and listen while I read through my bill, every word of it, and I asked them to pay attention and not to lose their concentration. I read the 40 words, not 2,700 pages, not 40 titles, not 40 pages, not even a page. I read 40 words on a page that essentially say to repeal ObamaCare, every bit of it, to pull it out by the roots. Now I'm going to embellish beyond the language. Take it out. Repeal ObamaCare lock, stock and barrel. Pull it out root and branch. Make sure there is not a vestige or a remnant of any DNA particle of ObamaCare left in the Federal code, because this policy that was and had become a toxic stew that was now force-fed to the American people has become a malignant tumor in our society, and what we do with malignant tumors that are on the verge of metastasizing is we take them out, and we pull them out by the roots. We cut out the entire tumor. If there happens to be a little good tissue around the edges, it's better to err on that side than it is to leave some malignant cells.

There is not one single part of ObamaCare that should be retained by this new Congress, and I expect to have a discharge petition down here at the well sometime in the next few weeks asking Members to sign onto it, working our way towards 2018 so we can send a repeal bill out of the House of Representatives. Hopefully, the Senate will pick this up as well.

The sequence becomes this: Yes, if we could get it there—and it's a hard task to get it there, and I'm not predicting it's possible. Everything is possible. SCOTT BROWN is in the United States Senate today. So, with that optimism in mind and knowing that northern Iowa beat Kansas in the NCAA tournament, I'm pretty confident there is a chance that we can repeal ObamaCare in this Congress. There is a chance. We put the marker down, Mr. Speaker. Then we have an election in November.

The President is fond of saying, Push the reset button. I think what we have in America today is that millions of people are in a different place politically than the administration is. A lot of them didn't know what they voted for. They voted for change. They had Bush fatigue. They wanted to shift the way we do business. Some of them—and a lot of them now—have buyer's remorse for what they did. You have the newly activated constitutional conservatives across this full spectrum of people. You have the 9/12 Project Group, all of the patriot groups, the Independents who are newly activated, the Republicans who are in greater numbers, newly activated constitutional conservatives, and all of that.

Mr. Speaker, they intend to make a difference, and I intend to make a difference with them. The constitutional conservatives I've described represent the new majority makers in America, the heart of the heartland, and the values that flow from there which index from California to Massachusetts into the Northeast, the Northwest, the Southeast, and beyond.

This Congress today doesn't represent the will of the American people. By 2 to 1, they oppose ObamaCare. It's still the law of the land today, and it can and must be repealed, every single bit of it. There is no excuse for those who voted "no" on ObamaCare to be anything except in favor of a full repeal of ObamaCare.

After this Congress has reset at the election in November and after the swearing in of the new Congress on January 3 of 2011, we will exert the will of the American people, and ObamaCare will be repealed. I expect that the President will veto such a repeal. When that happens, we will have on record the will of this Congress, the will of the United States Senate.

We will have the opportunity then with the appropriations bills to refuse

to allow any of the appropriated funds to be used to implement ObamaCare. With simple majorities in this House, which is where all funding and spending has to start by Constitution, we will be able to shut off the implementation of ObamaCare. We can do that for all of 2011 and send another repeal bill to the President's desk, which he is likely going to veto. In 2012, we can do the same thing for the appropriations cycle so that there is not a shred of ObamaCare that gets implemented, not in 2011, not in 2012.

Then we will have a new Presidential election in 2012, and we will have a new President. We will have a President who will sign a repeal of ObamaCare, and we will put it on his desk in January or February of 2013. We can begin the process then of real health care reform.

We need to do it, Mr. Speaker, not with a big Republican bill, not like this 2,700-page ObamaCare bill. We need to set up our priorities for health care, and we need to move down the line, one after another after another, with clear, standalone pieces of legislation that actually fix this problem and reform it in a way that the free market and the doctor-patient relationship are improved. The trial lawyers are going to have to give up a lot. We'll just go right on down the line, one after another, with standalone pieces of legislation. We can actually implement real, logical free market reforms and have that all done before ObamaCare would be implemented under the plan that is laid out today, because those pieces don't come into place, in finalizing most of them, until the beginning of 2014.

So what we can do is go through the sequence of this: Repeal ObamaCare; win the majority; shut off the funding for the implementation of ObamaCare; run a new election; expand a new majority in the House and the Senate; elect a new President; and repeal ObamaCare; pull it completely out by the roots so there is not a vestige of it left behind, not one single particle of its DNA left behind.

We can do all of that, Mr. Speaker, and still bring real reforms and put them in place and have them up and running before ObamaCare would have even kicked in. The American people will have their freedom, and they will have their liberty. That is the most egregious violation. From a constitutional perspective, ObamaCare is unconstitutional in several ways:

One, there is nothing in the enumerated powers that grants this Congress authority to establish ObamaCare—we can go into that in more detail—and it's a violation of the Commerce Clause. There are people and have always been people who have been born, who have lived and died who have not participated in health care at all but who would be compelled to buy a product produced or approved by the Federal Government for the first time in history just to be an American. In spite

of what some of the people have tried to argue, there is no example to the contrary.

It is a violation of the Equal Protection Clause. People in Florida are treated differently than the people in Texas. It's not the Cornhusker Kick-back any longer, but there is a package in Louisiana that treats Louisianans differently than it does the people in all the rest of the country.

□ 2250

There's a strong argument on equal protection violation. And there's a 10th Amendment violation; these powers need to be reserved for the States or the people respectively, not the big reach of the Federal Government.

All of this needs to happen. We can do this and we will have the leadership in this country and in this Congress to get it done.

I see that we have a strong leader from east Texas, the Aggie, my friend, Judge LOUIE GOHMERT. I would be happy to yield so much time as the gentleman from Texas may consume.

Mr. GOHMERT. I appreciate my friend from Iowa yielding.

What was one of the most heart-breaking aspects of this health care bill that was crammed down the throats of Americans, a majority of whom were begging and pleading and demanding not to pass it, but it was the aspect of the increased taxes at a time when we're in a recession. We could not afford increased taxes which was going to bring about an end to more jobs. We couldn't afford what was in the bill which meant that people were going to be laid off. It meant that people were going to have salaries cut. It meant that people were going to lose their health care insurance. Because whoever's staffer or the special interest groups, all those folks that worked on this thing, they knew a number of things. First of all, of course, whoever's staffer in leadership helped draft it made sure the leadership staff was not included in the mandate for Members of Congress and their staffs to have to participate in the Federal program, so they knew they didn't want to be part of it.

But then here we are in a recession. It should be all about jobs. It should be about careers and helping people get back employment so that once they have the jobs, they've got employment, they can do the things they used to do that helped drive the economy: go back to the store and pick up something to wear; go back to a restaurant and get something to eat. And then that feeds those that work in the restaurant and the cycle goes on.

Instead, we increased taxes \$500 billion over 10 years; \$50 billion a year average. Employers were telling us in advance of the vote, If you do this, it's going to cost us billions of dollars across the country. We're going to have to either lay people off, we're going to have to cut people's salary, we're going to have to drop their health care insurance.

And so in the bill, you've got a provision that if you're considered not a small business, meaning less than 50 workers, then you've got a choice: you either provide the mandated health insurance at the level required or you pay a \$2,000 fine. There's a little gimmick in there. You deduct 30 from the number of employees, so if you've got 50, then you deduct 30 and you pay 20 times \$2,000, or \$40,000, or you buy health insurance for all 50 employees. \$40,000, less than a thousand dollars per employee, or health insurance for 50.

Well, it's a no-brainer. So many businesses with the added taxes that are in this bill are already saying, We've got to make cuts somewhere. If we can get away with only paying \$40,000 instead of paying many times that for health insurance for our 50 employees, that's what we're going to have to do so we can keep them employed. That doesn't insure the 30 million that we were told was the whole purpose of this bill. In fact, it will ultimately throw more than that off of their own health insurance.

"If you like your health insurance, you'll keep it." People all across America heard that over and over. Apparently it simply was not true. The only question is, did the person making those statements know that they were not true when they were made? Or did it become a matter of convenience to strip everybody's health insurance at a later date? Either way, it was grossly unfair to all the people who did like their health insurance.

Reforms needed to be made, there's no question. We all agree on that. We could have worked together to provide those reforms. Instead, we had a monstrosity of a bill that simply got crammed down everybody's throat. That is what's most troubling.

I've already gotten the calls, I've gotten emails, I'm hearing people say they've been laid off, a family member has been laid off, they've been told they're going to have to cut their salaries. Why? Because we rushed this health care bill and rammed it through without most of the people in this body bothering to read it. I read all I could in the short period of time and I read enough to know that this is a disaster for America.

But if you're into government controlling everything, then you've got to love it, because it's sure going to have more government: 17,000 more IRS agents monitoring everybody monthly to make sure they're complying with the insurance requirements. How amazing, though. We hear from our friends across the aisle, We're concerned about the hardworking poor in America.

Well, guess what: If you make under 133 percent of the poverty level when this disaster kicks in in 2013, 2014, you're not going to have a choice. When you need health care, you're going to be thrown into Medicaid. I heard that Walgreens said they're not going to take any more Medicaid prescriptions. Doctors are saying we can't

make enough money to pay for the care, much less make a profit, so they're not taking Medicaid.

What a disaster for America. This needs our attention. But the heart-breaking aspect I keep coming back to is, people didn't have to lose their job, lose their insurance. Businesses didn't have to pay this much more tax. But we rushed it through. And I come back to a quote by George Washington, who said, "Government is not reason, it is not eloquence, it is force; like fire, it is a dangerous servant and a fearful master."

When this government was designed by our Founders, it was never intended to be the master of people. The people were meant to be the masters of this government; and this bill has thrown that all out of whack just as George Washington and so many of our Founders anticipated, and it requires the actions of Americans running to the sound of legislation to help prevent any more from this fearful master, as George Washington put it.

Mr. KING of Iowa. Reclaiming my time, I very much thank my friend from east Texas, the Aggie, for coming to the floor this time of the night. I know it's been a long day, sustainful of lots of energy in rallies all across the city and the country and 700 plus of those.

We want a smaller government, not a larger government. We want a constitutional government. The number one priority that's being asked of us is to cite the sections of the Constitution that grant us the authority in every bill we introduce in this Congress. I've never done that, but I think it's a very good idea.

I'll say I have cited it when it comes to the time to pass a constitutional amendment or to repeal. I'm going to continue to pay attention to that. I think that's a very good idea. The thing that seems to draw the most emotion and the most mindset and the most thought is ObamaCare, the urge for the full repeal of ObamaCare, because we know intuitively that ObamaCare is unconstitutional, as I said; it's unworkable, it's unsustainable, and, Mr. Speaker, it's unforgivable to do this to the American people. The American people will not forget and they will not forgive and those that they do support in this new majority that's being driven by the constitutional conservatives, those that they do support had better keep their word. And when they give their oath here on the floor of this Congress, the new freshman class, which will be a large one, they better take their oath seriously to the Constitution. I continue to stand with it. I know the gentleman from Texas does. Many of my colleagues do the same. It's a serious oath.

Mr. Speaker, I appreciate the attention that you've given us this evening and the opportunity to address you here on the floor of the House. We covered a little bit of the subject matter

that's important and imperative to this country.

I would yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. BORDALLO (at the request of Mr. HOYER) for today and the balance of the week on account of official business.

Mr. TOWNS (at the request of Mr. HOYER) for today on account of attending a funeral.

Ms. JACKSON LEE of Texas (at the request of Mr. HOYER) for today on account of official business.

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. POLIS) to revise and extend their remarks and include extraneous material:)

Mr. ALTMIRE, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. DEFazio, for 5 minutes, today.

Mr. POLIS, for 5 minutes, today.

(The following Members (at the request of Mr. POE of Texas) to revise and extend their remarks and include extraneous material:)

Mr. MORAN of Kansas, for 5 minutes, today and April 22.

Mr. POE of Texas, for 5 minutes, April 22.

Mr. JONES, for 5 minutes, April 22.

Mrs. BLACKBURN, for 5 minutes, today.

Mr. POSEY, for 5 minutes, April 20.

Mr. ROHRBACHER, for 5 minutes, today.

Mr. GARRETT of New Jersey, for 5 minutes, today.

ENROLLED BILL SIGNED

Lorraine C. Miller, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 4851. An act to provide a temporary extension of certain programs, and for other purposes.

SENATE ENROLLED BILL SIGNED

The Speaker announced her signature to an enrolled bill of the Senate of the following title:

S.J. Res. 25. Granting the consent and approval of Congress to amendments made by the State of Maryland, the Commonwealth of Virginia, and the District of Columbia to the Washington Metropolitan Area Transit Regulation Compact.

ADJOURNMENT

Mr. KING of Iowa. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 p.m.), under its previous order, the House adjourned until tomorrow, Friday, April 16, 2010, at 1 p.m.

OATH OF OFFICE MEMBERS, RESIDENT COMMISSIONER, AND DELEGATES

The oath of office required by the sixth article of the Constitution of the United States, and as provided by section 2 of the act of May 13, 1884 (23 Stat. 22), to be administered to Members, Resident Commissioner, and Delegates of the House of Representatives, the text of which is carried in 5 U.S.C. 3331:

"I, AB, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God."

has been subscribed to in person and filed in duplicate with the Clerk of the House of Representatives by the following Member of the 111th Congress, pursuant to the provisions of 2 U.S.C. 25:

THEODORE E. DEUTCH, Florida, Nineteenth.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

7022. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Potato Research and Promotion Plan [Doc. No.: AMS-FV-09-0024; FV-09-706C] received April 1, 2010 to the Committee on Agriculture.

7023. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Flutolanil; Pesticide Tolerances [EPA-HQ-OPP-2009-0553; FRL-8817-9] received March 30, 2010 to the Committee on Agriculture.

7024. A letter from the Under Secretary, Department of Defense, transmitting a letter regarding mobilization of reserve component service members to the Committee on Armed Services.

7025. A letter from the General Counsel, Federal Housing Finance Agency, transmitting the Agency's final rule — Federal Home Loan Bank Housing Associates, Core Mission Activities and Standby Letters of Credit (RIN: 2590-AA33) received March 1, 2010 to the Committee on Financial Services.

7026. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Notice of Interpretation — Prevention of Significant Deterioration (PSD): Reconsideration of Interpretation of Regulations that Determine Pollutants Covered by the Federal PSD Permit Program received April 8, 2010 to the Committee on Energy and Commerce.

7027. A letter from the Director, Regulatory Management Division, Environmental

Protection Agency, transmitting the Agency's final rule — Reconsideration of Interpretation of Regulations that Determine Pollutants Covered by Clean Air Act Permitting Programs [EPA-HQ-OAR-2009-0597; FRL-9133-6] (RIN: 2060-AP87) received March 30, 2010 to the Committee on Energy and Commerce.

7028. 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): Inclusion of Fugitive Emissions; Final Rule; Stay [EPA-HQ-OAR-2004-0014; FRL-9131-9] (RIN: 2060-AP73) received March 26, 2010 to the Committee on Energy and Commerce.

7029. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Texas; Revisions to Chapter 116 which relate to the Voiding of Permits and Extension of Permits [EPA-R06-OAR-2008-0089; FRL-9132-3] received March 26, 2010 to the Committee on Energy and Commerce.

7030. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — 1-Propene, 2,3,3,3-tetrafluoro-; Withdrawal of Significant New Use Rule [EPA-HQ-OPPT-2008-0918; FRL-8816-9] (RIN: 2070-AB27) received March 26, 2010 to the Committee on Energy and Commerce.

7031. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the General Conformity Regulations [EPA-HQ-OAR-2006-0669; FRL-9131-7] (RIN: 2060-AH93) received March 26, 2010 to the Committee on Energy and Commerce.

7032. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's "Major" final rule — Regulation of Fuels and Fuel Additives: Changes to Renewable Fuel Standard Program [EPA-HQ-OAR-2005-0161; FRL-9112-3] (RIN: 2060-A081) received March 26, 2010 to the Committee on Energy and Commerce.

7033. A letter from the Acting Associate Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting the Commission's final rule — Schools and Libraries Universal Service Support Mechanism [CC Docket No.: 02-6] received April 1, 2010 to the Committee on Energy and Commerce.

7034. A letter from the Senior Legal Advisor/Chief, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Part 90 of the Commission's Rules [WP Docket No.: 07-100] received April 1, 2010 to the Committee on Energy and Commerce.

7035. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the National Emergency with respect to persons who commit, threaten to commit, or support terrorism that was declared in Executive Order 13224 of September 23, 2001 to the Committee on Foreign Affairs.

7036. A letter from the Secretary, Department of State, transmitting notification that effective February 28, 2010, the 15% Danger Pay Allowance for USG civilian employees serving in Monrovia and Other, Liberia has been eliminated based on improved conditions to the Committee on Foreign Affairs.

7037. A letter from the Under Secretary, Department of Defense, transmitting annual audit of the American Red Cross consolidated financial statements for the year ending June 30, 2009 to the Committee on Foreign Affairs.

7038. A letter from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998 to the Committee on Oversight and Government Reform.

7039. A letter from the Director, Congressional Affairs and Public Relations, Trade and Development Agency, transmitting the Agency's Fiscal Year 2009 annual report prepared in accordance with Section 203 of the Notification and Federal Employee Anti-discrimination and Retaliation Act of 2002, Pub. L. 107-174 to the Committee on Oversight and Government Reform.

7040. A letter from the Acting Assistant Secretary for Fish & Wildlife & Parks, Department of the Interior, transmitting the Department's final rule — Refuge Specific Regulations; Public Use; Kodiak National Wildlife Refuge [FWS-R7-NSR-2009-0055] [70133-1265-0000-4A] (RIN: 1018-AW15) received April 1, 2010 to the Committee on Natural Resources.

7041. A letter from the Assistant Secretary for Fish & Wildlife & Parks, Department of the Interior, transmitting the Department's final rule — 2009-2010 Refuge-Specific Hunting and Sport Fishing Regulations — Additions [Docket No.: FWS-R9-NSR-2009-0023] [93270-1265-0000-4A] (RIN: 1018-AW49) received April 8, 2010 to the Committee on Natural Resources.

7042. A letter from the Assistant Attorney General, Department of Justice, transmitting the third Annual Report of the Office of Privacy and Civil Liberties to the Committee on the Judiciary.

7043. A letter from the Assistant Attorney General, Department of Justice, transmitting the Department's quarterly report from the Office of Privacy and Civil Liberties to the Committee on the Judiciary.

7044. A letter from the Acting Assistant Chief Counsel for Legislation & Regulations, Department of Transportation, transmitting the Department's final rule — America's Marine Highway Program [Docket No.: MARAD-2010-0035] (RIN: 2133-AB70) received April 5, 2010 to the Committee on Transportation and Infrastructure.

7045. A letter from the Regulatory Ombudsman, Department of Transportation, transmitting the Department's "Major" final rule — Electronic On-Board Recorders for Hours-of-Service Compliance [Docket No.: FMCSA-2004-18940] (RIN: 2126-AA89) received April 13, 2010 to the Committee on Transportation and Infrastructure.

7046. A letter from the Director, Regulations Policy and Management, Department of Veterans Affairs, transmitting the Department's final rule — Grants to States for Construction or Acquisition of State Home Facilities-Update of Authorized Beds (RIN: 2900-AM70) received April 8, 2010 to the Committee on Veterans' Affairs.

7047. A letter from the Federal Register Liaison Officer, Department of the Treasury, transmitting the Department's final rule — Liquor Dealer Recordkeeping and Registration, and Repeal of Certain Special (Occupational) Taxes [Docket No.: TTB-2009-0003; T.D. TTB-84; Re: Notice No. 96 and T.D. TTB-79] (RIN: 1513-AB63) received April 8, 2010 to the Committee on Ways and Means.

7048. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Stripping Transactions for Qualified Tax Credit Bonds [Notice 2010-28] received March 30, 2010 to the Committee on Ways and Means.

7049. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — American Recovery and Reinvestment Tax Act of 2009 Clarifications [Notice 2010-18] re-

ceived March 30, 2010 to the Committee on Ways and Means.

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. GRIJALVA (for himself and Ms. KAPTUR):

H.R. 5028. A bill to allow homeowners of moderate-value homes who are subject to mortgage foreclosure proceedings to remain in their homes as renters; to the Committee on Financial Services.

By Mr. JORDAN of Ohio (for himself and Mr. CHAFFETZ):

H.R. 5029. A bill to amend the Internal Revenue Code of 1986 to allow the private sector to create robust levels of economic growth; to the Committee on Ways and Means, and in addition to the Committees on Financial Services, and Appropriations, 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. BEAN (for herself, Mr. KIND, Mrs. HALVORSON, Ms. MARKEY of Colorado, and Mr. NYE):

H.R. 5030. A bill to amend the Internal Revenue Code of 1986 to allow distributions from 529 plans for the payment of student loans; to the Committee on Ways and Means.

By Mrs. CAPITO:

H.R. 5031. A bill to amend the Internal Revenue Code of 1986 to allow a credit against tax for individuals age 18 through 30 for certain retirement contributions; to the Committee on Ways and Means.

By Mr. ACKERMAN (for himself, Mr. MAFFEI, Mr. KING of New York, Mr. KLEIN of Florida, Mr. PERLMUTTER, and Ms. SPEIER):

H.R. 5032. A bill to amend the Securities Investor Protection Act of 1970 to provide insurance coverage for certain indirect investors caught in Ponzi schemes, and for other purposes; to the Committee on Financial Services.

By Ms. ROYBAL-ALLARD (for herself and Mr. DAVIS of Illinois):

H.R. 5033. A bill to authorize the Secretary of Health and Human Services to carry out programs to provide youth in racial or ethnic minority or immigrant communities the information and skills needed to reduce teenage pregnancies; to the Committee on Energy and Commerce.

By Mr. DELAHUNT (for himself, Mr. COBLE, Mr. CHAFFETZ, and Mr. QUIGLEY):

H.R. 5034. A bill to support State based alcohol regulation, to clarify evidentiary rules for alcohol matters, to ensure the collection of all alcohol taxes, and for other purposes; to the Committee on the Judiciary.

By Mr. WITTMAN:

H.R. 5035. A bill to authorize appropriations for the construction of vessels for the Navy and to authorize appropriations for loan guarantees for commercial vessels; to the Committee on Armed Services.

By Mr. FOSTER (for himself and Mr. QUIGLEY):

H.R. 5036. A bill to amend the Internal Revenue Code of 1986 to establish a program to populate downloadable tax forms with taxpayer return information; to the Committee on Ways and Means.

By Mr. DOYLE (for himself, Mr. WAXMAN, Mr. BOUCHER, Ms. WASSERMAN SCHULTZ, Mr. ROHRBACHER, and Mr. HARPER):

H.R. 5037. A bill to provide for Federal agencies to develop public access policies relating to research conducted by employees of

that agency or from funds administered by that agency; to the Committee on Oversight and Government Reform.

By Mr. HENSARLING (for himself and Mr. BACHUS):

H.R. 5038. A bill to repeal the Community Reinvestment Act of 1977; to the Committee on Financial Services.

By Ms. LORETTA SANCHEZ of California:

H.R. 5039. A bill to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the design, planning, and construction of the Groundwater Replenishment System Expansion to reclaim and reuse municipal wastewater in the Orange County, California region, and for other purposes; to the Committee on Natural Resources.

By Mr. KENNEDY (for himself, Mr. TIM MURPHY of Pennsylvania, Mr. MURPHY of Connecticut, Mr. GENE GREEN of Texas, and Mr. HASTINGS of Florida):

H.R. 5040. A bill to amend the Public Health Service Act and the Social Security Act to extend health information technology assistance eligibility to behavioral health, mental health, and substance abuse professionals and facilities, and for other purposes; 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 Mr. HARE (for himself, Mr. RYAN of Ohio, Ms. SUTTON, Mr. HASTINGS of Florida, Mr. ELLISON, Mr. LYNCH, Mr. TONKO, Mr. KENNEDY, Mrs. NAPOLITANO, Ms. WATSON, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. PERLMUTTER, Mr. YARMUTH, Mr. OLVER, Ms. SHEA-PORTER, Mr. WAXMAN, Mr. COURTNEY, Mr. MICHAUD, Mr. LEWIS of Georgia, Mr. HINCHEY, Ms. WOOLSEY, Mr. KAGEN, Mr. JOHNSON of Georgia, Mr. QUIGLEY, Mr. LIPINSKI, Ms. RICHARDSON, Ms. HIRONO, Mr. DOYLE, Mr. LARSEN of Washington, Mr. BOSWELL, Mr. McDERMOTT, Mr. ARCURI, Mr. FILNER, Mr. RODRIGUEZ, Mr. GRAYSON, Mr. CAPUANO, Mr. THOMPSON of Mississippi, Mr. LOEBSACK, Mr. SIRES, Mr. PALLONE, Ms. KILROY, Mr. SCHAUER, Mr. BOCCIERI, Ms. SPEIER, Mrs. MCCARTHY of New York, Mr. WILSON of Ohio, Mr. BRALEY of Iowa, Ms. ROYBAL-ALLARD, Ms. TITUS, Mr. MCGOVERN, Mr. GARAMENDI, Mr. KILDEE, and Ms. WATERS):

H.R. 5041. A bill to amend the Internal Revenue Code of 1986 to extend the qualifying advanced energy project credit; to the Committee on Ways and Means.

By Ms. WATERS (for herself and Mr. FRANK of Massachusetts):

H.R. 5042. A bill to amend section 20 of the Securities Exchange Act of 1934 to allow for a private civil action against a person that provides substantial assistance in violation of such Act; to the Committee on Financial Services, and in addition to the Committee on 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 Mr. COHEN (for himself and Mr. DAVIS of Illinois):

H.R. 5043. A bill to amend title 11 of the United States Code to modify the dischargeability of debts for certain educational payments and loans; to the Committee on the Judiciary.

By Mr. KLEIN of Florida (for himself and Ms. ROS-LEHTINEN):

H.R. 5044. A bill to provide for enhanced penalties to combat Medicare and Medicaid fraud, a Medicare data-mining system and biometric technology pilot program, and a GAO study on Medicare administrative contractors; 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 Mr. ADLER of New Jersey:

H.R. 5045. A bill to amend title 38, United States Code, to provide for the tolling of the timing of review for appeals of final decisions of the Board of Veterans' Appeals, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. AKIN (for himself, Mr. NEUGEBAUER, Mrs. BACHMANN, Mr. BARTLETT, Mr. GRIFFITH, Mr. BONNER, Mr. CAMPBELL, Mr. POSEY, and Mr. BILBRAY):

H.R. 5046. A bill to amend title 13, United States Code, to require the inclusion of a statement within the decennial census questionnaire and the American Community Survey regarding certain response requirements, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. BECERRA:

H.R. 5047. A bill to amend the Internal Revenue Code of 1986 to provide taxpayer protection and assistance, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Financial Services, 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. BRADY of Pennsylvania (for himself, Mr. BARTLETT, and Mr. SPRATT):

H.R. 5048. A bill to amend the Servicemembers Civil Relief Act to enhance the protection of credit ratings of servicemembers serving on active duty, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. CARSON of Indiana:

H.R. 5049. A bill to amend title 10, United States Code, to expand the matters covered by pre-separation counseling provided to members of the Armed Forces and their spouses; to the Committee on Armed Services.

By Mr. COOPER:

H.R. 5050. A bill to amend the Internal Revenue Code of 1986 to provide an election for unmarried, nonitemizing individuals to have their returns prepared by the Secretary of the Treasury, and for other purposes; to the Committee on Ways and Means.

By Mr. CROWLEY (for himself, Mr. BISHOP of New York, Mr. ISRAEL, Mr. KING of New York, Mrs. MCCARTHY of New York, Mr. ACKERMAN, Mr. MEEKS of New York, Mr. NADLER of New York, Mr. WEINER, Ms. CLARKE, Ms. VELÁZQUEZ, Mr. MCMAHON, Mrs. MALONEY, Mr. RANGEL, Mr. SERRANO, Mr. ENGEL, Mrs. LOWEY, Mr. HALL of New York, Mr. MURPHY of New York, Mr. TONKO, Mr. HINCHEY, Mr. OWENS, Mr. ARCURI, Mr. MAFFEI, Mr. LEE of New York, Mr. HIGGINS, and Ms. SLAUGHTER):

H.R. 5051. A bill to designate the facility of the United States Postal Service located at 23 Genesee Street in Hornell, New York, as the "Zachary Smith Post Office Building"; to the Committee on Oversight and Government Reform.

By Mr. DENT:

H.R. 5052. A bill to amend Public Law 110-36 to clarify that a period of employment by the Chief of Mission or United States Armed Forces as a security advisor, translator, or interpreter in Iraq or Afghanistan is to be counted as a period of residence and physical presence in the United States for purposes of qualifying for naturalization; to the Committee on the Judiciary.

By Mr. DENT (for himself, Mr. KING of New York, Mr. McCAUL, Mr. AUSTRIA, and Mr. OLSON):

H.R. 5053. A bill to amend the Homeland Security Act of 2002 to enhance the Federal Protective Service's ability to provide adequate security for the prevention of terrorist activities and for the promotion of homeland security, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. FORBES:

H.R. 5054. A bill to prohibit the Internal Revenue Service from hiring new employees to enforce the Federal Government's invasion into the health care lives of American citizens; to the Committee on Ways and Means.

By Ms. FUDGE (for herself, Mr. TOWNS, Mr. JOHNSON of Georgia, and Mr. RUSH):

H.R. 5055. A bill to provide funds for Pell Grants by amending title IV of the Higher Education Act of 1965; to the Committee on Education and Labor.

By Ms. KILROY:

H.R. 5056. A bill to authorize and request the President to award the Medal of Honor posthumously to Major Dominic S. Gentile of the United States Army Air Forces for acts of valor during the World War II; to the Committee on Armed Services.

By Mr. KING of New York (for himself, Mr. ROGERS of Alabama, Mr. OLSON, and Mr. CAO):

H.R. 5057. A bill to prevent the proliferation of weapons of mass destruction, to prepare for attacks using weapons of mass destruction, and for other purposes; to the Committee on Homeland Security, and in addition to the Committees on Energy and Commerce, Agriculture, Oversight and Government Reform, Transportation and Infrastructure, Foreign Affairs, Intelligence (Permanent Select), and Armed Services, 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. PASCRELL (for himself, Mr. WEINER, and Ms. ROS-LEHTINEN):

H.R. 5058. A bill to amend the Internal Revenue Code of 1986 to provide special rules for investments lost in a fraudulent Ponzi-type scheme; to the Committee on Ways and Means.

By Mr. SALAZAR (for himself, Mr. THOMPSON of California, and Mr. MATHESON):

H.R. 5059. A bill to provide for certain land exchanges in Gunnison County, Colorado, and Uintah County, Utah; to the Committee on Natural Resources.

By Mr. SMITH of New Jersey:

H.R. 5060. A bill to amend the Internal Revenue Code of 1986 to allow a refundable credit against income tax for tuition expenses incurred for each qualifying child of the taxpayer in attending public or private elementary or secondary school; to the Committee on Ways and Means.

By Ms. SPEIER (for herself, Ms. ESHOO, Mr. GARAMENDI, Mr. HONDA, Ms. LEE of California, Ms. ZOE LOFGREN of California, Mr. STARK, Ms. WOOLSEY, Mr. MCNERNEY, Mr. GEORGE MILLER of California, and Mr. THOMPSON of California):

H.R. 5061. A bill to amend the Federal Water Pollution Control Act to provide assistance for programs and activities to protect the water quality of the San Francisco Bay, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on the Budget, 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. TEAGUE (for himself and Mr. HALL of Texas):

H.R. 5062. A bill to amend the Energy Policy Act of 2005 to promote domestic natural gas research and development, and for other purposes; to the Committee on Science and Technology.

By Ms. TSONGAS (for herself and Mr. KISSELL):

H.R. 5063. A bill to direct the Secretary of Defense to establish a joint task force to improve the research and development of lighter weight body armor; to the Committee on Armed Services.

By Mr. BOCCIARI:

H. Con. Res. 261. Concurrent resolution expressing the sense of Congress that the Supreme Court should uphold laws that allow the families and friends of fallen members of the Armed Forces to mourn their loved ones in peace and privacy; to the Committee on the Judiciary.

By Mr. DAVIS of Illinois (for himself, Mr. MEEKS of New York, and Mr. RANGEL):

H. Con. Res. 262. Concurrent resolution supporting the goals and ideals of National Sarcoidosis Awareness Month in April 2010 and supporting efforts to devote new resources to research the causes of the disease, environmental and otherwise, along with treatments and workforce strategies to support individuals with sarcoidosis and their families; to the Committee on Education and Labor.

By Mr. HASTINGS of Washington (for himself and Mr. BISHOP of Utah):

H. Res. 1254. A resolution directing the Secretary of the Interior to transmit to the House of Representatives certain information relating to the Secretary's Treasured Landscape Initiative, potential designation of National Monuments, and High Priority Land-Rationalization Efforts; to the Committee on Natural Resources.

By Mr. FLAKE:

H. Res. 1255. A resolution raising a question of the privileges of the House; to the Committee on Standards of Official Conduct.

By Mr. BROUN of Georgia:

H. Res. 1256. A resolution congratulating Phil Mickelson on winning the 2010 Masters golf tournament; to the Committee on Oversight and Government Reform.

By Mr. HINOJOSA (for himself, Mrs. BIGGERT, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. MOORE of Kansas, Mr. CASTLE, Mr. MANZULLO, Mr. SCOTT of Georgia, Mr. HIMES, Mr. POMEROY, Mrs. MCCARTHY of New York, Mr. BACA, Mr. JOHNSON of Illinois, Ms. JENKINS, Mr. LOEBSACK, Ms. CLARKE, Ms. HIRONO, Mr. WALZ, Mr. CLEAVER, Ms. SPEIER, Mr. POLIS of Colorado, Mr. LEE of New York, Mr. PAULSEN, and Mr. LANCE):

H. Res. 1257. A resolution supporting the goals and ideals of National Financial Literacy Month, 2010, and for other purposes; to the Committee on Financial Services.

By Mrs. NAPOLITANO (for herself, Mr. TIM MURPHY of Pennsylvania, Ms. LEE of California, Mr. RODRIGUEZ, Mr. MCDERMOTT, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. WILSON of South Carolina, Mr. STARK, Mrs.

MALONEY, Ms. SHEA-PORTER, Mr. GRIJALVA, Mr. KENNEDY, Mr. JOHNSON of Georgia, Mr. SALAZAR, Ms. JACKSON LEE of Texas, Mr. DREIER, Mr. HOLT, Mr. BACA, Ms. KILPATRICK of Michigan, Mr. FILNER, Mr. WILSON of Ohio, Mr. LOEBSACK, Mr. CAPUANO, Ms. BORDALLO, Ms. WATSON, Mr. MURPHY of Connecticut, Mr. RANGEL, Mr. KAGEN, Mr. HINCHEY, Mr. VAN HOLLEN, Mr. BAIRD, Mr. RUSH, Ms. WOOLSEY, Mr. ISRAEL, and Ms. ROYBAL-ALLARD):

H. Res. 1258. A resolution expressing support for designation of May 2010 as Mental Health Month; to the Committee on Energy and Commerce.

By Ms. BALDWIN (for herself, Mr. POE of Texas, Ms. WASSERMAN SCHULTZ, Ms. MOORE of Wisconsin, Ms. HERSETH SANDLIN, Mr. COSTA, Mr. KENNEDY, Mr. RYAN of Ohio, Ms. TSONGAS, Mr. KIND, Ms. RICHARDSON, Mr. DELAHUNT, Mr. MCNERNEY, Ms. KILROY, and Ms. GIFFORDS):

H. Res. 1259. A resolution recognizing and supporting the goals and ideals of Sexual Assault Awareness Month; to the Committee on the Judiciary.

By Mr. BISHOP of New York:

H. Res. 1260. A resolution expressing support for designation of April 2010 as Student Financial Aid Awareness Month to raise awareness of student financial aid; to the Committee on Oversight and Government Reform.

By Ms. EDDIE BERNICE JOHNSON of Texas (for herself, Mrs. CAPPS, Mrs. MCCARTHY of New York, Mr. LATOURETTE, Mrs. CHRISTENSEN, Mrs. MALONEY, Mr. FRANK of Massachusetts, Mr. CONYERS, Ms. RICHARDSON, Mr. GRIJALVA, Mr. LEWIS of Georgia, Mr. SPRATT, Mr. MCGOVERN, Mr. LATHAM, Mr. BLUMENAUER, Mr. LANGEVIN, Ms. MCCOLLUM, Mrs. NAPOLITANO, Mr. ROSS, Mr. GUTIERREZ, Ms. BORDALLO, Mr. KENNEDY, and Ms. MARKEY of Colorado):

H. Res. 1261. A resolution recognizing National Nurses Week; to the Committee on Education and Labor.

By Mr. LARSEN of Washington (for himself, Mr. DICKS, Mr. INSLEE, Mr. BAIRD, Mr. BLUMENAUER, Mr. RAHALL, Mr. COSTA, Mr. CARNEY, Mr. CAO, Mr. CASSIDY, Mr. KIRK, Mr. SHIMKUS, Mr. KINGSTON, Mr. BRADY of Pennsylvania, Mr. ROGERS of Alabama, Ms. BORDALLO, Mr. REICHERT, Mr. LEWIS of Georgia, Mr. GORDON of Tennessee, Mr. CONAWAY, Ms. WOOLSEY, Mr. SMITH of Washington, Mr. HASTINGS of Washington, Mrs. MCMORRIS RODGERS, Mr. MORAN of Virginia, Mr. WU, Mr. HARE, Mr. RYAN of Ohio, Ms. RICHARDSON, Mrs. DAVIS of California, Mr. LANGEVIN, Mr. LOEBSACK, Mr. SCHRADER, Ms. VELÁZQUEZ, Mr. BOSWELL, Mr. GENE GREEN of Texas, Mr. SABLAN, Mr. ELLSWORTH, Ms. GIFFORDS, Mr. SARBANES, Mr. TONKO, Mr. GUTHRIE, Mr. GONZALEZ, Mr. RODRIGUEZ, Mr. WITTMAN, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. BOUSTANY, Ms. HIRONO, Mr. BRIGHT, Ms. MCCOLLUM, Mr. BOREN, Mr. BECERRA, Mr. GARAMENDI, Mr. CONNOLLY of Virginia, Mr. BUTTERFIELD, Mr. ROTHMAN of New Jersey, Mr. TEAGUE, Mr. TAYLOR, Mr. SHUSTER, Mr. ENGEL, Ms. ZOE LOFGREN of California, Mr. BOOZMAN, Ms. LORETTA SANCHEZ of California, and Mr. PITTS):

H. Res. 1262. A resolution expressing condolences to the families, friends, and loved ones of the victims of the fire at the Tesoro

refinery in Anacortes, Washington; to the Committee on Oversight and Government Reform.

By Mrs. MCMORRIS RODGERS:

H. Res. 1263. A resolution expressing support for Mathematics Awareness Month; to the Committee on Oversight and Government Reform.

By Mr. MOORE of Kansas (for himself, Mr. GRIJALVA, Mr. BISHOP of Georgia, Ms. LINDA T. SÁNCHEZ of California, Ms. RICHARDSON, Ms. SPEIER, Mr. COBLE, Mr. TERRY, Mr. MARSHALL, and Mr. HOLT):

H. Res. 1264. A resolution expressing support for the designation of March as National Essential Tremor Awareness Month; to the Committee on Oversight and Government Reform.

By Mrs. NAPOLITANO (for herself, Ms. ROYBAL-ALLARD, Mr. BACA, Mr. GUTIERREZ, Mr. ORTIZ, Ms. LINDA T. SÁNCHEZ of California, Mr. RANGEL, Mr. MEEKS of New York, Mr. PIERLUISI, Ms. RICHARDSON, Mr. SABLAN, Mr. GONZALEZ, Mr. HONDA, Mr. GRIJALVA, Mr. SERRANO, Mr. BECERRA, Mr. SIREs, Mr. CARDOZA, Mr. COSTA, Mr. HINOJOSA, Mr. LUJÁN, Mr. PASTOR of Arizona, Ms. CHU, Mr. REYES, Mr. RODRIGUEZ, Mr. SALAZAR, Ms. VELÁZQUEZ, Ms. HIRONO, Mr. EDWARDS of Texas, Mr. COSTELLO, Mr. GEORGE MILLER of California, Ms. WATSON, Ms. CORRINE BROWN of Florida, and Mr. CLYBURN):

H. Res. 1265. A resolution honoring the life and accomplishments of Jaime A. Escalante; to the Committee on Education and Labor.

By Mr. ROYCE (for himself, Mr. CAPUANO, Mr. BURTON of Indiana, and Ms. WATSON):

H. Res. 1266. A resolution recognizing the 60th anniversary of the outbreak of the Korean War; to the Committee on Foreign Affairs, and in addition to the Committee on Armed Services, 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. SIREs (for himself, Mr. ENGEL, Mr. MEEKS of New York, and Mr. MACK):

H. Res. 1267. A resolution recognizing the 200th anniversary of the independence of the Republic of Colombia; to the Committee on Foreign Affairs.

By Mr. TEAGUE:

H. Res. 1268. A resolution amending the Rules of the House of Representatives to require chairs and ranking minority members of committees and subcommittees to indicate whether they have any financial interest in the employer of any witness at a hearing, any person retaining a witness, or any person represented by a witness; to the Committee on Rules.

By Mr. TIBERI (for himself, Mr. BILLRAKIS, Mr. BROWN of South Carolina, Mr. KING of New York, and Mr. PASCRELL):

H. Res. 1269. A resolution commemorating the 400th anniversary of the first use of the telescope for astronomical observation by the Italian scientist Galileo Galilei; to the Committee on Science and Technology.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 24: Ms. TYTUS, Ms. HARMAN, Ms. FUDGE, Mr. BUYER, and Ms. MATSUI.

H.R. 39: Mr. DEFAZIO and Mr. SCOTT of Virginia.

- H.R. 333: Mrs. NAPOLITANO, Mr. REHBERG, and Mr. AL GREEN of Texas.
H.R. 476: Mr. COHEN.
H.R. 504: Ms. SCHAKOWSKY.
H.R. 510: Mr. TIAHRT.
H.R. 564: Mr. INSLEE.
H.R. 635: Mr. MORAN of Virginia.
H.R. 678: Mr. THOMPSON of California, Mr. DENT, Mr. PERRIELLO, Ms. JACKSON LEE of Texas, Ms. NORTON, Mr. MAFFEI, Mr. INSLEE, and Mr. OWENS.
H.R. 690: Mr. TONKO, Mr. GERLACH, and Mr. SHUSTER.
H.R. 705: Mr. LEE of New York.
H.R. 816: Mr. ARCURI.
H.R. 847: Mr. BUTTERFIELD.
H.R. 889: Mr. FARR.
H.R. 891: Mr. GEORGE MILLER of California.
H.R. 930: Mr. DOYLE.
H.R. 950: Mr. GRIJALVA and Ms. NORTON.
H.R. 1077: Mr. MICHAUD and Ms. NORTON.
H.R. 1173: Ms. MARKEY of Colorado.
H.R. 1177: Mr. CONYERS, Ms. EDWARDS of Maryland, Mr. HINCHEY, Mr. PALLONE, Mr. PRICE of North Carolina, Mr. TOWNS, Mr. OLVER, Mr. FOSTER, Ms. KAPTUR, Mr. KENNEDY, Mr. LEWIS of Georgia, Mr. GEORGE MILLER of California, Mr. MINNICK, Mr. OBEY, Mr. PERLMUTTER, Mr. LATHAM, Mr. CARTER, Mr. CULBERSON, Mr. DUNCAN, Mr. WALDEN, Mr. HOEKSTRA, Mr. MCCARTHY of California, Mr. MICA, Mr. SOUDER, and Mr. TERRY.
H.R. 1205: Mr. LUCAS, Ms. MOORE of Wisconsin, and Mr. CHANDLER.
H.R. 1250: Mr. RAHALL.
H.R. 1339: Mr. HARE.
H.R. 1351: Mr. ARCURI, Mr. SCOTT of Virginia, Mr. WAMP, and Mr. MOORE of Kansas.
H.R. 1392: Ms. SCHWARTZ.
H.R. 1412: Mr. KUCINICH.
H.R. 1430: Mr. SESSIONS.
H.R. 1526: Mr. KUCINICH.
H.R. 1545: Mr. PETERS.
H.R. 1547: Mr. WAXMAN.
H.R. 1560: Ms. HARMAN.
H.R. 1618: Mr. HIGGINS.
H.R. 1646: Mr. MICHAUD and Mr. MELANCON.
H.R. 1671: Mr. FARR and Mrs. MCMORRIS RODGERS.
H.R. 1685: Mr. ANDREWS.
H.R. 1708: Mr. QUIGLEY.
H.R. 1751: Mr. HINCHEY and Mr. BRADY of Pennsylvania.
H.R. 1821: Mr. GRIJALVA.
H.R. 1908: Mr. NUNES.
H.R. 1962: Mr. LINDER.
H.R. 2057: Ms. LORETTA SANCHEZ of California, Mr. FRANK of Massachusetts, and Mr. ARCURI.
H.R. 2067: Mr. GUTIERREZ.
H.R. 2089: Mr. PETERS.
H.R. 2103: Mr. KILDEE.
H.R. 2104: Ms. LEE of California and Mrs. NAPOLITANO.
H.R. 2132: Mr. GUTIERREZ and Ms. CHU.
H.R. 2149: Mr. PITTS.
H.R. 2160: Mr. WALDEN and Mr. FORTENBERRY.
H.R. 2254: Mr. SCOTT of Georgia, Mr. SULLIVAN, and Mr. COBLE.
H.R. 2266: Ms. TITUS and Mr. OWENS.
H.R. 2267: Ms. TITUS and Mr. OWENS.
H.R. 2275: Mr. DAVIS of Illinois and Mr. DOYLE.
H.R. 2287: Mr. BACHUS.
H.R. 2296: Mr. MATHESON.
H.R. 2378: Mrs. HALVORSON.
H.R. 2413: Mr. LANGEVIN.
H.R. 2478: Mr. GRIFFITH, Mr. OBERSTAR, and Mr. KLEIN of Florida.
H.R. 2521: Mr. PIERLUISI, Mr. LUJÁN, Ms. SPEIER, Ms. SHEA-PORTER, and Mr. HASTINGS of Florida.
H.R. 2536: Mr. PITTS.
H.R. 2597: Ms. CHU.
H.R. 2600: Mr. BARTLETT.
H.R. 2737: Mr. HIMES, Mr. YARMUTH, Mr. CALVERT and Mr. FOSTER.
H.R. 2740: Mr. SCHAUER and Mr. ARCURI.
H.R. 2819: Ms. ZOE LOFGREN of California.
H.R. 3006: Mr. MARSHALL.
H.R. 3024: Mr. HIGGINS and Ms. SUTTON.
H.R. 3131: Mr. HOEKSTRA.
H.R. 3186: Mr. OWENS.
H.R. 3202: Mr. COHEN.
H.R. 3225: Mr. ARCURI.
H.R. 3233: Mr. GINGREY of Georgia.
H.R. 3240: Mr. LATHAM and Ms. NORTON.
H.R. 3243: Mr. WITTMAN.
H.R. 3310: Mr. HUNTER.
H.R. 3408: Mr. NADLER of New York.
H.R. 3453: Mr. CASSIDY.
H.R. 3458: Mr. WEINER, Ms. HARMAN, and Mr. POLIS.
H.R. 3488: Mr. COHEN.
H.R. 3502: Mr. DOYLE, Mr. KUCINICH, Ms. SPEIER, and Mr. CHILDERS.
H.R. 3519: Mr. GENE GREEN of Texas.
H.R. 3553: Mrs. NAPOLITANO.
H.R. 3564: Ms. NORTON, Mr. SABLAN, Mr. KENNEDY, and Ms. ZOE LOFGREN of California.
H.R. 3592: Ms. BERKLEY.
H.R. 3612: Mr. GARRETT of New Jersey and Mr. TIAHRT.
H.R. 3655: Mr. QUIGLEY.
H.R. 3668: Mr. CUELLAR, Mr. HINOJOSA, Mr. LUBETKEMEYER, Mr. SCHIFF, Mr. QUIGLEY, and Mr. PRICE of North Carolina.
H.R. 3712: Mr. PASCARELL, Mr. DELAHUNT, Mr. MANZULLO, Mr. BLUNT, Mr. COFFMAN of Colorado, and Mr. DUNCAN.
H.R. 3754: Ms. SHEA-PORTER.
H.R. 3772: Mr. COHEN.
H.R. 3799: Mr. GRIJALVA.
H.R. 3813: Mr. WITTMAN, Mr. FILNER, Mr. SIMPSON, Mr. HALL of New York, and Ms. MOORE of Wisconsin.
H.R. 3973: Ms. WATSON, Mr. KENNEDY, Mr. JOHNSON of Georgia, and Mr. SESTAK.
H.R. 3995: Ms. WOOLSEY.
H.R. 4128: Mr. MARSHALL.
H.R. 4132: Mrs. BONO MACK, Mr. MARIO DIAZ-BALART of Florida, Mr. MICA, and Mr. COSTA.
H.R. 4183: Mr. FRANK of Massachusetts.
H.R. 4186: Mr. SOUDER.
H.R. 4197: Mr. BOUCHER.
H.R. 4229: Mr. BACA and Mr. AL GREEN of Texas.
H.R. 4274: Mr. INSLEE.
H.R. 4278: Mr. NUNES.
H.R. 4298: Ms. MOORE of Wisconsin.
H.R. 4299: Mr. CHANDLER and Ms. BERKLEY.
H.R. 4303: Mr. MORAN of Virginia.
H.R. 4354: Mr. ETHERIDGE and Mr. MARSHALL.
H.R. 4371: Mr. THOMPSON of Mississippi, Mr. LATOURETTE, Mrs. MALONEY, and Mr. SCHAUER.
H.R. 4376: Mr. MEEKS of New York and Ms. MOORE of Wisconsin.
H.R. 4386: Mr. CAPUANO.
H.R. 4393: Mr. PERRIELLO.
H.R. 4399: Ms. WOOLSEY and Mr. MCGOVERN.
H.R. 4413: Mr. MOLLOHAN.
H.R. 4453: Mr. TIAHRT.
H.R. 4472: Mr. KLINE of Minnesota.
H.R. 4489: Ms. CHU and Mr. DELAHUNT.
H.R. 4502: Mr. TONKO.
H.R. 4522: Mr. BISHOP of New York.
H.R. 4524: Mr. CONNOLLY of Virginia.
H.R. 4530: Mr. BACA.
H.R. 4544: Mr. CHANDLER, Mr. ANDREWS, and Mr. DRIEHAUS.
H.R. 4550: Mr. HODES.
H.R. 4554: Mr. OLVER.
H.R. 4555: Mr. BERRY, Mr. SARBANES, Ms. MOORE of Wisconsin, and Mr. WILSON of South Carolina.
H.R. 4596: Mr. SIRES, Mr. ROTHMAN of New Jersey, Mr. SCHOCK, Mr. GALLEGLY, and Mr. MCCOTTER.
H.R. 4638: Mr. ALEXANDER.
H.R. 4645: Ms. RICHARDSON, Ms. ESHOO, Mr. GRIJALVA, Mrs. BIGGERT, and Mr. ORTIZ.
H.R. 4677: Mr. WEINER.
H.R. 4684: Mr. HINOJOSA, Mr. COSTELLO, and Mr. COHEN.
H.R. 4689: Mr. LATHAM, Mr. GENE GREEN of Texas, and Mr. BOUCHER.
H.R. 4694: Ms. WATERS.
H.R. 4717: Mr. HELLER, Mr. HASTINGS of Washington, and Ms. JENKINS.
H.R. 4722: Mr. KISSELL.
H.R. 4745: Ms. BEAN and Mr. NYE.
H.R. 4746: Mr. LEE of New York, Mr. REHBERG, Mr. MORAN of Kansas, and Mrs. BACHMANN.
H.R. 4751: Mr. FOSTER.
H.R. 4753: Mr. KIND.
H.R. 4755: Mr. ELLISON.
H.R. 4788: Mr. RAHALL, Mr. WALZ, Ms. WOOLSEY, and Mr. VASCLOSKEY.
H.R. 4806: Ms. KILROY and Mrs. DAVIS of California.
H.R. 4812: Mr. HIGGINS, Mr. HOLDEN, and Ms. BERKLEY.
H.R. 4829: Mr. ETHERIDGE, Mr. LARSEN of Washington, Ms. MATSUI, Ms. MARKEY of Colorado, Mr. COURTNEY, and Mr. MURPHY of Connecticut.
H.R. 4842: Ms. KILROY.
H.R. 4844: Mr. CASSIDY.
H.R. 4850: Ms. LORETTA SANCHEZ of California, Mr. EHLERS, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. PERRIELLO, Mr. PAULSEN, Mr. LATHAM, and Mr. GENE GREEN of Texas.
H.R. 4856: Mr. DAVIS of Tennessee.
H.R. 4859: Ms. NORTON, Mr. RAHALL, and Mr. ALEXANDER.
H.R. 4868: Mr. ELLISON.
H.R. 4870: Ms. KAPTUR and Ms. WOOLSEY.
H.R. 4881: Mr. SCOTT of Virginia.
H.R. 4886: Mr. PITTS and Mr. MCCOTTER.
H.R. 4889: Mr. SENSENBRENNER and Mr. BURTON of Indiana.
H.R. 4894: Mr. ROGERS of Kentucky.
H.R. 4903: Mr. PLATTS.
H.R. 4904: Mr. WAMP.
H.R. 4908: Mr. PRICE of North Carolina.
H.R. 4910: Mr. POSEY and Mr. ROGERS of Kentucky.
H.R. 4919: Mrs. BACHMANN, Mrs. BONO MACK, Mr. MCCLINTOCK, Mr. PITTS, Mrs. MILLER of Michigan, Mr. BARRETT of South Carolina, Mr. BISHOP of Utah, Mr. GRIFFITH, and Mr. HENSARLING.
H.R. 4925: Mr. NADLER of New York.
H.R. 4937: Mr. LEE of New York.
H.R. 4940: Mr. TIAHRT, Mr. SOUDER, and Mr. MORAN of Kansas.
H.R. 4943: Mrs. BLACKBURN, Mr. BURGESS, Mr. MACK, Mr. REICHERT, Mr. NUNES, Mr. SAM JOHNSON of Texas, and Mr. HENSARLING.
H.R. 4944: Mr. PRICE of Georgia, Mr. BURTON of Indiana, Mr. MCCLINTOCK, and Mr. ROGERS of Kentucky.
H.R. 4947: Mr. WAMP.
H.R. 4951: Mr. MORAN of Kansas and Mr. POSEY.
H.R. 4960: Mr. LAMBORN.
H.R. 4962: Ms. KILROY.
H.R. 4975: Mr. KING of New York and Mr. SOUDER.
H.R. 4985: Mr. CASSIDY.
H.R. 4996: Mr. LATTI.
H.R. 4999: Mr. LAMBORN.
H.R. 5000: Ms. FUDGE and Mr. DRIEHAUS.
H.R. 5008: Ms. HARMAN, Mr. HOLDEN, Mr. SALAZAR, Mr. BOSWELL, and Mr. MICHAUD.
H.R. 5015: Mr. WELCH, Ms. WOOLSEY, Mr. DELAHUNT, Mr. SERRANO, Mr. DUNCAN, Mr. MORAN of Virginia, Mr. DEFAZIO, Mr. FARR, and Ms. HIRONO.
H.R. 5020: Mr. DAVIS of Illinois, Mr. OLVER, Mr. HARE, Mr. HINCHEY, Mr. MCCLINTOCK, Mr. KENNEDY, and Mr. DAVIS of Alabama.
H.R. 5021: Ms. SUTTON.
H.J. Res. 76: Mr. SCHRADER.
H.J. Res. 79: Mr. YOUNG of Florida, Mr. BONNER, and Mr. BARTLETT.
H. Con. Res. 28: Mr. QUIGLEY.
H. Con. Res. 40: Mr. QUIGLEY.

H. Con. Res. 50: Ms. RICHARDSON.
 H. Con. Res. 137: Mr. RANGEL, Mr. TOWNS, and Mrs. MCCARTHY of New York.
 H. Con. Res. 241: Mr. LEWIS of California.
 H. Con. Res. 256: Mr. BURTON of Indiana, Mr. WEINER, Mr. SHULER, Mr. MILLER of Florida, Mr. KIRK, and Mr. INGLIS.
 H. Con. Res. 260: Mr. TIM MURPHY of Pennsylvania, Mr. NUNES, Mr. OLSON, Mr. PITTS, Mr. PLATTS, Mr. POSEY, Mr. ROE of Tennessee, Mr. RADANOVICH, Mr. ROGERS of Alabama, Mr. ROYCE, Mrs. SCHMIDT, Mr. SCHOCK, Mr. SESSIONS, Mr. SHUSTER, Mr. SMITH of New Jersey, Mr. SMITH of Texas, Mr. TIAHRT, Mr. TIBERI, Mr. ADERHOLT, Mr. COSTELLO, Mr. KAGEN, Mr. MCCOTTER, Mr. MURPHY of New York, Mr. WAMP, Mr. WOLF, Mr. GALLEGLY, Ms. GINNY BROWN-WAITE of Florida, Mr. MARCHANT, Mr. HENSARLING, Mr. ORTIZ, Mr. POE of Texas, Mr. BRIGHT, Mr. CONNOLLY of Virginia, Mr. ALEXANDER, Mr. AUSTRIA, Mrs. BACHMANN, Mr. BACHUS, Mr. BERRY, Mr. BILBRAY, Mr. BILIRAKIS, Mr. BLUNT, Mr. BONNER, Mr. BOOZMAN, Mr. BOSWELL, Mr. BROUN of Georgia, Mr. BUCHANAN, Mr. BURGESS, Mrs. CAPITO, Mr. CHAFFETZ, Mr. CULBERSON, Mr. DENT, Mr. FALEOMAVAEGA, Ms. FOXX, Mr. FRANKS of Arizona, Mr. GERLACH, Mr. GOHMERT, Mr. HASTINGS of Washington, Mr. HELLER, Mr. INGLIS, Ms. JENKINS, Mr. JORDAN of Ohio, Mr. KINGSTON, Mr. KISSELL, Mr. LANCE, Mr. LATTA, Mr. LAMBORN, Mr. LOBIONDO, Mr. MACK, Mr. MCCLINTOCK, Mrs. McMORRIS RODGERS, Mr. GARY G. MILLER of California, Mrs. MILLER of Michigan, and Mr. MORAN of Kansas.
 H. Res. 173: Mr. ACKERMAN, Mr. WITTMAN, Ms. HARMAN, Mr. HEINRICH, Ms. WOOLSEY,

Mr. CONNOLLY of Virginia, Mr. MCNERNEY, Mrs. NAPOLITANO, Mr. MAFFEI, Mrs. CAPPES, Mr. ROGERS of Kentucky, Mr. HOLDEN, Mr. YARMUTH, Mr. OWENS, Mr. LUCAS, Ms. SLAUGHTER, and Mr. BOSWELL.
 H. Res. 497: Mr. CALVERT.
 H. Res. 855: Mr. BURTON of Indiana, Mr. BRIGHT, Mr. KISSELL, Mr. MANZULLO, and Mr. QUIGLEY.
 H. Res. 982: Mr. KIRK, Mr. MICA, Mr. FLEMING, Mr. SMITH of New Jersey, and Mr. KLINE of Minnesota.
 H. Res. 989: Mr. SABLAN, Mr. SERRANO, Mr. MICHAUD, and Mr. FRANK of Massachusetts.
 H. Res. 1033: Ms. CASTOR of Florida, Mr. SCOTT of Georgia, Mrs. MCMORRIS RODGERS, Mr. ORTIZ, and Mr. RYAN of Ohio.
 H. Res. 1073: Mr. MCCOTTER.
 H. Res. 1106: Mr. RUSH and Mr. JOHNSON of Georgia.
 H. Res. 1171: Ms. SCHWARTZ, Mr. ARCURI, Ms. HIRONO, Mr. PASCRELL, Mr. SERRANO, Mr. SNYDER, Mr. CARSON of Indiana, and Mr. QUIGLEY.
 H. Res. 1172: Mrs. CAPPES, Mr. SNYDER, Mr. SHERMAN, Mr. KLEIN of Florida, Ms. HIRONO, Mr. HINCHEY, Ms. WOOLSEY, Ms. KILROY, Mr. HARE, Ms. SPEIER, Ms. BALDWIN, Mr. CAMP, Mr. LEE of New York, Mr. EHLERS, Ms. SUTTON, Mr. DINGELL, Mr. FOSTER, Mr. MAFFEI, Mr. KAGEN, Ms. EDWARDS of Maryland, Ms. RICHARDSON, Mr. HASTINGS of Florida, Mr. KILDEE, Mr. HINOJOSA, Mr. ANDREWS, Mr. WALZ, Mr. SALAZAR, Mr. GENE GREEN of Texas, Mr. ORTIZ, Mr. HIMES, Mr. MURPHY of Connecticut, Mr. PERRIELLO, Mr. BOCCIERI, Mr. ADLER of New Jersey, Mr. STUPAK, Mr. CLAY, Ms. SCHWARTZ, Mr. LOEBSACK, Mr. PE-

TERS, Ms. DELAURO, Mr. SPRATT, Ms. LORETTA SANCHEZ of California, Ms. CHU, Ms. TITUS, Mr. ACKERMAN, Ms. CASTOR of Florida, Mr. TEAGUE, Ms. MARKEY of Colorado, and Mr. UPTON.
 H. Res. 1175: Mr. STEARNS and Mr. BURTON of Indiana.
 H. Res. 1187: Mr. HINCHEY, Ms. LEE of California, and Mr. SABLAN.
 H. Res. 1196: Mr. MARSHALL, Mr. REHBERG, and Mr. SKELTON.
 H. Res. 1208: Mr. CAO, Mr. COOPER, Mr. HOLDEN, Mr. ISSA, Mr. BARROW, Mrs. BLACKBURN, Mr. KIND, Mr. BLUNT, and Ms. LORETTA SANCHEZ of California.
 H. Res. 1209: Ms. MCCOLLUM, Mr. WILSON of South Carolina, Mr. KLINE of Minnesota, and Mr. PAULSEN.
 H. Res. 1226: Mr. KIRK and Mr. CASSIDY.
 H. Res. 1230: Mr. PRICE of Georgia.
 H. Res. 1240: Mr. MINNICK.
 H. Res. 1241: Mr. MARCHANT, Mr. LAMBORN, Mrs. BACHMANN, Mr. BARTLETT, Mr. PITTS, Mr. LANCE, Mr. SHULER, Mrs. MILLER of Michigan, Mr. MCHENRY, Mrs. MCMORRIS RODGERS, Mr. KING of New York, Mr. MORAN of Kansas, and Mr. PRICE of Georgia.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 877: Ms. ESHOO.



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 111th CONGRESS, SECOND SESSION

Vol. 156

WASHINGTON, THURSDAY, APRIL 15, 2010

No. 53

Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York.

PRAYER

The PRESIDING OFFICER. Today's opening prayer will be offered by Dr. Vaughn W. Baker, pastor of Christ United Methodist Church in Fort Worth, TX.

The guest Chaplain offered the following prayer:

Let us pray.

Gracious and loving God, the One in whom we live and move and have our being, we call upon You this day, seeking Your blessing in this U.S. Senate. We call upon You for wisdom and courage, knowing that without You we can do nothing but also knowing that in You we can do all things.

We remember that every good and perfect gift comes from You, the Father of lights, and we seek Your presence and blessing in all we do this day. We remember the words of Scripture which remind us, saying, "Blessed is the nation whose God is the Lord."

We thank You for the sacred gift and trust given to us in the Senate, looking to You in all things, through Christ, in whose Name we pray. Amen.

PLEDGE OF ALLEGIANCE

The Honorable KIRSTEN E. GILLIBRAND 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.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, April 15, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mrs. GILLIBRAND thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Madam President, there will be a period of morning business today as soon as I finish. There will be 10 minutes for each Senator. The majority will control the first 30 minutes and the Republicans will control the final 30 minutes.

Following morning business, the Senate will resume consideration of the extension of unemployment benefits and others. Yesterday, I filed cloture on the substitute and the bill. The filing deadline for first-degree amendments is today at 1 p.m. Currently, we have two Coburn amendments pending. We would like to dispose of those amendments and complete action on the bill today. I have had some conversations with Senator COBURN, and he believes we can finish this today. I would hope we can. If others have amendments to offer, I would hope they would do it as soon as possible. The reason for that is that we could finish early today and allow people to make arrangements for tomorrow. Right now, people are scheduled out for tomorrow. If we can get out early today, they can make other arrange-

ments for tomorrow. People simply have to decide if we are going to have to be here tomorrow morning. The sooner we have the Republicans tell us that, the better off we will be.

Madam President, I would ask the Chair to now announce morning business.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes, with the majority controlling the first 30 minutes and the Republicans controlling the second 30 minutes.

ORDER OF PROCEDURE

Mr. REID. Madam President, I suggest the absence of a quorum, and I ask unanimous consent that the time during the quorum be charged equally on both sides.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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S2331

FINANCIAL REFORM

Mr. McCONNELL. Madam President, two things have become increasingly clear over the past week in the debate about the need to protect taxpayers from the mistakes of Wall Street: No. 1, both parties are united in the need to take action—we agree on that—and No. 2, the bill our colleagues across the aisle are insisting on as the remedy is seriously flawed.

The good news is that the bill can be improved, and both sides have expressed a willingness to make the changes needed to ensure without any doubt—without any doubt—that this bill would not allow future bailouts of Wall Street banks. We need to make sure future bailouts of Wall Street banks never occur again.

I was encouraged to hear the President yesterday acknowledge that it is his hope that the bill which emerges from this debate will not allow for bailouts. I share that hope. Republicans believe the solution is for the bipartisan talks to resume between Chairman DODD and Ranking Member SHELBY and others and not for one side to insist on a take-it-or-leave-it approach.

Like the President, I hope we can get back together and address this very important issue on a bipartisan basis. Republicans and Democrats alike believe the flaws in the Democratic bill—flaws that would allow taxpayer dollars to bail out Wall Street banks—can and should be corrected. Let's get this done. Let's take away any possibility that taxpayers will once again be told they will be on the hook for mistakes on Wall Street.

Madam President, I yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CASEY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

 NUCLEAR SECURITY SUMMIT

Mr. CASEY. Madam President, I rise to speak this morning about two topics. One is the recent work the President has done on nuclear security and some progress we have made this week, and the issue of tax policy in the United States of America.

First, I rise today to talk about the threat posed by nuclear terrorism and the historic progress made by President Obama and his administration at the Nuclear Security Summit this week and some observations on Iran's nuclear program.

The threat posed by so-called loose nuclear material is real. We know that more than 2,000 tons—2,000 tons—of plutonium and highly enriched uranium exist in dozens of countries with a variety of peaceful as well as mili-

tary uses. There have been 18 documented cases of theft or loss of highly enriched uranium or plutonium—that is 18 documented cases—throughout the world.

In September of 1961, President Kennedy addressed nuclear weapons in a speech to the United Nations General Assembly. He said:

Every man, woman and child lives under a nuclear sword of Damocles, hanging by the slenderest of threads, capable of being cut at any moment by accident or miscalculation or madness.

Today, the threat of a nuclear strike is more likely to come from terrorist actors, not a state. These groups are harder to deter because they may not have a geographic base. Moreover, they are not threatened by the concept of mutually assured destruction.

President Obama noted that we are paradoxically more vulnerable today to a nuclear attack than we were during the Cold War. Today's sword of Damocles still hangs by the slenderest of threads, but we have the ability to prevent this threat by minimizing the access such terrorist groups would have to nuclear materiel.

So what did the United States accomplish at the Nuclear Security Summit? First, I believe it was important for the President to elevate this threat in the minds of international leaders, particularly among the so-called non-aligned movement—those nations across the world that are not aligned on these issues.

Many leaders around the world do not see nuclear terrorism as an existential threat. This summit was an important first step towards accurately defining the threat that nuclear terrorism holds for us all and building broad political support for higher security standards.

This political support is important because we can't stop nuclear terrorism on our own. Securing nuclear materials requires the active participation of a host of actors including governments, militaries, border guards, parliaments, intelligence services, local law enforcement, and citizens. We need increased vigilance and an understanding that a nuclear strike anywhere in the world will have a profound impact on us all.

The administration was also able to attract concrete support for several initiatives. In fact, every country in attendance pledged to do more to tighten regulation of nuclear materials and several made concrete commitments to comply with international treaties on nuclear security. Most notably, our allies decided to do the following: By way of example, Canada returned a large amount of spent highly enriched uranium fuel from their medical isotope production reactor to the United States and committed to funding highly enriched uranium removals from Mexico and Vietnam; Chile removed all highly enriched uranium in March; Italy and the U.A.E. signed Megaports agreements with the U.S.

which will include installation of detection equipment at ports; Kazakhstan will convert a highly enriched uranium research reactor and eliminate its remaining highly enriched uranium; Mexico will convert a highly enriched uranium research reactor and eliminate their remaining highly enriched uranium by working through IAEA; Norway will contribute \$3.3 million over the next 4 years to the IAEA nuclear security fund which are flexible funds for activities in developing countries; Russia signed the Plutonium Disposition protocol, decided to end plutonium production and will make contributions to the International Atomic Energy Agency's Nuclear Security Fund; finally, Ukraine will remove all highly enriched uranium by the next Nuclear Security Summit in 2012 and half of it by year's end.

This conference was only the beginning of a renewed international focus on fulfilling commitments to U.N. resolution 1540 and the nuclear non-proliferation treaty. In December, representatives from each participating country will reconvene to measure commitments made against concrete results. This effort to focus the international community will lead to even more tangible progress looking ahead to the next nuclear security summit in Seoul in 2012.

Ultimately, real progress will be found in the consistent enforcement of rules already in place for monitoring and controlling the establishment and movement of nuclear material in these countries. This is not exciting work but very important as countries safeguard and reduce their weapons-grade material, and we will begin to build a more secure future.

I was also encouraged at President Obama's ability to use the summit to continue building support for strong sanctions on Iran. I believe that his face to face meeting with President Hu will pay dividends as the U.N. Security Council negotiated a resolution imposing sanctions on Iran. Given China's recent opposition to new sanctions, I was encouraged by President Hu's apparent willingness to consider the resolution. We are not there yet, but the administration has laid the diplomatic groundwork necessary for a strong sanctions package. We need to move forward on this pressure track and we need to move quickly.

At the end of March, I traveled to the International Atomic Energy Agency—IAEA—in Vienna for an update on its work to track the Iranian nuclear program. While I was impressed with the agency staff and leadership of Director General Yukiya Amano, I came away convinced that the international community needed to do more to confront Iran's nuclear program.

My concerns have grown with reports that Iran may be planning two additional nuclear enrichment sites. In a recent interview with the Iranian Student News Agency, the head of Iran's

Atomic Energy Organization said President Mahmoud Ahmadinejad had ordered work to begin soon on the two new enrichment plants. The plants, he said, “will be built inside mountains,” presumably to protect them from attacks.

If Iran’s nuclear program were peaceful in nature, they would have nothing to hide from international inspectors. Iran has all but rejected the Geneva deal of October 1, 2009, that would have seen Iran’s low enriched uranium—L.E.U.—shipped out the country and the eventual return of uranium enriched to 20 percent, well below weapons grade, for use in a Tehran medical research reactor. Iran would have agreed to this very good deal offered repeatedly by the international community if it wanted a nuclear program for medical and other peaceful purposes.

If the United States is committed to demonstrating that international law is not an empty promise, obligations must be kept and treaties must be enforced so that the Iranian regime knows we mean business. The Iranian regime must face penalties for violating its commitments to the U.N. and the IAEA. France, the United Kingdom, the U.S., China, Russia and Germany have made serious attempts to engage with Iran through the P5+1 process. These efforts have been repeatedly rebuffed and in some cases scorned by the regime in Tehran. Iran’s leaders continue to pass up extraordinary opportunities to integrate their country with the rest of the world, a desire felt by so many of Iran’s citizens.

I supported these engagement efforts as a means towards changing the behavior of the regime. Unfortunately, it has not worked. Noncompliance with the U.N. and IAEA must have consequences and the international community must move quickly to show Iran that we are serious.

During my trip, I also attended a conference on transatlantic relations in Brussels with American and European leaders. I called on our European allies to support an aggressive multilateral sanctions package and was heartened to see that many participants heeded this call to action. I appeared on a panel alongside Yossi Kuperwasser, Deputy Director General of the Israeli Ministry of Strategic Affairs, who also made an impassioned appeal to those assembled, not only on behalf of Israel but the broader international community. Iran’s pursuit of nuclear weapons would spark an arms race in the region, which does not advance Iran’s or any other country’s security. The clock is ticking, he said, and free people around the world have a shared interest in stopping Iran’s nuclear program.

I could not agree more with our friend from Israel when he made that statement.

TAX POLICY

Next, I will move for a few moments to the other topic I want to speak

about briefly, tax policy. We are in this season of not only taxes—the focus on Tax Day, it is April 15—but we are also in the season of debate about the budget and about our economic future. That is as it should be. But I think when we step back and look at what has happened over the last 18 months or so, we see, and I think the evidence is abundantly clear now, that Democrats in the Senate, working with President Obama and a very few number of Republicans, have provided meaningful tax cuts to hard-working middle-class families throughout America.

Through the American Recovery and Reinvestment Act, the so-called stimulus bill, or the recovery bill as I like to call it, we will continue to fight to provide this kind of tax relief for middle-income families so they can fully reap the benefits of their hard work and stabilize their families’ finances.

I think, on this side of the aisle, if we look at the record of the last more than a year, we have been on the side of middle-income families as they work very hard to make ends meet in a very difficult economy. I think this record stands in stark contrast with the record of our Republican friends who tried to sell their tax breaks over the past decade as beneficial to all Americans, when in reality they gave away nearly \$3 trillion—let me say that again—\$3 trillion in tax cuts to the wealthiest 20 percent of U.S. households.

What happened after that? Our economy went into the ditch, and we have been in the ditch for far too long. At the same time that was happening, Democrats were trying and have been succeeding in making sure we understand what middle-income families are up against. In the past year, Democrats have provided 98 percent of Americans with a tax cut. A new study shows middle-class tax cuts included in the recovery bill have saved taxpayers an average of \$1,158 on their tax returns this year. Every single working- and middle-class family and individual—and here we are talking about the bottom 80 percent of income earners—have received a tax cut.

This analysis accounts for the following parts of our policy: First, the Making Work Pay tax credit, which has been available to 94 percent of all working families and individuals; second, changes to the child tax credit; third, an increase in the earned-income tax credit; and, finally, relief from the alternative minimum tax, as well as a new, partially refundable education tax credit. The cite for this is Citizens for Tax Justice, April 13 of this year.

I think the record is pretty clear when it comes to recent history on tax policy. Democrats have been on the side of middle-income families, providing tax cuts for so many Americans who were not getting that kind of relief before. Republicans in Washington have a long record of making sure wealthy Americans get their tax cuts. But what we see from that is an econ-

omy in the ditch. We are thankfully moving out of that ditch.

We saw in January and February of 2009 more than 1.5 million jobs lost. Contrast that with January and February of 2010. There was much less job loss, in the tens of thousands, and even by the revised estimates actual growth in jobs, certainly growth in jobs in the month of March 2010. I think the record is pretty clear.

With that, I yield the floor for my colleague from Delaware, Senator KAUFMAN.

The ACTING PRESIDENT pro tempore. The Senator from Delaware.

IN PRAISE OF THELMA STUBBS SMITH

Mr. KAUFMAN. Madam President, I rise once again to speak about one of our Nation’s great Federal employees.

We have just returned to Washington, and I know we have a long and busy work period ahead in the Senate. All of us will be relying on our staff—especially our schedulers and personal assistants—to keep us abreast of the latest vote schedules and meetings with constituents and colleagues.

I cannot overstate how much those of us in positions of leadership depend on the hard work and expertise of those who keep us organized and ever-prepared. This is not just true for me and my colleagues in the Senate but also for Members of the House, Cabinet Secretaries, agency heads, and other senior officials.

That is why I have chosen to honor as this week’s great Federal employee a woman whose long career did so much to help keep our Nation safe during the Cold War.

Thelma Stubbs Smith served for over 40 years in the Defense Department as a personal assistant.

She worked for seven consecutive Secretaries of Defense—both Republican and Democratic. Before that, Thelma served under six Assistant Secretaries in the Department.

A native of Chicago, Thelma began her public service career during World War II, when she worked for the Selective Service System and the Office of Price Administration. After the war, she worked as a secretary at the Veterans Administration before coming to Washington to work for the Pentagon’s Guided Missiles Committee.

Thelma briefly served on the staff of Illinois Congressman Melvin Price in 1952, but she soon returned to the Pentagon.

In the 1950s and 1960s, Thelma served as the personal assistant to six Assistant Secretaries of Defense, including William Bundy, John McNaughton, and Paul Nitze. During this time, she began accompanying them on what would later total 85 trips overseas during her career. As part of her duties during that period, she worked closely with Secretary Robert McNamara.

One of the most harrowing moments in her life came on the 13th day of the

Cuban Missile Crisis. Thelma spent that evening personally burning important cables and notes in a small office at the Pentagon, as they were too sensitive to be shredded with other papers. When she finally left after midnight, she was one of the few Americans who knew just how precarious the situation was, and she could not say with certainty whether the Pentagon would be there the next morning.

But, thankfully, that morning came.

In 1969, when Melvin Laird was confirmed as Secretary of Defense, he asked Thelma to serve as his personal assistant. She agreed to do so on a temporary basis.

I know personally how a "temporary basis" can evolve into a life's pursuit. When JOE BIDEN asked me to help him set up his Senate office in 1972, I took a 1-year leave of absence from my job with the DuPont Company, and I ended up staying with JOE BIDEN for 22 years.

In that way, Thelma began her service as the personal assistant to every Secretary of Defense from Melvin Laird to Frank Carlucci.

During the course of her service, Thelma visited every corner of the world. She was awarded 10 Meritorious Civilian Service Medals and the Secretary of Defense Medal for Distinguished Public Service, which is the highest medal a civilian employee of the Pentagon can earn.

A paragon of professionalism and discretion, Thelma always answered those who urged her to write a book by saying that "It would be 500 blank pages, and the title would be 'My Lips are Sealed.'"

All of us who serve in positions of leadership with enormous responsibility to the American people owe so much to great organizers and assistants like Thelma.

I know firsthand how Thelma's dedication to public service was passed on to her family. Her daughter, Sheryl Rogers, and son-in-law, Geoff Rogers, have lived in my home State of Delaware for over 20 years, and both were Federal employees as staffers here in the Senate.

Sheryl used to work in the office of former Virginia Senator John Warner, and Geoff spent a few years in then-Senator JOE BIDEN's office, back when I was chief of staff.

Thelma, now retired, resides in Northern Virginia, not far from the Pentagon, where she served for so many years.

I hope my colleagues will join me in honoring the great contribution Thelma Stubbs Smith has made to our Nation as well as thanking all those who serve as personal assistants in the Defense Department and across our government.

They are all truly great Federal employees.

I yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CORKER. I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

FINANCIAL REFORM

Mr. CORKER. Madam President, I come to the floor today to talk about financial reform. I know we have a number of issues before the body right now, and it will be a couple of weeks, maybe 3, before this body takes up what I think is a very important piece of legislation, financial reform.

It is something the Banking Committee has been having hearings on now for about a year and a half. It is an issue that I think is very important to our country and Americans from all walks of life. At present, the bill that has come out of the committee is a partisan bill. It came out of committee on a 13-10 vote; came out of committee, believe it or not, a 1,336-page bill, came out in 21 minutes with no amendments, on a party-line vote and no debate.

I could talk a lot about this function and activities on both sides of the aisle that may have put us where we are today. But the fact is, we have a very important piece of legislation that is getting ready to come before this body. It is one I believe we need to deal with in a bipartisan way.

The stated reason by the chairman of the committee as to why we handled the bill the way we did in committee a few weeks ago—not to have amendments, not to debate the bill—was to, after the bill came out of committee, negotiate a bipartisan bill before it came to the floor and then have a debate on some of the smaller issues.

There has been a lot of rhetoric flying around here over the last couple of weeks, some of which came from the White House, some of it came from the Democratic leadership, some of it came from our side of the aisle. It is evident that what is happening right now, instead of seeking a real bipartisan bill, what is happening is, one member, two members, two members on the Republican side are being reached out to to try to snag somebody and to make that, in fact, a bipartisan bill.

That is not my understanding of what a good bipartisan bill is. That certainly was not my understanding as to why the Banking Committee handled the bill the way we did. Again, I want to say one more time, a 1,336-page bill, coming out of committee in 21 minutes with no amendments.

The reason that was done, or the stated reason, was so the two sides would not harden against each other, and that before the bill actually came to the floor, we would reach a true bipartisan amendment.

I came here to try to solve problems for our country and put in place good policy. I think everybody knows I have worked hard, along with others on our side of the aisle, to reach a real, solid,

good bipartisan bill, a bill that ends too big to fail. I think everybody in this country, on both sides of the aisle, of all walks of life, wants to expunge from the American vocabulary the fact that any company in this country is too big to fail.

The bill that has come out of committee tried to address that. There are many good provisions in the bill under the title of "Orderly Liquidation" that deal with that. But what happened at the very end was, as one would expect, Treasury got involved, the FDIC got involved. They wanted to create some flexibility for themselves, as any agency or administration wishes to have. But in creating that flexibility, that foam on the runway, as some would call it, what has happened is we actually have a bill that does not end too big to fail.

It is my belief—and I had a colloquy with my friend from Virginia yesterday, Senator WARNER—that we could solve that in about 5 minutes. Maybe that is an exaggeration, maybe it is 15, maybe it is 30.

But the fact is, there are provisions that we know could fix this piece of legislation so that it ends any chance of a company seeping through, if you will, and actually being bailed out. My guess is, if we again sat down as adults we could solve that problem. As a matter of fact, I think some of that activity, some of those discussions actually began yesterday.

I think all of us want to make sure that consumers are protected. There is no question, both sides of the aisle understand that in many ways there needs to be more transparency, there needs to be more accountability.

I had some great negotiations with Senator DODD from Connecticut. We reached a middle ground. I will say that again. We reached a middle ground. We had an understanding that leadership on our side of the aisle was in agreement with. What I would say is let's get back there. Let's get this consumer protection, let's get this new agency back in the middle of the road, let's protect consumers, and let's make sure at the same time that it does not undermine the safety and soundness of our financial system. We can do that. We can do that in 2 or 3 or 4 days. It can be done. It is not that complicated. We have worked through many of the issues.

On to revenue. I could not agree more that we need to make sure that we use, to the extent we can, a clearinghouse to make sure when companies are trading in derivatives, and they are money baths at the end of the day, they settle up. They get back into a position where they are even. They put up collateral. They put up cash to make sure they are not money baths, so that we do not end up in the same position we were when AIG had not done that, had not trued up on a daily basis, and they found themselves with huge liabilities that they could not own up to which destabilized our financial system.

That is not where we need to be. But we know what we need to do. Look, this is a very complex piece of legislation. There is no doubt. It is intellectually challenging to try to work through it and try to make sure that you do not have unintended consequences by not fully seeing what a piece of legislation or a sentence may do.

But the fact is, we can do this. This is not that heavy. It is my understanding that the chairman of the Banking Committee plans to bring this bill forward on April 26, maybe a week later. It is my understanding we may deal with some other issues. Maybe it is the first week of May.

What I would say to everybody in this body, and anybody who may be watching, is we can easily reach a bipartisan consensus on this. We have to have the ability to sit down and do that.

I consider it not a good-faith effort to, instead of sitting down with many of the principals who have been involved in this from day one, the chairmen and ranking members on the committees, instead of sitting down and creating a template—it doesn't have to address every single issue but a template on the floor that deals with it—instead of doing that, reaching out and trying to find one person to come over, I don't consider that a good-faith effort. I am sorry. I hope that type of activity will end. That is not what has been stated as to how we can reach a bipartisan bill.

Let me go back to the template. This is complex, this piece of legislation. To me what we need to do is sit down together. We could have it done in a week. We need to sit down together and work through the main issues in this template. Let's deal with derivatives, with consumers. Let's deal with systemic risk and orderly liquidation. There will be issues of Members on our side of the aisle where there is no way we could reach agreement on in our own caucus, and I know there are issues on the other side of the aisle on which their caucus will not be able to reach agreement, having to do with governance, some of the security issues that may exist in title IX. Let's debate those issues on the floor. My guess is that if we did that, there are going to be some amendments adopted that I don't think are particularly good ideas. There will be some amendments adopted that my friends on the other side of the aisle would not think are particularly good ideas. But at the end of the day, we would have come to the floor with a template that on the big issues we have reached bipartisan agreement, and then we could have amendments to debate on the floor, some of the other issues that may delve down into details that don't necessarily change the entire bill but address issues that Members in this body think are important.

I consider it an honor to serve in this body. I have enjoyed this more than any issue we have dealt with, trying to

reach a consensus on this financial regulation bill. There is plenty of fault to go around on both sides that does not need to be rehashed at this moment. The fact is, we are where we are. We are getting ready to deal with a major piece of legislation. There are numbers of people on both sides of the aisle who have spent a lot of time trying to understand the complexities of these issues. I am proud of the work Members on both sides of the aisle have done to try to understand these issues in a real way. Let's get those folks together. Let's sit down and work out the template. Let's bring a real bipartisan bill to the floor, not a bill where they go out and make a deal with one person and bring them over, and maybe there are other things going on at the same time. That is not what I call a bipartisan bill. Let's bring it to the floor. Let's debate it. Let's do what the people all across this country have elected us to do. Let's come to the floor and act like adults. Let's tone down the rhetoric. Let's don't exaggerate the pluses or the minuses.

Let's do what the Senate was created to do. We were supposed to be the cool heads. We were supposed to be the people who took some of the red-hot activities that sometimes come from the other body and sat down with cooler heads and resolved the issues like adults. We can do that. As a matter of fact, I would say, if we cannot do that on financial regulation, an issue that doesn't have any real philosophical bearings to it—there are some differences in points of view, but at the end of the day, we all want to make sure we address financial regulation in an important way, that we do what we can to alleviate risk in the system without stifling innovation.

I think everybody still wants this country to be the world leader in financial innovation. But we want to do so in a manner that doesn't create risk, that doesn't upset our economy, that doesn't have periods of time where we have such risk and instability that people are unemployed. We all want to do that.

I say to my friends on the other side of the aisle, I believe a commitment was made. I took it as a real commitment that after this bill came out of committee, we were going to sit down like adults and reach a bipartisan agreement on a template that would be brought to the floor and debated. I took that as a commitment. I expect that commitment to be honored. I look forward to that process beginning.

I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mrs. HUTCHISON. I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

A VISION FOR NASA

Mrs. HUTCHISON. Madam President, later today, President Obama will travel to the Kennedy Space Center in Florida. He will visit with employees and officials there and deliver a speech on his vision for NASA. We have begun to learn the details about some of what the President may be announcing, but so far nothing has been suggested that alleviates the concerns I expressed earlier this week. In fact, I am growing more concerned. I have serious questions about the administration's proposed vision.

For example, the President is proposing to rely on a commercial space launch industry that is still in its infancy. Once the space shuttle is retired, a commercial vehicle would be the only American human spaceflight capability for the foreseeable future. Further, we are about to complete the International Space Station and begin the period of scientific research we have been waiting for. For the past 10 years, we have waited for the space station to be up and running and operable. At the same time that it is now becoming operable, we are beginning to phase out the space shuttle program. That is the only means we have to deliver crew and cargo to the space station. We are nowhere close to having an alternative to the shuttle, whether government operated or commercial operation.

Congress and the President agree we should extend the life of the space station to at least 2020. That only makes sense because we have invested \$100 billion in this space station. Our partners are international. We have contractual commitments to our partners who have also made huge investments in the space station. Yet now we are looking at stopping our shuttle at the end of this year so the alternatives will be limited. We must be certain the space station can be supplied and maintained with the spare parts and equipment it needs to operate for the next 10 years. It may well be that equipment needed to ensure the sustainability of the space station can only be delivered by the space shuttle.

I introduced legislation last month to require NASA to conduct a review of station components and identify anything that might be needed to be delivered to equip it for its research mission. Of course, NASA could do that review right now without legislation. I urge General Bolden, the NASA Administrator, to undertake such a review, particularly in light of the space shuttle not being extended under the President's proposal. It is still possible we could extend the time between the shuttle flights to deliver the necessary materials to the station. That is an option I believe we need to preserve. It would prolong the time we could put our own astronauts into space with our own vehicle that we know is reliable.

That is the key. We don't have to add more into the budget. The budget already provides for two more space shuttles this year, plus one that would

be a contingency. We have this paid for in the budget. If we will only extend these out, it will give us so many more national options that would be in America's best interest. Without a NASA-managed alternative for human access to space, we will be dependent on the Russian Soyuz rockets to take American, European, Japanese, and Canadian crew members to the space station. Today it is a cost of \$56 million per passenger. That price could go up, if we end the space shuttles this year. We don't know what the next contract might have, especially when it is realized that we will have no capability and are shutting down our own capabilities at the time that we would be asking for help from the Russians.

Of even more concern is the possibility that without a shuttle or other alternative, any failure of the Soyuz for any period of time could leave the space station abandoned to become an orbiting example of space debris. What if something happened to the Russian program? What if the commercial industry that is fledgling doesn't come up with an alternative or, worse yet, what if they go out of business? These are the concerns the President is not addressing in his budget for NASA. I hope he will become more willing to look at the long-term consequences of what he is proposing to do, if we are going to retain our leadership position in space, in economics, and in security.

These and other concerns have been expressed by a number of other individuals, editorial boards, and organizations over the past days.

I asked unanimous consent to have printed in the RECORD letters and editorials expressing serious reservations about the President's plan and its adverse impact to our Nation's future leadership in space.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[An Open Letter to President Obama, Apr. 13, 2010]

The United States entered into the challenge of space exploration under President Eisenhower's first term, however, it was the Soviet Union who excelled in those early years. Under the bold vision of Presidents Kennedy, Johnson, and Nixon, and with the overwhelming approval of the American people, we rapidly closed the gap in the final third of the 20th century, and became the world leader in space exploration.

America's space accomplishments earned the respect and admiration of the world. Science probes were unlocking the secrets of the cosmos; space technology was providing instantaneous worldwide communication; orbital sentinels were helping man understand the vagaries of nature. Above all else, the people around the world were inspired by the human exploration of space and the expanding of man's frontier. It suggested that what had been thought to be impossible was now within reach. Students were inspired to prepare themselves to be a part of this new age. No government program in modern history has been so effective in motivating the young to do "what has never been done before."

World leadership in space was not achieved easily. In the first half-century of the space

age, our country made a significant financial investment, thousands of Americans dedicated themselves to the effort, and some gave their lives to achieve the dream of a nation. In the latter part of the first half-century of the space age, Americans and their international partners focused primarily on exploiting the near frontiers of space with the Space Shuttle and the International Space Station.

As a result of the tragic loss of the Space Shuttle Columbia in 2003, it was concluded that our space policy required a new strategic vision. Extensive studies and analysis led to this new mandate: meet our existing commitments, return to our exploration roots, return to the moon, and prepare to venture further outward to the asteroids and to Mars. The program was named "Constellation." In the ensuing years, this plan was endorsed by two Presidents of different parties and approved by both Democratic and Republican congresses.

The Columbia Accident Board had given NASA a number of recommendations fundamental to the Constellation architecture which were duly incorporated. The Ares rocket family was patterned after the Von Braun Modular concept so essential to the success of the Saturn 1B and the Saturn 5. A number of components in the Ares 1 rocket would become the foundation of the very large heavy lift Ares V, thus reducing the total development costs substantially. After the Ares 1 becomes operational, the only major new components necessary for the Ares V would be the larger propellant tanks to support the heavy lift requirements.

The design and the production of the flight components and infrastructure to implement this vision was well underway. Detailed planning of all the major sectors of the program had begun. Enthusiasm within NASA and throughout the country was very high.

When President Obama recently released his budget for NASA, he proposed a slight increase in total funding, substantial research and technology development, an extension of the International Space Station operation until 2020, long range planning for a new but undefined heavy lift rocket and significant funding for the development of commercial access to low earth orbit.

Although some of these proposals have merit, the accompanying decision to cancel the Constellation program, its Ares 1 and Ares V rockets, and the Orion spacecraft, is devastating.

America's only path to low Earth orbit and the International Space Station will now be subject to an agreement with Russia to purchase space on their Soyuz (at a price of over 50 million dollars per seat with significant increases expected in the near future) until we have the capacity to provide transportation for ourselves. The availability of a commercial transport to orbit as envisioned in the President's proposal cannot be predicted with any certainty, but is likely to take substantially longer and be more expensive than we would hope.

It appears that we will have wasted our current \$10-plus billion investment in Constellation and, equally importantly, we will have lost the many years required to recreate the equivalent of what we will have discarded.

For the United States, the leading spacefaring nation for nearly half a century, to be without carriage to low Earth orbit and with no human exploration capability to go beyond Earth orbit for an indeterminate time into the future, destines our nation to become one of second or even third rate stature. While the President's plan envisages humans traveling away from Earth and perhaps toward Mars at some time in the future, the lack of developed rockets and spacecraft will

assure that ability will not be available for many years.

Without the skill and experience that actual spacecraft operation provides, the USA is far too likely to be on a long downhill slide to mediocrity. America must decide if it wishes to remain a leader in space. If it does, we should institute a program which will give us the very best chance of achieving that goal.

NEIL ARMSTRONG,
Commander, Apollo 11.
JAMES LOVELL,
Commander, Apollo 13.
EUGENE CERNAN,
Commander, Apollo 17.

[From the Orlando Sentinel, Apr. 12, 2010]

DEAR PRESIDENT OBAMA, America is faced with the near-simultaneous ending of the Shuttle program and your recent budget proposal to cancel the Constellation program. This is wrong for our country for many reasons. We are very concerned about America ceding its hard earned global leadership in space technology to other nations. We are stunned that, in a time of economic crisis, this move will force as many as 30,000 irreplaceable engineers and managers out of the space industry. We see our human exploration program, one of the most inspirational tools to promote science, technology, engineering and math to our young people, being reduced to mediocrity. NASA's human space program has inspired awe and wonder in all ages by pursuing the American tradition of exploring the unknown. We strongly urge you to drop this misguided proposal that forces NASA out of human space operations for the foreseeable future.

For those of us who have accepted the risk and dedicated a portion of our lives to the exploration of outer space, this is a terrible decision. Our experiences were made possible by the efforts of thousands who were similarly dedicated to the exploration of the last frontier. Success in this great national adventure was predicated on well defined programs, an unwavering national commitment, and an ambitious challenge. We understand there are risks involved in human space flight, but they are calculated risks for worthy goals, whose benefits greatly exceed those risks.

America's greatness lies in her people: she will always have men and women willing to ride rockets into the heavens. America's challenge is to match their bravery and acceptance of risk with specific plans and goals worthy of their commitment. NASA must continue at the frontiers of human space exploration in order to develop the technology and set the standards of excellence that will enable commercial space ventures to eventually succeed. Canceling NASA's human space operations, after 50 years of unparalleled achievement, makes that objective impossible.

One of the greatest fears of any generation is not leaving things better for the young people of the next. In the area of human space flight, we are about to realize that fear; your NASA budget proposal raises more questions about our future in space than it answers.

Too many men and women have worked too hard and sacrificed too much to achieve America's preeminence in space, only to see that effort needlessly thrown away. We urge you to demonstrate the vision and determination necessary to keep our nation at the forefront of human space exploration with ambitious goals and the proper resources to see them through. This is not the time to abandon the promise of the space frontier for a lack of will or an unwillingness to pay the price.

Sincerely, in hopes of continued American leadership in human space exploration.

Walter Cunningham, Apollo 7; Chris Kraft, Past Director JSC; Jack Lousma, Skylab 3, STS-3; Vance Brand, Apollo-Soyuz, STS-5, STS-41B, STS-35; Bob Crippen, STS-1, STS-7, STS-41C, STS-41G, Past Director KSC; Michael D. Griffin, Past NASA Administrator; Ed Gibson, Skylab 4; Jim Kennedy, Past Director KSC; Alan Bean, Apollo 12, Skylab 3; Alfred M. Worden, Apollo, 15; Scott Carpenter, Mercury Astronaut; Glynn Lunney, Gemini-Apollo Flight Director; Jim McDivitt, Gemini 4, Apollo 9, Apollo Spacecraft Program Manager; Gene Kranz, Gemini-Apollo Flight Director, Past Director NASA Mission Ops.; Joe Kerwin, Skylab 2; Fred Haise, Apollo 13, Shuttle Landing Tests; Gerald Carr, Skylab 4; Jim Lovell, Gemini 7, Gemini 12, Apollo 8, Apollo 13; Jake Garn, STS-51D, U.S. Senator; Charlie Duke, Apollo 16; Bruce McCandless, STS-41B, STS-31; Frank Borman, Gemini 7, Apollo 8; Paul Weitz, Skylab 2, STS-6; George Mueller, Past Associate Administrator For Manned Space Flight; Harrison Schmitt, Apollo 17, U.S. Senator; Gene Cernan, Gemini 9, Apollo 10, Apollo 17; Dick Gordon, 63, Gemini 11, Apollo 12.

POSTPONE THE SPACE SHUTTLE RETIREMENT

As the Space Shuttle program marches closer to its apparent end, NASA's future is now in jeopardy more than perhaps at any time in history. An underfunded Constellation program has suffered a series of delays which will likely push the first manned flight of Ares I with the Orion Crew Exploration Vehicle back to 2017. The Shuttle is on track to be retired near the end of 2010 after five more missions to the International Space Station (ISS), leaving a gap in US launched manned missions of at least seven years. The US, which has funded approximately \$60 billion of the \$100 billion ISS price tag, will soon find itself in an embarrassing position of buying seats on Russian vehicles to get its astronauts to and from the ISS. Further, and incredibly, the US is currently only funded to operate and maintain the ISS to 2015, just five years after its projected completion date.

NASA's plans to retire the Shuttle in 2010 are intended to redirect money to Constellation, a program which will not only send Orion to the ISS, but also explore beyond low earth orbit (LEO); i.e. go to the moon, Mars, and beyond. The Shuttle retirement, though, would yield sole access to the ISS to Russia for the currently projected seven-year gap. Thus, much of the public is bewildered by our government's desire to spend so much capital on such a crowning achievement, the ISS, and not consider it valuable enough to preserve our own independent access to it. I believe the American public's thirst for US leadership of manned space exploration will ultimately support NASA's desires to explore beyond LEO; however, Americans will be cautious in their support by first demanding we be good stewards of their current 60-billion-dollar investment. To do that, we need to extend the operational life of the ISS, guarantee our access to it by flying Shuttle through the gap, and robustly fund science research aboard the ISS.

Some insist we need to retire the Shuttle as soon as possible for safety concerns. I disagree. For sure, the Shuttle fleet is aging, as indicated by the fact that Endeavour, our newest Shuttle, first flew in 1992. Still, it is my personal belief that every Shuttle mission continues to be safer than the previous

one. While components on board the Shuttle are aging, the redundancy designed into the system is remarkable. Every day we get better at understanding the hazards associated with the mission, as indicated by our inspection techniques, repair procedures, external tank foam improvements, etc. NASA mission management teams give me great confidence that we are getting better at this business each and every mission. If we are comfortable with flying the currently remaining five missions (and I am quite certain we are), then I argue we should not be afraid to continue to fly the Shuttle through the gap.

Others argue that commercial alternatives exist to ferry our astronauts to and from the ISS. Not quite yet. Our commercial industry is indeed getting closer to attaining the ability to send unmanned spacecraft to the ISS as resupply ships. Ultimately, these companies may produce spacecraft safe enough for human travel to LEO. However, I would not bet the future of the ISS on commercial access for crewmembers happening much sooner, if at all, than Orion is capable of flying to the ISS in 2017. Thus, this option cannot be considered a viable "gap filler" at this point.

So, our choice is to accept a seven-year gap (or more) of no dedicated US access to the ISS or continue to fund the Shuttle through this gap. It will cost three billion dollars per year to maintain the Shuttle infrastructure and support at least two resupply/crew rotation missions per year. Thus, we need approximately an additional 20 billion dollars to fill the entire gap with Shuttle flights. An extra 20 billion dollars is a substantial amount of money. However, in the context of today's trillion-dollar annual deficit and 800-billion-dollar stimulus package, an extra 20 billion dollars spread over seven years is a bargain for what the Space Shuttle brings to our country. Not until Orion or a commercial alternative is indeed ready and capable of transporting our astronauts to and from the ISS, should we consider retiring the Space Shuttle. I believe our best approach to convince the public to ultimately support our exploration beyond LEO is to first deliver significant scientific payback with the ISS, and guaranteeing this payback requires we maintain our own, uninterrupted, access to it. The future of NASA and our manned exploration of space must include flying the Shuttle through the gap, whatever that gap may be.

LEE ARCHAMBAULT.

[From the Washington Times, Apr. 13, 2010]
LOSING IT IN SPACE

Pity poor NASA. Rather than reaching toward the stars, America's premier scientific organization has settled its sights on studying shrimp schools beneath the Antarctic ice cap and sticky accelerators on Toyotas. Such is the scope of hope and change in President Obama's universe.

In his 2011 budget, the president zeroed out NASA's Constellation project, the package of launch and landing vehicles that were to replace the aging space shuttle fleet to carry Americans into space. As a candidate, Mr. Obama said he "endorses the goal of sending human missions to the moon by 2020, as a precursor in an orderly progression to missions to more distant destinations, including Mars." The O Force changed its mind. Killing the Constellation project means billions wasted while space-flight hardware collects dust. "Yes we can" has become "mission impossible."

This is not a cost-cutting move. The agency is budgeted to receive \$19 billion next year, and Mr. Obama wants to throw an additional \$6 billion at it over five years. The hitch is he wants to shift its mission toward climate research and airplane design. Anx-

ious to stay relevant, NASA agreed to research the cause of Toyota's sudden-acceleration problem.

NASA administrator Charles Bolden said Thursday that federal money is budgeted for fostering the growth of the commercial space industry, including the development of space taxis. But if the results of the president's stimulus are any indication, command economic policy is an inefficient generator of jobs.

Sen. Kay Bailey Hutchison, Texas Republican, has argued that the most practical move would be to keep funding the space shuttle program until a replacement vehicle is ready. That way, the nation would maintain the continuity of space travel and avoid further erosion of its faltering space program.

As NASA's wings are clipped, our competitors soar. The U.S. space agency even had to sign a \$340 million deal with Russia on April 6 to transport astronauts to the International Space Station through 2014. By then, China intends to conduct an ambitious schedule of flights with its Shenzhou spacecraft. It doesn't take much imagination to envision the day when NASA must pay its Asian competitor large sums for American astronauts to ride into orbit as passengers. Thanks to Mr. Obama, the United States will be dependent on Russia and China for space travel.

The space program is a great symbol of the American spirit of achievement. The day this nation cedes the conquest of space to others is the day we admit that we have forfeited our competitive exceptionalism. Earth-centric activities like the study of the Antarctic shrimp ecosystem and automobile anomalies should be left to others. A less-costly NASA should be relieved of extraneous responsibilities and allowed to retain its core mission—one that no other agency can accomplish—the exploration of space.

On behalf of all Americans, Floridians should make certain the president gets the message loud and clear when he hosts a conference about the agency's future on Thursday in the Sunshine State: Let NASA be NASA.

[From the Wall Street Journal, Apr. 14, 2010]

FEUD OVER NASA THREATENS AMERICA'S
EDGE IN SPACE

(By Andy Pasztor)

After dominating space for a half century, the U.S. is mired in a political fight that threatens its leadership role and ambitions for manned exploration.

President Barack Obama travels Thursday to the Kennedy Space Center to try to salvage his plans to re-energize the National Aeronautics and Space Administration, but experts say U.S. manned space travel will likely be grounded for years longer than previously expected.

The Florida summit comes amid an escalating battle between the White House and Congress over the fastest and least expensive way to revitalize the space program. Mr. Obama has been pushing ambitious plans for start-up companies to ferry astronauts into space on private rockets. Congress, meanwhile, is bent on defending NASA's traditional rocket and spacecraft programs, which the Obama administration wants to kill.

The White House believes NASA's current projects are too expensive and will take too long to deliver. Mr. Obama is betting that private enterprise can fill the gap—carrying astronauts and cargo to the space station—until a resurgent NASA can deliver more advanced space vehicles.

But lawmakers, industry officials and scientists say they fear that for the first time

since the glory days of the Apollo moon landings, the U.S. will end up without a clear plan, destination and timetable for sending astronauts deeper into the solar system.

At stake is more than national pride. Losing the lead in space has national-security and industrial consequences. Such industries as shipping, airlines and oil exploration depend on orbiting satellites to gather and send essential data. TV signals, cell phones, ATMs, some credit card machines and many Internet connections rely on space technology. Recent estimates peg global civilian and military spending on space and space-related technologies at more than \$260 billion annually.

At the same time, the Pentagon views space as a frontier where foes will try to undermine U.S. security.

The importance of space has drawn the European Union and more countries into the race. Russia, China, India and Brazil all have, or are determined to create, robust space programs. By 2016, China aims to develop and test a heavy-lift booster capable of blasting five tons of cargo into orbit—a timetable far more ambitious than anything on NASA's drawing board.

With retirement of the space shuttle in a few months, the U.S. was already facing the prospect of hitching rides for up to five years on Russian spacecraft to reach the international space station.

Some experts say the current political fight could leave the U.S. with no way to blast astronauts deeper into space until close to 2020. Initial optimistic hopes of returning U.S. astronauts to the moon by the end of the decade could be delayed another ten years or more, these experts say.

Neil Armstrong, the first astronaut to walk on the moon, Apollo 13 commander Jim Lovell and Gene Cernan—the last human to walk on the moon—warned in an open letter this week that the president's plan “destines our nation to become one of second- or even third-rate stature.” Buzz Aldrin, another icon of U.S. space travel, has supported the president's plan.

Burt Rutan, the aerospace engineer who was the first person to send a privately built and designed craft into space, warned that NASA could be crippled within a few years, allowing international rivals to take the lead.

The retirement of the space shuttle program initiated a chance to chart a new course for the U.S. space program, said experts, but instead triggered conflict that is as much political as technological.

Congress wants to save NASA's existing exploration program, called Constellation, which was expected to produce 25,000 jobs and more than \$60 billion in contractor revenue over its lifetime.

As originally conceived, Constellation was a \$100 billion project to take astronauts into orbit, and later to deploy next-generation rockets and landers to explore the moon and, eventually, pave the way for manned exploration of Mars.

The White House believes the Constellation program will take too long and that a fresh approach is required. Lawmakers say they are skeptical of the president's plan to entrust core functions of the space program to untested start-up companies.

NASA chief Charles Bolden, a former astronaut, said Mr. Obama's visit to Florida would persuade doubters that “he is dedicated to exploration and human space flight” and “committed to a vibrant future” for NASA.

The president also plans to provide details on a few concessions, such as retaining a small portion of the Constellation program, as well as announcing that workers who lose their jobs when the space shuttle retires will

be eligible for retraining and other benefits, according to people familiar with the matter.

Those involved in talks over the future of the U.S. space program say the most likely outcome is a compromise that may satisfy politicians but probably won't provide enough funding for either program to get off the ground quickly. “That just drags out the pain and slows everything down for a long time,” said Brewster Shaw, head of Boeing Co.'s space-exploration division.

Mr. Obama, who often recounts watching NASA launches as a youngster perched on his grandfather's shoulders, says he hopes to lead the agency through a historic shift.

To chart a new course, he selected Mr. Bolden and Lori Garver, a former NASA policy official and proponent of commercial space travel, as advisers. Ms. Garver, now the No. 2 official at NASA, headed the administration's transition team for the agency.

One of the first things Ms. Garver said she did was to “look under the hood” of the Constellation program. She didn't like what she found. The program was years behind schedule and over budget, and she said she had doubts about its long-term viability.

Ms. Garver also played a big role in naming a presidential panel to assess NASA. Led by former Lockheed Martin Corp. Chairman Norman Augustine, the panel released a report in October that was critical of the agency. The study concluded that without a substantial infusion of new money and ideas, Constellation would wither and NASA would become increasingly irrelevant.

A small group of administration officials, including White House science chief John Holdren and his chief of staff Jim Kohlenberger, set out to begin dismantling the Constellation project.

“The fact that we poured \$9 billion into an un-executable program really isn't an excuse to pour another \$50 billion into it and still not have an executable program,” Mr. Kohlenberger later said of the project. The money would be better used, he and his colleagues concluded, on commercial space transportation.

The White House aides envisioned a bevy of space taxis—designed, built and operated by private enterprise—that could take astronauts to and from the space station. This earth-to-orbit job would rely on young companies and relatively untested technologies.

Space Exploration Technologies Inc., started by 38-year-old PayPal founder Elon Musk, for example, only had about 40 employees in 2004. Its largest rocket is still waiting for its first test flight, but SpaceX has a good chance of ending up as a key part of NASA's plans to transport both astronauts and cargo to the space station. Another entrant is Orbital Sciences Corp, a midsize NASA supplier that hopes to parlay its commercial efforts into securing a prime contract for manned programs.

Big contractors such as Lockheed Martin Corp. and Boeing Co. would also play a role but wouldn't be as intensely involved.

Supporters say the president's approach would create thousands of high-tech jobs and game-changing technologies. It would also free up NASA to deal with more difficult, longer-term projects, such as developing powerful boosters and in-orbit refueling systems making it possible to reach distant planets.

But the administration failed to persuade lawmakers and didn't make it easy for its staff. Mr. Bolden said he didn't get final numbers from the White House about the impact of Constellation's proposed demise until hours before the budget was released in February. Only then, he said, did “we really know what the budget was going to be.”

Hours after announcing that NASA was betting on a group of entrepreneurs to deliver pioneering technologies, Mr. Bolden said he felt more comfortable with the agency's traditional contractors. “I would be lying,” he acknowledged in an interview, “if I said I don't have some greater comfort with a Boeing” than a fledgling company.

Ms. Garver was also slow to disclose the proposed project cancellations to NASA's biggest suppliers, such as Boeing, Lockheed Martin and Alliant Techsystems Inc.

Even the Florida summit sparked friction. White House aides initially encouraged lawmakers to organize the event, but then decided to do it themselves. Aides to Mr. Obama then promised to reserve tickets for any members of Congress who wanted to attend, according to legislators and staffers. But invitations were later limited, according to a White House email this week that blamed Democratic Congressional leaders and apologized for “any misunderstanding.”

Mrs. HUTCHISON. I will highlight a number of quotes from these documents. Let me start with a letter by three of our Nation's renowned astronauts, true American heroes: Neil Armstrong, the first man to set foot on the Moon, commander of Apollo 11; James Lovell, commander of Apollo 13; and Eugene Cernan, commander of Apollo 17.

In an open letter to the President, these space pioneers state that although some of the President's proposals have merit, “the decision to cancel the Constellation program, its Ares 1 and Ares V rockets and the Orion spacecraft, is devastating.”

They say:

America's only path to low Earth orbit and the International Space Station will now be subject to an agreement with Russia to purchase space on their Soyuz (at a price of over 50 million dollars per seat with significant increases expected in the near future) until we have the capacity to provide transportation for ourselves. The availability of a commercial transport to orbit as envisioned in the President's proposal cannot be predicted with any certainty, but is likely to take substantially longer and be more expensive than we would hope.

It appears that we will have wasted our current \$10-plus billion investment in Constellation and, equally importantly, we will have lost the many years required to recreate the equivalent of what we will have discarded.

For The United States, the leading space faring nation for nearly half a century, to be without carriage to low Earth orbit and with no human exploration capability to go beyond Earth orbit for an indeterminate time into the future, destines our nation to become one of second or even third rate stature. While the President's plan envisages humans traveling away from Earth and perhaps toward Mars at some time in the future, the lack of developed rockets and spacecraft will assure that ability will not be available for many years.

Without the skill and experience that actual spacecraft operation provides, the USA is far too likely to be on a long downhill slide to mediocrity. America must decide if it wishes to remain a leader in space. If it does, we should institute a program which will give us the very best chance of achieving that goal.

That is all from the letter signed by Neil Armstrong, James Lovell, and Eugene Cernan.

In another letter to President Obama, 27 space experts, including astronauts, former NASA Administrators, and program managers make the following points:

America is faced with the near-simultaneous ending of the Shuttle program and your recent budget proposal to cancel the Constellation program. This is wrong for our country for many reasons. We are very concerned about America ceding its hard earned global leadership in space technology to other nations. We are stunned that, in a time of economic crisis, this move will force as many as 30,000 irreplaceable engineers and managers out of the space industry. We see our human exploration program, one of the most inspirational tools to promote science, technology, engineering and math to our young people, being reduced to mediocrity. NASA's human space program has inspired awe and wonder in all ages by pursuing the American tradition of exploring the unknown. We strongly urge you to drop this misguided proposal that forces NASA out of human space operations for the foreseeable future.

For those of us who have accepted the risk and dedicated a portion of our lives to the exploration of outer space, this is a terrible decision. . . .

America's greatness lies in her people: she will always have men and women willing to ride rockets into the heavens. America's challenge is to match their bravery and acceptance of risk with specific plans and goals worthy of their commitment. NASA must continue at the frontiers of human space exploration in order to develop the technology and set the standards of excellence that will enable commercial space ventures to eventually succeed. Canceling NASA's human space operations, after 50 years of unparalleled achievement, makes that objective impossible.

One of the greatest fears of any generation is not leaving things better for the young people of the next. In the area of human space flight, we are about to realize that fear; your NASA budget proposal raises more questions about our future in space than it answers.

That is all from the letter that was signed by 27 people who have dedicated their lives to America's space exploration.

In an open letter by astronaut Lee Archambault, who was a pilot of *Atlantis* in 2007 and *Discovery* in 2009, he says:

As the Space Shuttle program marches closer to its apparent end, NASA's future is now in jeopardy more than perhaps at any time in history. . . .

The Shuttle retirement . . . would yield sole access to the International Space Station to Russia for the currently projected seven year [U.S. human spaceflight] gap. . . .

Others argue that commercial alternatives exist to ferry our astronauts to and from the International Space Station. Not quite yet. Our commercial industry is indeed getting closer to attaining the ability to send unmanned spacecraft to the International Space Station as resupply ships. Ultimately, these companies may produce spacecraft safe enough for human travel to low Earth orbit. However, I would not bet the future of the International Space Station on commercial access for crewmembers happening much sooner, if at all, than Orion is capable of flying to the International Space Station in 2017. Thus, this option cannot be considered a viable "gap filler" at this point. . . .

Not until Orion or a commercial alternative is indeed ready and capable of trans-

porting our astronauts to and from the International Space Station, should we consider retiring the Space Shuttle. . . . The future of NASA and our manned exploration of space must include flying the Shuttle through the gap, whatever that gap may be.

Finally, this week, in an editorial from the Washington Times entitled "Losing It in Space," the editorial from the Washington Times says:

Pity poor NASA. Rather than reaching toward the stars, America's premier scientific organization has settled its sights on studying shrimp schools beneath the Antarctic ice cap and sticky accelerators on Toyotas. Such is the scope of hope and change in President Obama's universe.

The editorial goes on to say:

In his 2011 budget, the president zeroed out NASA's Constellation project, the package of launch and landing vehicles that were to replace the aging space shuttle fleet to carry Americans into space. . . .

This is not a cost-cutting move. The agency is budgeted to receive \$19 billion next year, and Mr. Obama wants to throw an additional \$6 billion at it over [the next] five years. The hitch is he wants to shift its mission toward climate research and airplane design. Anxious to stay relevant, NASA agreed to research the cause of Toyota's sudden-acceleration problem.

NASA administrator Charles Bolden said Thursday that federal money is budgeted for fostering the growth of the commercial space industry, including the development of space taxis. But if the results of the president's stimulus are any indication, command economic policy is an inefficient generator of jobs.

It goes on to say:

As NASA's wings are clipped, our competitors soar. The U.S. space agency even had to sign a \$340 million deal with Russia on April 6 to transport astronauts to the International Space Station through 2014. By then, China intends to conduct an ambitious schedule of flights with its Shenzhou spacecraft. It doesn't take much imagination to envision the day when NASA must pay its Asian competitor large sums for American astronauts to ride into orbit as passengers. Thanks to Mr. Obama, the United States will be dependent on Russia and China for space travel.

The editorial goes on:

The space program is a great symbol of the American spirit of achievement. The day this nation cedes the conquest of space to others is the day we admit that we have forfeited our competitive exceptionalism. Earth-centric activities like the study of the Antarctic shrimp ecosystem and automobile anomalies should be left to others. A less-costly NASA should be relieved of extraneous responsibilities and allowed to retain its core mission—one that no other agency can accomplish—the exploration of space.

On behalf of all Americans, Floridians should make certain the president gets the message loud and clear when he hosts a conference about the agency's future on Thursday—

Today—

in the Sunshine State. Let NASA be NASA.

That is the editorial from the Washington Times earlier this week.

Let me remind my colleagues that the Augustine Committee, which the Obama administration asked to review the Nation's human space flight activities, used a subtitle for its report which proposed a set of options for a

space program "worthy of a great nation." The items I have submitted for the RECORD reflect the thoughts and feelings of many of those who gave us a space program that was worthy of greatness. I believe their words represent a challenge that Congress and the President must meet.

In a few hours, President Obama will share the details of his latest vision for our Nation's future space program. I still remain hopeful the President will come away from this visit today with a deeper understanding of what is at stake in our Nation's history of space exploration. I renew my offer to work with the President and my congressional colleagues to come up with a plan that makes sense for America.

The principles necessary to bridge the gap between the President and Congress have been set forward by the bipartisan legislation I have introduced and has also been introduced on the House side. All that is needed to align these principles with the President's goals and existing budget realities is a willingness to take the same risks that have been hallmarks of our Nation's commitment to space exploration.

Some people would say we have to cut the budget somewhere. Why not here? The answer is, this does not cut the budget. The President's proposal does not cut the budget. It increases the budget. It turns the money over to private companies that are as yet unproven to try to do something we have already made a \$10 billion investment in and cut it off. When it is cut off, we will lose all that has been gained. The engineering, the science, the research that has gone into the space station will be lost. Those people will go into other areas. We will not be able to recreate it. But yet we have not cut the budget a penny. What we have done is squander the capability for America to continue to be the leader of the world in innovation, in creativity, and most certainly in taking the risk to explore the heavens, which has produced so many results in our country.

It has produced results for national defense capabilities. We are using satellites to put bombs into windows from miles out so we will not have collateral damage and hurt innocent people. We learned that by exploring the heavens. We now have Velcro. We have MRIs. We have health benefits that we could never have had without the research we did to go into space.

Now we have a \$100 billion investment in a space station that will specialize with NIH and other agencies in doing research that cannot be done on the ground because of the microgravity conditions. Yet we are stopping the capability, at the end of this year, for Americans to go into space under our own auspices. This is not sound policy for our country. I am urging the President to listen to people such as Neil Armstrong and Eugene Cernan and Jim Lovell and former administrators who have knowledge that is beyond mine or his about what we can do for the future.

We need to rethink the position that is being announced today and remember that America's greatness is dependent on our creativity and our entrepreneurial spirit. Stopping midtrack and turning everything over to private companies that are in their fledgling stage is not the answer.

Madam President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

EXTENSION OF MORNING BUSINESS

Mr. McCAIN. Madam President, I ask unanimous consent to extend morning business for up to 10 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. McCAIN. I thank the Chair.

TAX DAY

Mr. McCAIN. Madam President, today is April 15, perhaps the most dread day of the year for the American taxpayer. At some point today, millions of people will engage in a painful, complicated, and uniquely American exercise: filing their Federal tax returns.

According to the Tax Foundation, Americans worked well over 3 months this year—over 3 months; from January 1 to April 9—before they had earned enough money to pay this year's tax obligations at the Federal, State, and local levels. Congress has succeeded in establishing a pattern of taxing and spending to the point that the average American must work a full 99 days of the year just to pay their taxes.

Sadly, while we continue to spend and spend and spend here in our Nation's capital, the tax burden carried by the average American gets heavier and heavier and heavier.

On September 12, 2008, in Dover, NH, then-candidate Obama said this:

I can make a firm pledge. Under my plan, no family making less than \$250,000 a year will see any form of tax increase. Not your income tax, not your payroll tax, not your capital gains taxes, not any of your taxes.

Another interesting quote from then-candidate Obama.

According to data released yesterday by the House Ways and Means Committee, since January of 2009, President Obama and the congressional Democrats have enacted into law gross tax increases totaling more than \$670 billion or more than \$2,100 for every man, woman, and child in the United States of America. A list of tax increases includes at least 14 violations of the President's pledge not to raise taxes on Americans earning less than \$200,000 for singles and \$250,000 for married couples.

For example, there is a new tax on individuals who don't purchase government-approved health insurance. There is a new tax on employers who fail to fully comply with government health

insurance mandates. There is a new 40-percent excise tax on certain high-cost health plans. There is a new ban on the purchase of over-the-counter drugs using funds from FSAs, HSAs, and HRAs. There is an increase from 7.5 percent to 10 percent of income, the threshold after which individuals can deduct out-of-pocket medical expenses. There is a new \$2,500 annual cap on FSA contributions. There is a new annual tax on health insurance. There is a new annual tax on brand-name pharmaceuticals. There is a new 2.3-percent excise tax on certain medical devices. There is a new 10-percent tax on indoor UV—ultraviolet—tanning services. There is a new tax on insured and self-insured health plans, and it is double the penalty for nonqualified health savings accounts distributions. There is a tobacco tax increase. There are Federal unemployment surtaxes which have been extended through 2011, and there are more and more on the list.

In addition to the financial burden associated with all of the tax increases heaped upon the American people in the past year, taxpayers face the added anxiety of a complicated, antiquated, and oversized Tax Code. Let's look at what Americans go through every year in order to meet the April 15 deadline as reported by National Review Online.

As April 15 approaches like an incoming monsoon, millions of Americans brace for the pain of writing checks to the IRS. Even worse, this annual discomfort begins even earlier, as taxpayers generate a cyclone of documents just to calculate their tax liability. America's excruciatingly complex tax-compliance regime deepens the aggravation of sending hard-earned cash to Washington for virtual incineration by Congress.

Completing tax reforms required 7.75 billion hours of human labor in the 2008 fiscal year, according to the latest reginfo.gov data. That roughly equals 3.7 million people—or everyone in Los Angeles—filling out IRS forms for 40 hours every week, all year, without vacations.

That involves more workers than those at the Fortune 500's five biggest employers—

The National Taxpayers Union's David Keating concludes in a forthcoming report—

more than everybody at Wal-Mart, UPS, McDonald's, IBM and Citigroup combined.

Keating also found that:

Individual taxpayers would devote some 2.3 billion hours grappling with the income tax in 2010 at an equivalent labor cost of \$71.4 billion. Add to this the \$31.5 billion that individual taxpayers will cough up for tax software, accounting services, photocopying, and other compliance-related expenses. All told, individual taxpayers will spend \$103 billion to determine how much more money they must pump into the Beltway.

Meanwhile, the IRS Web site now offers 1,909 different documents, which is up from 1,770 last year. These include the riveting form 8833: Treaty-Based Return Position Disclosure Under Section 6114, or 7701(b). And don't miss Form 990-W: Estimated Tax on Unrelated Business Taxable Income for Tax-Exempt Organizations. This year's basic 1040 tax return includes 76 lines and 174 pages of instructions, up from 68 lines and 52 pages in 1985.

Last year, the National Taxpayers Union calculated that U.S. corporations spent \$159.4 billion on tax compliance, equal to 54 percent of corporate income tax revenue. In 2008, General Electric's tax returns droned on for some 24,000 pages.

It is abundantly clear we are on a path to fiscal disaster. David Walker, the former head of the Government Accountability Office and current president and CEO of the Peter G. Peterson Foundation and one of the most respected budget experts in the Nation, recently said:

The financial condition of the United States has deteriorated dramatically in recent years. Importantly, our primary fiscal threat is not today's deficit and debt levels, but the structural deficits and escalating debt burdens that will occur after the economy has recovered, unemployment is down, the "wars" are over, and the recent crises have passed. These large and growing structural deficits and the tens of trillions in unfunded federal government promises that drive them serve to threaten the future of our country and our families. We must begin to take steps now to put our Federal financial house in order. In addition, we must achieve some meaningful reforms within the next three years in order to help avoid a "crisis of confidence" that could have much worse economic consequences for America, Americans, and the world than the recent housing and financial crisis.

Today, all over America, there will be people demonstrating at tea parties, at gatherings, at organizations, at coffee shops, at restaurants, at places of business at the water cooler. People all over America will be talking today about this incredible, complex, difficult, burdensome system we have laid on the American people. It is fundamentally unfair and fundamentally incomprehensible to average citizens.

Most citizens, after they file their tax returns, will now live in some concern, if not grave concern, that they may have made a mistake because of this incredibly complex document from the agency we call the IRS and the tax bills we have. These American citizens can't be positive—even if they have gone to an accountant—that they will not be audited and then subject to further penalties.

We need to clean up the Tax Code. We need to stop the spending. We need to restore the confidence of the American people. There is a veritable uprising going on out there. It is a peaceful one. It is all over America. On a day like today, when they see their taxes have increased by some \$670 billion just in the last year, this will fuel the fire that is spreading across America and will culminate this coming November.

Madam President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. COBURN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, morning business is now closed.

CONTINUING EXTENSION ACT OF 2010

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 4851, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 4851) to provide a temporary extension of certain programs, and for other purposes.

Pending:

Baucus modified amendment No. 3721, in the nature of a substitute.

Coburn amendment No. 3726 (to amendment No. 3721), to pay for the full cost of extending additional unemployment insurance and other Federal programs.

Coburn amendment No. 3727 (to amendment No. 3721), to pay for the full cost of extending additional unemployment insurance and other Federal programs.

The ACTING PRESIDENT pro tempore. The Senator from Oklahoma is recognized.

Mr. COBURN. Madam President, I appreciate Senator REID working with us. We are going to try to work through the amendments we have left today and hopefully get this taken care of tonight. Our intent has not been to slow down but to pay for this.

I wish to discuss amendment No. 3726, which has already been called up and is pending. I don't believe there is another pending amendment at this time; is that correct?

The ACTING PRESIDENT pro tempore. Amendment No. 3727 is also pending.

Mr. COBURN. That is my amendment as well. Thank you.

Yesterday we defeated, by a vote of 51 to 46, actually smart financial management that would have paid for all the costs for the next 60 days for the unemployment insurance. What we were doing was utilizing money that we are already paying interest on that is sitting, not being used, by taking a portion of that to pay for this so that we don't go and borrow another \$18.2 billion. The wisdom of the Senate said, no, we don't want to do that.

We are going to have today two other opportunities on a way to finance that. This amendment basically takes the agreed-to tax loophole, which we agreed to before we left for the spring work period, and adds to that half as much of the financial management money that I recommended we do yesterday and the amendment was defeated. So we have about \$9.5 billion worth of tax loophole closures that we

have already agreed to in this amendment and \$20 billion, which will save \$10 billion in terms of the way CBO scores it—it is ridiculous the way they score it, but in terms of the way they score it, we have to move \$20 billion so we can save \$10 billion.

The point is that we get an option: we can borrow another \$18.2 billion to pay for this or we can take money we are already utilizing very inefficiently and pay for it. We are going to choose not to do it again, and we will probably get another 46 or 47 votes. But we are going to choose to transfer the cost of helping people today to our grandchildren because in my lifetime we are not going to pay back any of this money. We are going to be borrowing and paying interest on this \$18.2 billion over the next 30 years. So the cost really isn't \$18.2 billion; it is \$18.2 billion times 6 percent, times 106, times 106, times 106. It will end up costing our kids \$60 billion or \$70 billion because we are going to refuse to pay for something we ought to be doing.

What we are also not going to do is make tough choices about priorities, as every family in this country has to do. We are going to refuse to do that. We are going to say we are going to keep the bad habit, the thing that got us \$12.85 trillion in debt, the thing that got us \$75 trillion in unfunded liabilities. We are going to continue that process. We are going to continue that process until such time that we can no longer borrow the money. That is what it seems like to me. In other words, only until we cannot go to the world markets and finance debt against our children's future are we not going to change the habits in the Senate or in the Congress.

Of every dollar we spend this year, 43 cents will be borrowed. What are the long-term consequences of that? Very plainly speaking, it is a lower standard of living for those who follow us, a marked decrease in opportunity, a loss of freedom, an inhibition in entrepreneurial spirit, and truly an unwinding of what was the gift that was given to us, which was this great opportunity and this great freedom.

We don't often make the connection between freedom and debt as a government, but we do personally because when we are highly in debt as individuals, our choices start to get limited. If you are in a business that has a high degree of debt, your choices are limited by those who loan you the money because they start getting involved in your decisionmaking process.

If you really look at our foreign policy today, that is happening to us with what we are trying to do in terms of sanctions on Iran. What are the two nations that own the most of our debt and are also least likely to agree with us on harsh sanctions for Iran? They are China and Russia. They are the No. 1 and No. 2 holders of our bonds. So we are giving up tremendous flexibility and freedom.

I put forward that if we cannot find \$18.2 billion in our Federal Government

as we run it today, which will spend over \$4 trillion this year, none of us need to be here. We need a whole new 100 Senators if we cannot find \$18.2 billion. But the institutional stodginess of always doing it the same old way is inhibiting us from creating a bright future for our children.

I won't detail the exact tax loophole closures we have, but we have agreed they can be utilized for this purpose—Senator BAUCUS, Senator REID, Senator MCCONNELL, and myself—and they come to a total of \$9.756 billion. To properly manage our money instead of having money sitting that has been appropriated but not obligated—and there is almost \$900 billion sitting out there this year in the agency that is not utilized—to not utilize that money is foolhardy.

My hope is that my colleagues will consider at some point in the future that we have to start making harder choices.

I understand the bias against it. It eliminates somebody's control of power. But where should the power be in this country? Should it be in the Senate or should it be in the American people?

Do the American people want us to pay for this? Absolutely. Five to one think anything we are doing new we ought to be paying for. Yet it is going to skid through here today, and we are going to add another \$18.2 billion over the next 60 days that we do not have to, but we are going to choose specifically to do so.

I wish to leave with one last point on this amendment. When we say there is nothing else that we can eliminate in the Federal Government to pay for this legislation, what we are saying is all the waste, all the fraud, all the duplication is more important than helping people with unemployment insurance. If it was less important, we would eliminate it and pay for the unemployment. But by not paying for it, by not making the choice to pay for it, what we have said is we have elevated everything else above this as a priority. We refuse to do what every other business, what every other family, what every other organization, except the Federal Government, has to do; that is, make tough choices.

In my State of Oklahoma, the legislature and the Governor right now are making tough choices. They are going to cut several hundred million dollars from our budget. I promise you, they are going to look at what is least important so they can continue to fund what is most important. We will have none of it. We have demonstrated none of it. We lack the character and courage to do what is best for the future.

AMENDMENT NO. 3727

Now let me talk about amendment No. 3727, which is, again, another opportunity, another way to pay for this good thing we want to do. It also has two components.

The first component utilizes the agreed-to closure of tax loopholes of

\$9.7 billion. But then it gives us a real chance to do some real good things to eliminate spending that is low priority.

There are 14 spending provisions that I propose eliminating in this amendment. Many have been endorsed by President Obama and President Bush and, before him, President Clinton. In the past 3 months, the President has endorsed five of these offsets, the House passed four of them, and the Senate passed one identical to one section in section 203.

What is the first one? According to the Government Accountability Office, we paid out \$1.1 billion to dead farmers. That is over the last 7-year period. Forty percent of those payments were people who had been dead more than 3 years. Most people in America would say: Maybe you ought to eliminate that. Maybe farmers who have been dead for more than 3 years should not continue to get payments from the government. It will save us \$1.1 billion over 10 years if we hold the Department of Agriculture accountable to not continue to make payments to people who are not deserving of them.

We recently passed a Feingold amendment to the FAA bill that rescinds any DOT earmarks that remain 90 percent or more unobligated after 9 years of being appropriated, with the possibility of holding funds one more year for earmarks the agency head believes will be funded within the following 12 months.

The only difference between what we passed and this amendment is that this section applies to all agencies, not just the Department of Transportation. The Secretary of the Department of Transportation endorsed the Feingold amendment.

If it works for the Department of Transportation, why would we not do that everywhere on earmarks? It is \$500 million in savings immediately. We cannot quantify through the CBO what it will be in the future, but it will probably be at least that every year.

Another section is the President's request to eliminate a duplicative bus grant program. This would repeal the Inner-City Bus Security Grant Program. President Obama recommended this \$12 million program be eliminated because the grant awards are not based on risk and it is duplicative of the Public Rail Transit Security Grant Program that is already out there and much less important than any other homeland security priorities. It saves us \$120 million.

In other words, the President does not want it, the Department of Transportation does not want it, but somebody who is getting that grant somewhere is going to say: No, we cannot do that, even though there is a duplicative program already in place to take care of it.

Section 235 of this amendment would repeal the Resource Conservation Development Program. President Obama recommended this \$51 million program be eliminated because it has outlived

its need for Federal support. It was first begun in 1962 as a temporary program. It was intended to build community leadership skills through the establishment of RC&D councils that would access Federal, State, and local funding sources. These councils are now up and running—secure funding with continued operation without any money coming from RC&D. It saves \$510 million. Why would we continue to spend the money? The President, the leader of our country, agrees with it. It has been voted on several times. But it will be voted against today because somebody somewhere is still sucking off this in a way that is not efficient and is not a priority for the country.

Section 236 would repeal the Brownfields Economic Development Initiative. President Obama recommended this program be eliminated because it is duplicative of a larger, more efficient Federal program, and local governments have access to many other public and private funds that address the same purposes.

This was designed to assist cities with redevelopment of abandoned, idle, and underused industrial and commercial facilities where expansion and redevelopment is burdened by real potential environmental contamination. They eliminated almost all of those, and we have a better program now taking care of it, which goes back to the habits of Congress. We create new programs to address the need of what some may think the present program is not doing rather than change the present program.

Here the administration, as well as the Bush administration, agreed we should eliminate that program. That is \$180 million over 10 years.

Section 237: This provision would repeal water and wastewater treatment projects administered by the U.S. Army Corps of Engineers. President Obama recommended eliminating these projects. They are duplicative, and they are outside the scope of the Corps of Engineers. That is what private civil engineering firms do. They plan, build, and organize these events. The Corps of Engineers has stated they do not have the expertise to do these projects, which the Environmental Protection Agency normally funds through other grants in the Revolving Fund Loan Program.

Since these programs were first funded in 1992, they have been exclusively funded through earmarks. In other words, somebody put something special in for one city or one place through an earmark. It may not be the highest priority for the country. It may very well just be a priority for the State, but it has been exclusively funded through earmarks, special interests, lobby-generated earmarks. It saves \$1.29 billion over 10 years.

Section 238: This provision would repeal the Rail Line Relocation Program. President Obama has twice recommended eliminating this program because it is not merit based—in other

words, if you are well connected, you get it, but if you have a real need and somebody else has a lower need, you are not going to get it—and it duplicates other Federal programs that are larger and that are merit based.

The grant program is primarily earmarked, again; 75 percent of it gets earmarked every year. What happens is the administrators of the grants do not get the grants based on need and merit because a Senator has already said it will go here instead of into a pool of the greatest need. Again, duplicating an existing program that is more efficient, that is based on merit. It is a slush pot of money for earmarks.

We will hear lots of complaints about eliminating that program, even though the administration wants to get rid of it as well. Savings: \$340 million.

Section 239: Enacting rescissions offered and passed by the House leadership. This would rescind \$112 million from a Commerce Department program designed to provide coupons to households to help people buy analog-to-digital converter boxes. This has been used. The program is not going anywhere because everybody has converted. Why should we continue to put money out to a program that nobody is going to utilize? That money was used for an offset for a summer job youth program already this year but did not come here. Estimated savings: \$115 million.

Section 241: Enacting the USDA nutrition rescissions amendments offered and passed by the House leadership. This would rescind almost \$362 million of unobligated reserved stimulus funds for the WIC Program. This offset was selected because it was identified by the House appropriators and they unanimously voted to use these funds to offset another program.

It is obviously a low priority. It is a reserve fund. It has not been utilized. It is sitting there, and we need to eliminate it rather than borrow the money.

There are three or four other sections. There is a next-to-final section on Federal real property disposal. We have 21,000 buildings we own that we do not use, but yet we do not have a clear way to allow government agencies to dispose of property.

Last year, on these 21,000 buildings that we cannot get rid of because we have created a block to do so, we spent \$8 billion maintaining them, even though we are not using them. We could sell those, we could give them to the States, we could do a lot of things that would immediately save us \$8 billion. But if we sold them and we saved \$8 billion a year, over the next 10 years that is \$80 billion, not counting anything we might get for selling them. We might have some costs associated with razing some of them.

According to the Office of Management and Budget, 46,745 buildings that are underutilized with a total value of the ones we should be selling are worth \$83 billion. We are going to hear people

say: You can't do that; you can't sell those buildings. Why? Why would we borrow money when we could sell buildings we are not using for \$83 billion? Almost enough in properties that we do not need and are having to maintain to pay for this entire bill. The estimated savings this year alone from starting this would be \$4 billion—just from starting it—that process would save us at least \$4 billion this year.

Section 244: What we know is, at least 28 Federal programs, totaling over \$9 billion, support job training and employment. Eighteen of these programs fall under the Labor Department's jurisdiction, and the agency spends \$130 million administering its training and employment programs. We have 18 programs rather than 1. We are spending \$130 million just to manage them—this is just inside the Department of Labor—rather than have one job training program with one set of administrators and not duplicating that administrative cost all the way across the board. Savings is probably \$100 million to \$130 million annually. There is well in excess of \$22 billion to \$24 billion in this second amendment—No. 3727.

So the question becomes this, if we continue down this road: Fair to our kids, fair to us because the Senate refuses to act responsibly?

Oh, I have heard the harsh rhetoric: You don't care about people who are unemployed because you think we ought to pay for it. You know, I think there are two sets of people we ought to be caring for. I think we should be caring for the unemployed, making sure they have sustenance and their needs fulfilled, as long as they qualify. But I think we should care about those who are going to follow us, those who are going to have to pay back this \$18.2 billion. Are they not both important, especially when we know we waste, through fraud and duplication, \$300 billion a year in the Federal Government? I have just come up with \$20 billion of it.

We have enough fraud, waste, and duplication in the Federal Government to pay for this the whole rest of the year, to pay for the war supplemental that is getting ready to come, without borrowing another penny against the backs and future opportunities and freedom of our children.

I am pretty cynical about whether we are ever going to do that. I think the American people will have to change who is here before we will ever get to the point where we are going to make the hard choices that families have to make. But I think that is a fight worth having to protect our future. I think it is a fight worth having for my grandkids and everybody else's grandkids.

I was born in 1948, right after the end of the war, and we had the highest debt ratio we have ever had in this country. But because we had a limited government, what happened was we moved greatly and expanded both growth op-

portunity, innovation, and wealth through the hard work and great character and spirit of the American people, and we handled that. We can do that again. But we can't do it if we don't have the leadership that is necessary to do it. We have to start sometime to start paying for what we are doing. We have to start making choices. That is a rare occasion in Washington, but it is one I sense the American people are going to start demanding.

I have been working at this for 5½ years, or almost 5½ years. I have not made much progress other than to make sure the American people are informed of the absolutely atrocious amount of stupidity, waste, and duplication that goes on here. It is time we act. And since the majority controls the outcome, and they will let a few Senators vote for these amendments, we will get a high number of them, but not enough to make a difference.

So the question we ought to be asking is, What is so wrong with trying to pay for what we are doing? Well, we have always done it as an emergency. We have always charged it to our kids. Well, we haven't always been \$12.8 trillion in debt. We haven't always been to the point that in 2010 we are going to have a debt-to-GDP ratio of 90 percent, which means we are going to have about \$20 trillion in debt, and that is going to suppress and depress our economy by 2 percentage points in terms of growth. We have never been here before in terms of the risk to our economy.

I see the chairman of the Finance Committee here, and I will close by saying we are going to start doing this. The question is when. The question is, Should we be doing it when we are in control or when the bankers outside of America are in control—the sovereign nations outside who will tell us how we do it and what we can't do, just like what is happening in Greece today. The leadership in Greece is making decisions not because they want to but because they have to. They are not necessarily nice choices for the people of Greece. That can and will happen to us if we don't change.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Montana.

Mr. BAUCUS. Madam President, yesterday, the Senate tabled the amendment offered by the Senator from Oklahoma by a vote of 51 to 46. That motion to table was successful, and shortly I will move to table the two pending Coburn amendments. The Senate should reject these two amendments offered by the good Senator from Oklahoma for the same reasons the Senate rejected the other amendment yesterday.

The Senator makes basically the same argument for each of his three amendments. They appear to be pretty much a set in terms of amendments. The Senator argues this emergency temporary extension of unemployment insurance benefits is the place to draw

the line. It is the place to draw the line on which we need to take a stand to balance the budget.

Madam President, I agree with him the Nation should turn to serious budget negotiations. Our high budget deficits are unconscionable and must be addressed. We should balance the budget over the life of the business cycle. We should balance the budget as quickly as we possibly can. But we should not balance the budget while in the grips of the worst recession since the Great Depression. Doing that would only put more people out of work.

I might say, Madam President, that at a hearing held yesterday by the Finance Committee, the well-known economist Mark Zandi, who was an adviser to Presidential candidate JOHN MCCAIN, volunteered that this is not the time to draw that line in terms of deficit reduction. We should not force people who are unemployed to bear the brunt of offsets at this time. This is not the time to balance the budget, now that we are facing this recession.

I might also point out that we should not balance the budget on the backs of unemployed Americans who, through no fault of their own, are struggling to get by in this recession. They need these unemployment benefits, and if we were to adopt the amendment offered by the Senator from Oklahoma, first of all, it would be a mistake; and second of all, it would have to go to the House, and the House has said they wouldn't accept it. So for another couple of days people who deserve unemployment insurance benefits would not be getting them.

This Congress failed to act some time ago. As a consequence, unemployment benefits have expired and people who deserve unemployment benefits are not getting those unemployment benefits. Again, if we were to adopt the Coburn amendment and send it to the House and have it come back, then it would be a longer period of time that people who are waiting for their benefits would not be getting them.

It is just wrong for Congress not to have passed this extension a short while ago. It is wrong, but it is something that happened so we are here trying to correct it. Hundreds of thousands of Americans are already going without unemployment insurance benefits because we have not passed this bill. Hundreds of thousands more will go without unemployment insurance benefits if we do not pass the bill this week.

I will repeat myself: If we were to adopt either of the Coburn amendments, the House of Representatives has made it clear they will simply send it back to us again without the Coburn language. So adopting either of these amendments would simply further delay the needed aid to unemployed Americans struggling to get by. So I urge Senators to vote for the motion to table so we can temporarily extend the benefits that so many people justly deserve.

Madam President, I yield the floor, and I suggest the absence of a quorum. The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BAUCUS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BAUCUS. Madam President, I ask unanimous consent that at 12:10 p.m. today, the Senate proceed to vote in relation to the Coburn amendment No. 3726, to be followed by a vote in relation to amendment No. 3727; that prior to the second vote, there be 2 minutes of debate equally divided and controlled in the usual form; that no amendment be in order to either amendment prior to a vote in relation thereto; further, that the time until 12:10 be equally divided and controlled in the usual form.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BAUCUS. Madam President, I yield such time as she may consume to the Senator from New Hampshire.

The ACTING PRESIDENT pro tempore. The Senator from New Hampshire.

Mrs. SHAHEEN. Madam President, I rise today to join so many of my colleagues in urging that we pass critical extensions of Federal unemployment benefits, the COBRA health insurance subsidy, flood insurance, and other vital programs that expired at the end of March.

I applaud my colleagues on the other side of the aisle who, despite opposition from their leadership, have joined us in moving this legislation forward. But despite the progress we seem to be making, these extensions have been held up too frequently for too long, and the American people deserve better.

Sadly, twice this year individual Senators have blocked extensions of Federal unemployment benefits right as the programs were about to expire. Those actions have put struggling families at risk, and already this month over 200,000 Americans have lost their benefits, with another 30,000 losing their benefits every day until we pass an extension. What is of particular concern is that we continue to deal with filibusters and delays and obstruction, even though almost every Member of this body says they want to extend unemployment. After weeks of delay, when extensions finally come up for votes, they have passed overwhelmingly.

We have had three situations now where this has occurred since last fall. In November, when the vote on extending unemployment benefits finally came to the floor, that vote was 97 to 1. In December, when the extension came to the floor, the vote was 88 to 10. In March, it was 78 to 19. Given those majorities, I do not understand how

the other side of the aisle can justify obstructing votes on these issues in the way they have.

As important as this short-term extension is, the Senate must do more to address the long-term challenge of joblessness. Of the 15 million Americans who are out of work today, nearly 6 million—so more than 1 in 3—have run through the 6 months of benefits provided by their States. In fact, the average period of unemployment currently stands at a record high of nearly 8 months. We need to pass a longer term extension to provide some stability for the millions of people who are going to need unemployment benefits in the months to come. I applaud Senator BAUCUS who has been working to try to bridge this gap.

While some people may think it is no big deal to wait a week or two, even short-term expirations have damaging results. When State workforce agencies are forced to shut down and restart complicated Federal benefits programs, they experience huge backlogs in their systems that delay getting checks out the door, even to people who are not affected by the expiration.

Phone lines at call centers are jammed with claimants holding up others from filing for benefits while lines at one-stop centers get longer and longer. In the best of circumstances, individuals who lost their benefits during this expiration will have to wait weeks before they begin receiving checks again. That is a very long time when you are supporting a family on an unemployment check.

There is also the uncertainty and the fear that comes when parents open the mail to find a notice that, although their benefits are supposed to last for months to come, this is the last check they are going to receive. Families cannot afford to make the responsible choices to budget and plan for the future when we cannot guarantee the future of their benefits and of their safety net.

The fact is, when somebody is unemployed, it is an emergency in their family. We need to treat this situation, extending benefits, as an emergency in our Federal programs as well.

I want to conclude by sharing a letter I got from one of my constituents named Jo Ellen, who is from Canterbury, NH. She wrote:

On April 3, my State unemployment benefits maxed out. I am in my 60s, a nurse and psychotherapist who has been out of work since the end of December 2009. Seeking work constantly, I am getting no responses from employers, probably due to my age. I have worked my entire life caring for others. My husband's salary is much lower than what I brought in, but I have never had to rely on others. Unemployment checks are allowing us to at least pay our bills. It plays havoc with one's body and psyche, affecting one's health and causing monumental anxiety when a vote is taken on a monthly basis to extend benefits. It is the never knowing for sure. Those of us who are in this situation are hard-working citizens who have come upon bad times. I cannot believe you won't take care of this horrendous situation immediately.

Unfortunately, like so many in this Chamber, I have received dozens of e-mails and letters and phone calls in the last 2 weeks from Granite Staters such as Jo Ellen. Unemployment benefits allow them to take care of their families, to fill up their gas tanks so they can go out and look for work. But the obstructionism that has kept us from passing meaningful long-term extension of unemployment benefits is having real effects on the financial, physical, and mental health of our communities. Jo Ellen is right; it is horrendous.

I am hopeful we are finally going to see agreement from the other side of the aisle that we can move this legislation forward, that we can extend unemployment benefits for those thousands of people who are losing them every single day.

The ACTING PRESIDENT pro tempore. The Senator from Montana.

Mr. BAUCUS. Madam President, how much time remains?

The ACTING PRESIDENT pro tempore. Six minutes remain.

Mr. BAUCUS. Six minutes? I yield six minutes to the Senator from Illinois.

The ACTING PRESIDENT pro tempore. The Senator from Illinois.

TAX DAY 2010

Mr. BURRIS. I thank the distinguished Senator from Montana. I hope I can do my brief remarks in 6 minutes.

It is tax day, I say to the Senator. I hope your taxes are filed.

Madam President, as my colleagues and the American people are undoubtedly well aware, today is tax day.

Across the country, hundreds of millions of people are filing their returns, paying what they owe or calculating the refunds they will receive.

Now, even in the best of times, paying taxes is not something most Americans look forward to.

In fact, in the wise words of George Washington, "no taxes can be devised which are not more or less inconvenient and unpleasant."

But even Washington and the other Founding Fathers recognized that taxation is a necessity—and that paying taxes is every American's patriotic duty.

When they are levied—not by some tyrannical monarch across the ocean, but by a representative government—taxes are "the price we pay for a civilized society," in the words of Oliver Wendell Holmes.

It is the only way a modern government can function.

We are each asked to contribute a percentage of our income, and in return we expect our government to provide certain essential benefits:

A strong, highly-capable national defense. Adequate roads, bridges, and other infrastructure. Quality schools.

Emergency responders, so there is someone to answer the phone when you call 911.

Basic regulation and consumer protections, so you can buy food and other

products without fear of getting sick or suffering injury.

A safety net to help you get back on your feet in tough economic times.

All of these programs and services are supported by our tax dollars.

They serve functions we cannot perform for ourselves—and it is appropriate that the government steps in to fulfill this role.

That is why my Democratic colleagues and I are fighting Republican obstructionism to extend unemployment insurance and other benefits people desperately need.

And that is why I am proud to report that, this year, roughly 70 percent of Americans will get a tax refund.

But even so—my colleagues and I are all painfully aware that, especially in difficult economic times, taxes can be a burden.

They can be hard on families that are already stretched to the breaking point—struggling to make ends meet in the face of pay cuts, reduced hours, or even unemployment.

That is why my Democratic colleagues and I have been working hard to ease the burden on these families.

We have committed ourselves to fight for the interests of working Americans.

Our economic recovery remains fragile.

The national unemployment rate stands just under 10 percent—and in my home State of Illinois, it exceeds 11 percent.

And among minority communities, it is much higher.

Roughly 16 percent of African Americans are currently unemployed, along with 12 percent of Hispanics.

That is why my Democratic colleagues and I have taken action. We passed a sweeping stimulus package that brought us back from the edge of economic disaster.

While Republicans filibuster unemployment benefits, my colleagues and I are fighting to extend them. While they drag their feet on COBRA, we are fighting to increase access to this important program.

And, while they talk about enacting responsible tax policies, Democrats are actually getting it done. We are working hard to make sure that everyone pays their fair share of taxes—but no one is asked to contribute more than they can afford.

This is an issue that has defined our party for many years, especially under recent Democratic administrations:

From the middle-class tax relief provided by President Clinton, to the largest tax cut in American history, which was proposed by President Obama and ratified by my Democratic colleagues and I just last year—time and again, we have proven our commitment to commonsense tax policies.

We have passed fair, targeted reforms and responsible tax cuts for those who need it most. We have stood squarely on the side of the American people, despite what some of my Republican

friends might claim. And in fact, when you examine their record—when you look at the truth behind the Republican rhetoric—it is quite different from what many of them would have you believe.

For decades, Republicans have claimed to be both fair and responsible when it comes to tax policy. But the reality is that they have consistently failed to deliver for the American people.

Since the days of President Reagan, Republicans have slashed tax rates for corporations and the super-rich, while squeezing the middle class for everything they are worth.

This is a country that has always encouraged personal initiative and respected success in the business world. But my friends on the other side are making it harder and harder for ordinary folks to attain prosperity and realize their dreams. It has never been harder to get rich in America—but it has never been easier to stay rich, as long as you can arrange a seven-figure bonus or a golden parachute every time the economy starts to look bad.

But for those of us who can't, Republican tax policies have brought nothing but headaches.

Under President George W. Bush, Republicans passed a massive tax break for the top 1 percent of wage earners, and did little or nothing to help the vast majority of Americans. In fact, this massive tax cut was not even paid for—every penny of it was added directly to the deficit.

So let's cut through the political rhetoric and talk about what this really means.

My Republican friends exploded the deficit by more than a trillion dollars, so they could give tax breaks to the richest of the rich. Now they are expecting us to pay down the deficit using the tax dollars of regular, middle class Americans.

These are folks who did not benefit from the original tax cut—but now Republicans expect them to foot the bill? Not on my watch.

These tax policies are irresponsible. They are outrageous. And the American people have had enough. Even now, my friends on the other side think we should spend even more money we don't have, on people who don't need it.

My Democratic colleagues and I strongly disagree. We believe significant tax breaks should be targeted to middle-class Americans who need help, and that is why we passed legislation that accomplished exactly that.

We believe in responsible tax policy, which asks each and every American to pay their fair share without placing an unfair burden on any segment of the population.

My Republican friends will try to tell you they believe in the same values. So I would urge the American people to ask them: If that is the case, why did every single one of them vote against the largest tax cut in history?

The Democratic record is clear. We believe in American prosperity on Main Street, not just Wall Street.

So I urge my Republican friends to join us in standing up for ordinary folks, not just Wall Street bankers and the richest of the rich.

Unfortunately, taxes will always be necessary, and they will never be pleasant. But if we embrace commonsense tax policies and fight for the principles that have guided Democrats for many years, we can make these tough times just a little bit easier for ordinary folks.

Pay your taxes, enjoy America, and let's make sure that everyone pays their fair share.

I yield the floor. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BAUCUS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. HAGAN.) Without objection, it is so ordered.

Mr. BAUCUS. Madam President, what is the pending business?

The PRESIDING OFFICER. The question is on agreeing to the Coburn amendment No. 3726.

Mr. BAUCUS. I move to table the Coburn amendment and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

Mr. DURBIN. I announce that the Senator from Florida (Mr. NELSON) and the Senator from Virginia (Mr. WARNER) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 50, nays 48, as follows:

[Rollcall Vote No. 113 Leg.]

YEAS—50

Akaka	Franken	Merkley
Baucus	Gillibrand	Mikulski
Begich	Hagan	Murray
Bingaman	Harkin	Reed
Boxer	Inouye	Reid
Brown (OH)	Johnson	Rockefeller
Burr	Kaufman	Sanders
Byrd	Kerry	Schumer
Cantwell	Klobuchar	Shaheen
Cardin	Kohl	Specter
Carper	Landrieu	Stabenow
Casey	Lautenberg	Tester
Conrad	Leahy	Udall (NM)
Dodd	Levin	Webb
Dorgan	Lieberman	Whitehouse
Durbin	McCaskill	Wyden
Feinstein	Menendez	

NAYS—48

Alexander	Coburn	Grassley
Barrasso	Cochran	Gregg
Bayh	Collins	Hatch
Bennet	Corker	Hutchinson
Bennett	Cornyn	Inhofe
Bond	Crapo	Isakson
Brown (MA)	DeMint	Johanns
Brownback	Ensign	Kyl
Bunning	Enzi	LeMieux
Burr	Feingold	Lincoln
Chambliss	Graham	Lugar

McCain	Risch	Thune
McConnell	Roberts	Udall (CO)
Murkowski	Sessions	Vitter
Nelson (NE)	Shelby	Voivovich
Pryor	Snowe	Wicker

NOT VOTING—2

Nelson (FL) Warner

The motion was agreed to.

The PRESIDING OFFICER. The Senator from Montana.

AMENDMENT NO. 3727

Mr. BAUCUS. Madam President, I might ask my friend from Oklahoma, I think we are—

Mr. COBURN. Go to the vote.

Mr. BAUCUS. Madam President, I yield back my time. I think the Senator from Oklahoma wants to yield back his time so we can go straight to the vote.

I move to table Coburn amendment No. 3727, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Florida (Mr. NELSON) and the Senator from Virginia (Mr. WARNER) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 53, nays 45, as follows:

[Rollcall Vote No. 114 Leg.]

YEAS—53

Akaka	Gillibrand	Mikulski
Baucus	Hagan	Murray
Begich	Harkin	Nelson (NE)
Bingaman	Inouye	Pryor
Boxer	Johnson	Reed
Brown (OH)	Kaufman	Reid
Burr	Kerry	Rockefeller
Byrd	Klobuchar	Sanders
Cantwell	Kohl	Schumer
Cardin	Landrieu	Shaheen
Carper	Lautenberg	Specter
Casey	Leahy	Stabenow
Conrad	Levin	Tester
Dodd	Lieberman	Udall (NM)
Dorgan	Lincoln	Webb
Durbin	McCaskill	Webb
Feinstein	Menendez	Whitehouse
Franken	Merkley	Wyden

NAYS—45

Alexander	Cornyn	LeMieux
Barrasso	Crapo	Lugar
Bayh	DeMint	McCain
Bennet	Ensign	McConnell
Bennett	Enzi	Murkowski
Bond	Feingold	Risch
Brown (MA)	Graham	Roberts
Brownback	Grassley	Sessions
Bunning	Gregg	Shelby
Burr	Hatch	Snowe
Chambliss	Hutchison	Thune
Coburn	Inhofe	Udall (CO)
Cochran	Isakson	Vitter
Collins	Johanns	Voivovich
Corker	Kyl	Wicker

NOT VOTING—2

Nelson (FL) Warner

The motion was agreed to.

Mr. BAUCUS. Madam President, I move to reconsider the vote, and I move to lay that motion on the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The motion to lay on the table was agreed to.

Mr. BAUCUS. Madam President, for the information of all Senators, I am aware of only one more amendment on this bill. The Senator from Arizona has an amendment on the value-added tax. I am hopeful the Senate can consider that amendment at about 1:30 or so this afternoon and perhaps vote on the amendment shortly thereafter.

I yield the floor.

Mrs. BOXER. Madam President, I supported the motions to table the three Coburn amendments to the Continuing Extension Act of 2010.

These amendments would delay important legislation to provide a short term extension of unemployment and health care benefits to Americans who have lost their jobs through no fault of their own. This bill is critical to families that have bills to pay and are struggling to put food on the table.

Yesterday, I voted to table the Coburn amendment that would have rescinded \$40 billion in unobligated funding. This amendment did not say where the cuts would be made. As the chairman of the Appropriations Committee explained, many important homeland security, national defense, and Veterans Administration priorities could have been drastically reduced or eliminated by this amendment. There is no telling how many jobs would have been lost had this amendment been adopted.

The two Coburn amendments considered today both include funding offsets that have already been included in a bill to create jobs and reduce taxes. This legislation, which has already passed the Senate and is pending in the House of Representatives, would also extend unemployment insurance and health care benefits until the end of the year. Adoption of the Coburn amendment today would jeopardize this critical bill.

Extending unemployment insurance and health benefits are an emergency for those who have lost their jobs. We should come together as a body and pass this bill as soon as possible.

Mr. FEINGOLD. Madam President, it is vitally important that we extend COBRA and unemployment benefits for the millions of Americans who continue to find themselves out of work in the midst of the worst economic crisis since the Great Depression. At the same time, we should work to offset the cost of this additional funding through cuts in other Federal spending instead of passing this debt on to future generations.

That is why I opposed efforts to table three amendments by Senator COBURN that would have offset the additional spending, and was disappointed those amendments were all defeated. In fact, amendment No. 3727 even included two provisions from my Control Spending Now Act, a proposal to cut the deficit by around \$½ trillion over the next 10 years.

While I fully supported the majority of the cuts in this amendment, I did

have reservations about a few of the proposals. In particular, I had serious concerns about the idea of consolidating all federal job training programs. While the amendment would not have cut funding to any of these important job training programs, many of these job training programs serve specific populations of Americans, such as dislocated workers or young adults, and are carefully tailored to serve the unique needs of those workers. Nonetheless, the principle of taking steps to balance our Nation's checkbook is one I fully support.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. CHAMBLISS. Madam President, I ask unanimous consent to speak for up to 10 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

FINANCIAL REGULATORY REFORM

Mr. CHAMBLISS. Madam President, last month the Senate Banking Committee reported out a bill to overhaul the financial regulatory system in this country—a bill that was, unfortunately, designed to invite Republican opposition from committee members, as evidenced by the party-line vote on reporting it out. At that time, I felt some sympathy for my Banking Committee colleagues who wanted to play a role but were shut out of the process.

As the ranking member of the Agriculture Committee, we have a history of producing bipartisan legislation. We always respect each other and seek to forge compromise in the name of advancing good public policy. The chairman of the Committee on Agriculture, Senator LINCOLN, is always more interested in getting the policy right than engaging in partisan debates. So I held out hope that the Agriculture Committee could consider our contribution to the financial regulatory reform legislation in a more productive environment than my colleagues on the Banking Committee faced.

The issues involved in financial regulatory reform are complex, very important, and involve both the jurisdiction of the Banking Committee and the Committee on Agriculture. The Agriculture Committee has a responsibility to ensure that the Commodities Futures Trading Commission continues to effectively carry out its duties, including any new authorities and responsibilities to regulate derivatives that Congress requires.

Before we make a big policy change, we need to ask ourselves whether the solutions that have been proposed by the administration and which are largely reflected in Banking Committee Chairman DODD's bill will even address the underlying problem. Why take a chance in these uncertain times to make legislative and regulatory changes that could possibly make things worse, potentially dry up capital, force the cost of doing business higher, and ultimately even drive these markets overseas?

Let me be clear. I am not proposing a do-nothing approach. In fact, I believe there are a number of ways in which we can more appropriately regulate derivatives, and it is Congress' job to write this legislation. We seek input from the administration and our regulatory agencies, but it is our responsibility to consider their suggestions, take into consideration the opinions of the American public, and put forward that which will become law.

Many businesses that use derivatives and swaps to manage risk in their everyday course of business are concerned that as Congress tries to reduce overall systemic risk in our financial markets—including regulation of over-the-counter derivatives—Congress might actually limit their risk management options. I am not talking about large financial institutions. I am not talking about Wall Street financial institutions. I am talking about businesses that provide goods and services and employment opportunities in each of our States.

These companies are concerned about aspects of the administration's proposal that would require them to clear standardized transactions and execute their transactions on a trading facility. Many of them have told me this would add considerable costs that would be passed along to customers or consumers, or perhaps prevent their businesses from using swaps and derivatives as a risk management tool altogether.

These companies are not antiregulation; they are supportive of increased transparency to the regulator, and they are willing to endure any additional burdens that go along with that. Clearly, the recent past has taught us that the regulator needs more data in order to view and police the entire marketplace, but I am not sure the lesson of the recent market meltdown warrants increased costs to businesses that had little, if anything, to do with creating this financial crisis.

Beyond requiring more transparent market data for the regulators, the Agriculture Committee has been exploring how most effectively to apply greater regulation to swap transactions. If Congress is truly interested in addressing the problem as opposed to politicizing a solution, we can no longer ignore the complexities of these markets. We must devote time to understanding these instruments and their applications. We must seek to understand the legitimate purposes these complex instruments serve for large and small businesses in each of our States. Chairman LINCOLN and I have devoted a great deal of time to understanding the over-the-counter derivatives market, its complexities and its unique and legitimate utility. That is our job as Senators on the committee of jurisdiction.

Unfortunately, our bipartisan negotiations have now been halted due to political influence from the adminis-

tration. It seems that the administration fears a bipartisan deal on any aspect of financial reform legislation. As the Banking Committee members moved toward a bipartisan deal, the administration launched an attack on such efforts, and as Chairman LINCOLN and I were about to conclude our negotiations and release a bipartisan draft on derivatives reform, the administration stepped in once again to shut down the process.

The American public should be aware of what is going on here. Republicans on the committees of jurisdiction have been more than willing to constructively participate in the development of new regulations aimed at addressing what went wrong with our financial system. But the current administration seems more interested in political gain than in addressing this critical issue. It seems that, instead of seeking meaningful reform both Democrats and Republicans can support, the administration is more interested in trying to divert attention away from health care by changing the subject as we head into the election season.

The administration seems intent on going far beyond finding bipartisan solutions to address what caused the financial meltdown, and instead is pursuing reckless policies that could be dangerous for our markets and ultimately our consumers who depend on these markets.

However, it seems to me that the American public is well aware of the financial meltdown, because they live with it every single day. The last thing they want is for Congress to spend months talking about it some more.

I want to be very clear. A week ago, I was prepared to support a bipartisan compromise on reforming our derivatives market—a compromise that I believe an overwhelming majority of the Senate, Republicans and Democrats, could have supported and one that would have been implemented quickly to provide much-needed regulation, and then the White House stepped in and basically said a bill with Republican support is not worth advancing. They want an issue, not a solution, and want to drag this issue into the November elections in the hope that voters will be focused on reforming the financial system and forget about how angry they are about the passage of the recent health care legislation.

I will say one more thing about the regulation of derivatives for folks to keep in mind as this process moves forward, which is that Republicans and Democrats generally agree on the major issues relating to derivatives regulation. We all generally agree there needs to be greater transparency, registration, more clearing, and compliance with a whole host of business conduct and efficient market operation regulations. This is important because it is a 180-degree shift away from current law where today over-the-counter swaps are essentially unregulated.

Within this general agreement that swaps need to go from unregulated to

fully regulated, we have some significant areas of disagreement about whether everyone needs to clear in all instances, and how best to require swaps to be transacted and reported. These disagreements are significant because they involve real burdens and duties, which will result in real costs to businesses and consumers. As Republicans, we want to make sure our new regulations serve a useful purpose.

As we begin the debate on derivatives regulation and Republicans start to get painted—as we have already seen—as the party of Wall Street and against reform, I want folks to know and understand this is disingenuous. Republicans believe there is a need to regulate the currently unregulated swaps market. We support doing so in a way that is responsible and that meets the risk management needs of Main Street.

I remain very hopeful that at the end of the day, we can strike a bipartisan agreement—not just on the title that refers to swaps and derivatives but also on the titles to the financial regulatory reform that deal with regulation, as well as the consumer protection finance agency.

With that, I ask unanimous consent to speak as in morning business.

THE PRESIDING OFFICER (Mr. BURRIS). Without objection, it is so ordered.

HONORING OUR ARMED FORCES
1ST LT. ROBERT WILSON COLLINS

Mr. CHAMBLISS. Mr. President, I rise today to honor the life and selfless commitment of 1LT Robert Collins to the U.S. Army and to our Nation.

While many other young Americans his age were headed back to school from spring break, LT Collins died April 7, when an improvised explosive device detonated near his vehicle on the streets of Mosul, Iraq. He was 24 years old.

It is time the American people know a bit more about this young man who sacrificed for his country his life, his family and all his potential, giving up all that he had, and all that he was going to be.

LT Collins was both a native Georgian, and was based in Georgia.

He hailed from the small town of Tyrone in Fayette County, where he played football under the Friday night lights at Sandy Creek High School, where he became a standout student that would take him to the halls of West Point, and where he attended Hopewell United Methodist Church with his family on Sunday mornings.

Later, he became a member of the local American Legion Post 105 in Fayetteville, GA.

For me, the death of LT Collins is particularly sobering. Robert was one of my first nominees to the U.S. Military Academy at West Point in the fall of 2003, and was offered an appointment there the following spring. He graduated from West Point in 2008.

He became one of the stalwarts of B Company, 1st Battalion, 64th Armor Regiment, 3rd Infantry Division based

at Fort Stewart, GA. He deployed to Iraq in the autumn of 2009.

LT Collins served as his platoon's commander. While in Iraq, his unit was charged with improving security and the quality of life for the people of Iraq. He and his men also provided security for the recent, successful Iraqi elections. They were dedicated to the goal of a peaceful, democratic Iraq, and sought to help its people lead normal, safe lives.

It is said that the measure of a man can be taken by what those who knew him say when he is gone. Robert's friends have described him as a man of great compassion, a leader with an excellent personality and an infectious laugh. They say he was always there for friends and family, for when they needed him. They say they are better people for having known him.

LT Collins found his voice in the honor and patriotism of the Army. With both his mother and his father retired Army officers, he was a man with the military in his blood. They both survive him, as does his girlfriend, Nicole, who was Robert's high school sweetheart.

I extend my deepest sympathies to LT Collins' family and friends, and ask that my colleagues—and all Georgians—keep them in their prayers during this time of sadness.

Robert performed his duty courageously, devotedly, without hesitation, without reservations. He was, after all, a soldier.

The world may be occupied with other things on this beautiful spring day, and the media with other stories.

But one of those should surely be the procession that will bring LT Robert Collins' body home today, winding its way from Falcon Field in Peachtree City through downtown Tyrone. It should also be about the Americans who knew him, who will line the roads to welcome him home a final time, recalling the words of A.E. Housman:

Today the road all runners come,
Shoulder-high we bring you home,
And set you at your threshold down,
Townsmen of a stiffer town.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CARPER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CARPER. Mr. President, I ask unanimous consent to engage in a colloquy with Senator ENSIGN and Senator SCOTT BROWN.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIP TO AFGHANISTAN AND PAKISTAN

Mr. CARPER. Mr. President, last week was the second of 2 weeks of the Easter recess. A number of us took that opportunity to travel to places around the world where our Nation is

involved and has great interests. Senator ENSIGN, Senator SCOTT BROWN, Senator TOM UDALL, and a Congressman from Virginia, the First Congressional District of Virginia, named ROB WITTMAN, and I together visited—it was a 6-day trip—several days in Afghanistan and a couple of days in Pakistan as well, places I suspect the Presiding Officer has been or will be visiting.

I led a similar congressional delegation almost 10 months ago to both countries, Afghanistan and Pakistan. I had gone there right after the President had laid out his strategy for making progress in Afghanistan to restore the rule of law, to make sure the Taliban does not come back into power and provide sanctuary for al-Qaida to launch attacks against us or any other nation.

The President, at the time, my colleagues may recall, said we were going to do a couple of things. He suggested a year ago that we launch a military offensive, almost like a military surge on a modest basis, and we do the same thing with a civilian offensive. What he called for a year ago was to commit an additional 10,000 marines, commit 7,000 Army troops, commit 4,000 U.S. trainers to train the Afghan National Army and Afghan national police, and to also send over about 150 additional Black Hawk helicopters. That would be matched by a civilian surge as well to complement the military increase in resources.

When we were coming out of Afghanistan, we did a press availability with some reporters back home. One of the reporters asked me the question: What is our exit strategy in Afghanistan?

I replied: I think our exit strategy is to implement well the strategy the President outlined in April of last year. That was the additional marines, additional Army troops, additional trainers, additional Black Hawk helicopters for mobility, and the civilian surge to help us with the Afghans; to diversify the economy, the poppy seed trade where they produce enough opium to meet the demands of the world, to help them raise the kinds of agricultural commodities they used to raise to feed themselves and a lot of the folks in that part of the world.

We want to help them diversify their economy with respect to the mining and minerals industry. We want to make sure they would have the opportunity to exploit the oil and gas reserves, which are about three times what was envisioned a couple of years ago; at the same time, on the civilian side, work with the Afghans in cleaning up corruption which is rampant in most levels of Afghanistan and to help them to start developing a governmental institution to provide services, actually serve the people of that country. That is what was laid out a year ago.

I have been joined by Senator ENSIGN. I will yield to him in a moment.

In my mind, when I returned almost a year ago to America, I thought it was

a smart strategy. The key is to implement it well. We met with the Afghans last week, and we had an opportunity to see what we are doing well and not doing well. I think what is key in almost every endeavor I have been part of is leadership.

We spent time with General McChrystal, our top military leader, and Ambassador Eikenberry, who used to be a four-star general and is now Ambassador to Afghanistan. We met with President Karzai and the civilian and military leadership of Afghanistan, as well as the civilian leadership of the United States.

I came home not hopeless, not euphoric, but more hopeful than not that we have the right strategy, that we are beginning to implement it well. We have some 40 other nations involved with us in this endeavor. We are committing the resources to make this strategy potentially successful.

That is my take on it. I yield at this time to the Senator from Nevada, Mr. ENSIGN. I have already asked unanimous consent to engage in a colloquy. I will not ask that again. This is what it is about. It is not a monologue for me. I very much enjoyed the time I spent on the road with my colleagues, especially my colleague from Nevada. I was happy to be his partner and lead the delegation.

Mr. ENSIGN. Mr. President, I thank Senator CARPER. I appreciate him and his staff. Wendy was absolutely terrific in setting up this trip and all the various briefings and places where we traveled in both Afghanistan and Pakistan. I thought we had a great team put together among the Senator from Delaware, myself, Senator BROWN, Senator UDALL, and the Congressman from the First District of Virginia, Congressman WITTMAN, whom I did not know before the trip but with whom I was very impressed.

My general impression of what is going on in Afghanistan—I was initially very skeptical when I went over there. I thought we got an honest assessment. I thought they talked about the positives, the negatives, and the challenges ahead.

I agree with the Senator from Delaware. I was very impressed with both the civilian and military leadership we have in the country. I was impressed with the plan they put in place. The key to the plan, which is very similar to what we had in Iraq, is we have to clear, basically provide security. Then we have to hold that security, not just go and clear and then leave. We have to clear and then hold it. Then we have to build. We have to give people opportunities, economic opportunities, and some reason to hope. Once we build, then we need to transfer the authority to, in this case, the Afghan people, the Afghan Government.

The first part is a lot of our responsibility, although a lot of the clearing and holding is in combination with the Afghan Army. As a matter of fact, I don't think a lot of Americans realize

there have been more Afghan soldiers killed in Afghanistan than American soldiers or coalition soldiers. But the challenge is going to be in the transfer. We saw that the Afghan Army is being built up and trained fairly well.

Two big areas of concern are, one, the Afghan police. It has taken a lot longer to train them than we hoped. We experienced some of the same problems in Iraq. The Afghan police are not even close to being fully trained. There is a lot of corruption in the police. There are a lot of challenges to overcome there, but they are challenges that, given the right plan, given the right amount of time and resources, can be overcome.

Another huge problem in Afghanistan is development of infrastructure. I have heard Afghanistan described as an 18th century or 19th century country. However, one can really describe it as a second century country. There are many parts of it where people are living in mud structures with no electricity, with no running water, with none of the modern conveniences or technologies we think about.

In those areas, and the vast majority of the country, there is no governmental infrastructure. There is no rule of law. There is nothing to build on there. It literally has to be built from the ground up. There is neither a lot of experience nor the necessary resources in Afghanistan to do that. That may be the major problem going forward in that transfer that I think the members of the delegation learned while we were over there. It is also why we questioned, when we came back, if we have the right strategy with the best chance of being successful. None of us know whether our strategy is actually going to be successful in the future. But it is worth attempting. It is in our vital national interest to do it. Then we have to pray it is successful in the future.

I think all of us came away thinking the American part of it, the international coalition part of it, will be successful. What we do not know will be successful is the transfer of authority to the Afghan government, the part at the end.

Is that the same impression the Senator from Delaware had?

Mr. CARPER. Mr. President, if I may respond, the Senator summed it up very nicely. One of the things Senator ENSIGN and I and our colleagues discussed with President Karzai and with the military leadership of that country and the civilian leadership of Afghanistan and with our own folks over there is the nature of the economy of Afghanistan. We heard a lot about corruption and heard a fair amount about their agricultural economy, which is largely dependent on raising poppies which feed the opium trade that provides a lot of money selling heroin around the world and to the Taliban and other insurgent groups.

The question on which Senator ENSIGN and I have gone back and forth with our folks over there and the Af-

ghan leaders is, What is likely to be the most successful approach for us to take to eventually stop the addiction of the Afghan farmers to raising poppies? It was not that long ago that they had the ability to raise plenty of wheat and cotton and all sorts of fruits and nuts.

They make a fair amount of money on poppies. One problem is it is an illicit trade. It is an illicit and bogus way on which to base their economy. It subverts the government and corrupts the whole system over there. This is an important issue going forward. How do we help wean the farmers off an illicit agricultural economy to do something they used to do?

We sort of agree we need a tough love approach. We have to encourage and provide opportunities—seeds, fertilizer, advice, tactical assistance—on how to raise the kinds of products they used to raise.

Someone told us in one of our meetings that the people of India, not that far away from Afghanistan, would consume every pomegranate the folks in Afghanistan would raise. There are plenty of big markets and lots of hungry people to buy those commodities. The question is: Do we go out and eradicate all the poppies in the fields like, next week, or do we allow the poppies to be harvested but make it clear that is it? Then, next year we will help folks plant a different kind of crop, but we are not going to stand by next year and allow them to harvest poppies.

It is an issue that I think can be resolved, but I think it is a tough love approach. It is important, if we want to get rid of corruption in the government, in the country, we cannot avoid the widespread effect on it from poppies.

Mr. ENSIGN. If the Senator will yield.

Mr. CARPER. Yes.

Mr. ENSIGN. First of all, we were flying over the Kandahar Province in the southern part of Afghanistan in these Black Hawk helicopters, visiting a few of the forward operating bases—one for training, the other one for trying to provide stability for the region. As we were flying over, it was surprising how many agricultural fields there were in that part of the country. It was a very fertile area, and it seemed to me that 80 to 90 percent of the crops I saw from the air were poppies. This is just an estimate, but it was pretty easy to see them because the poppies were in bloom. They were everywhere, including right next to our bases, because we have stopped the eradication program. There has been a change in policy. This change was the one element of policy which I disagreed with over there. I think we do need to reevaluate, as the Senator from Delaware talked about, this tough love approach. I do think that is the way to go because you do have to have the positive incentives in there to grow other crops. But I don't believe you can do that without the negative con-

sequences if farmers do decide to grow the poppies. In other words, if the positives are not strong enough, they may decide they are going to grow poppies anyway.

A couple problems with the poppies is, one, the Taliban wants to grow them because it helps fund the Taliban; and two, poppies are a very drought-resistant crop and Afghanistan has been in a drought for about 8 years. So growing poppies is a stable source of income for the Afghan farmers.

The other thing the Senator from Delaware mentioned is that other countries in the area would love to have their produce. The problem is getting that produce to market. They do not have anywhere to store the produce. They have a guaranteed market there for the poppies with the transportation. The Taliban is not going to attack their transport, if that is what they are growing. So this is very much a difficult situation, but it isn't a situation that is, I believe, without a solution. I believe we can come to a solution on this, and that is why I think we need to reevaluate what we are doing in Afghanistan by not including eradication as part of the process. Because when we talk about the police—and I see Senator BROWN has joined us, one of our colleagues who was on the trip—there is corruption in the police force. Well, in every country in the world that has a serious drug problem, it leads to corruption in the police, which leads to corruption in any kind of judicial system, officials in the government and on and on and on.

I would be curious to hear from my colleague, our newest Senator, the Senator from Massachusetts, who was a real joy to have with us on the trip.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. BROWN of Massachusetts. First of all, I wish to begin by thanking our leader on the trip, the Senator from Delaware, Mr. CARPER. It was a joy to be on a trip with people who had different experiences, different military experiences, and take that experience and work it together in such a short period of time to form such a powerful team. If this is how every CODEL is going to be, I am excited to be a part of that experience.

This trip enabled me—now that the campaign is over—to learn and make sure that everything we were talking about then was accurate. If that is so, how do we take that and use it in a productive way to give the troops the tools they need to be, No. 1, safe; and No. 2, to finish the job. My analysis is, General McChrystal's effort to do just that—the new combined effort working with the Afghan police and national army, as well as local tribal leaders and our coalition forces in the military—has enabled us, I think, in all sincerity, to have the best chance to do just that; to keep our troops safe and ultimately to finish the job.

What is finishing the job? Finishing the job, to me, and to General

McChrystal and others, is to provide that safety, that security net around the citizenry in Afghanistan, to protect them and to allow them to flourish and start to grow and weed out the corruption and not rely so much on the poppy fields and ensure that they can bring their produce to market or keep their government safe and secure so they can start to be more self-sufficient. Working with our coalition partners, President Karzai, and others, I think gives us the best chance of success.

I wish to thank the team members for their patience. It was a long haul, long flights—12- to 15-hour flights. We weren't partying there, I can assure you. We were there, up at the crack of dawn and going to bed late at night, working with the Ambassadors, the Presidents, the Foreign Ministers of every country we visited. It made me feel, first of all, proud to be an American and thankful that I am an American. In recognizing the true challenges other parts of the world face—and I know the leader of our team will talk briefly about the refugee camp we saw in Pakistan with 150,000 people and kids from 3 years old up to 18 years old in school, with the smiles on their faces, and seeing the hope and the excitement that they were learning for the first time in their lives—it made all of us look at each other and say: Geez, can we come back in August and help out? Because it was so intellectually rewarding, and it made me, and I know other Members, so excited to be there and to see the hope.

What does education do in countries such as Afghanistan and Pakistan? It gives them the tools to make sure they know how to deal with the Taliban and other entities coming in to try to influence their lives. It gives them the knowledge to be able to say no. It is almost like the DARE program, the drug program we have in Massachusetts, where it is the resistance education program where they give you the tools to not succumb to peer pressure and take drugs and make bad choices. When I left that refugee camp, I felt there was hope there.

I will defer to our leader to continue with this conversation.

Mr. CARPER. I see Senator MCCAIN is on the floor, and if I am reading his body language right, it looks like he wants to say something about our visit to Afghanistan and to Pakistan last week. I don't know if he wants to be a part of this colloquy or if he wants us to get out of his way so he can talk about something else, but I yield to the Senator from Arizona.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I just wanted to congratulate my three colleagues for taking that trip. It is of the utmost importance that my colleagues are able to see the situation on the ground, meet with our leaders, meet with the leaders of Afghanistan and Pakistan, and meet with the men and women who are serving in the military.

One thing I know is, the word spreads. The word spreads throughout the men and women of our military that Senators took time from their schedules, from our recess, to be with the men and women who are serving. There is no better way to express our appreciation, but also it is very much noticed by the men and women serving over there.

I know my colleagues come back better informed. Also, as the situation in Afghanistan continues to evolve, we will be much more qualified and informed as we engage in what is appropriate for the Senate to engage in—discussion and debate over our strategy and our goals in Afghanistan.

So I thank my colleagues for going. I thank them for their service. The Senator from Delaware has proven that even a former Navy person can understand the issues that confront the Army and the Marine Corps.

Mr. CARPER. Mr. President, if I can reclaim my time.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Senator MCCAIN, along with Senator BROWN, spent a lot of time in uniform. I know our Senators felt a special pride in our troops who are serving over there. They are serving with troops from 40 other countries, and not all countries send troops. Countries such as Japan sent money. They are quadrupling their salaries so they can hire some decent people and keep them. But in the Army, Navy, Air Force, and Marine personnel we met with, morale was good. They understood their mission, they understood the importance of their mission, and they were proud to be serving. We are very proud to support them.

Before our time expires entirely, I will yield back to Senators ENSIGN and BROWN for any closing comments they want to make, and then I think Senator MCCAIN wants to talk a little.

Mr. ENSIGN. I have a couple of other observations and comments to make. I expressed this to General McChrystal and Ambassador Eikenberry when we had one of our briefings regarding the various aspects of the international coalition including USAID, the State Department, the military, all the members that make up what are called PRTs, provincial reconstruction teams. In that meeting, I asked the question about how much money we were spending now. It was very clearly a concern, when we were talking about the economy of Afghanistan and whether it would be able to support this large army and large police force we are putting into place. So I asked the question: How much money are we spending now, how much money is going to be needed in the future, and for how long is that money going to be needed?

President Obama has talked about us starting to withdraw troops about the middle of 2011. As we are to start drawing down some troops there around July 2011, it became obvious to me that we are going to have a commitment

there for some time, and I think it is important for us to be honest with the American people, first of all, about how much it is going to cost. I think a conservative estimate, for many years to come, is that we are going to be talking about spending at least \$10 billion a year—around \$6 billion to support their army and their police force and another \$4 billion as far as helping build their economy.

The Afghan economy can eventually take over if their natural resources come to be what the U.S. Geological Service says some of their minerals are worth; what they think the oil and gas reserves potentially are. China is coming in to build probably the largest copper mine in the world there, but it is going to take years to develop these resources. So that is one of the things I came back with. We need to be a little more open with the American people that we are going to be there for a while and it is going to cost us quite a bit of money. We should be able to say to our constituents back home: Here is how much we are going to be spending and here is why it is in our vital national interest.

The other thing we haven't taken a lot of time to talk about is Pakistan. First of all, we have some great leaders over there, as well as Ambassador Patterson and Vice Admiral LeFever. They are the military leaders over there, and their teams are impressive as well.

As Senator BROWN mentioned, we visited a refugee camp, and we also visited a base that we built over there for Pakistanis to train. The Pakistanis who train there are called the frontier scouts and they work in the tribal areas to help fight the Taliban. It is in our interest to be able to do that.

I was very encouraged by what I saw in Pakistan, by the new leaders there giving up some of their power voluntarily, the new President, and seeing Pakistan as much more of an ally to the United States in the future. In general, I thought that part of our trip to Pakistan was very much worthwhile.

I would conclude my remarks with that, and turn it over to the Senator from Massachusetts.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. BROWN of Massachusetts. Mr. President, in conclusion, I concur with all the comments made by the Senators before me. One of the things I found most interesting—and I have a hearing in about an hour on the Afghan police and the contracting associated with our supporting the police force in Afghanistan—is that I was able to ask very direct questions to our Ambassadors and to the military and civilian leaders who helped me better understand where the \$6 billion we have spent to uplift the Afghan police force has gone.

Another reason I went there was self-serving in that it gave me the tools to make sure I can better inquire to find out on behalf of the American people where their money is going, how it is

being spent, and whether we can find a way to spend it better.

In addition to that, one of the things that was glaring to me is that even in Pakistan there is an illiteracy problem that needs to be addressed. I think that illiteracy problem, if not addressed, will be fertile ground for the Taliban to come in and try to influence the youth of that country. They have a lot of hope, yet they have some very serious problems.

Once again, I thank our leader. I have great respect for him, someone I didn't know before we went. I encourage others to do that and have that bipartisan feel, as I tried to do often. We saw Senator BAUCUS over there with his team kind of shadowing us, making sure we were actually working. It was a lot of fun to see them over there as well, even with their travel problems. But I am looking forward to doing it again.

I thank the Presiding Officer for allowing me to speak.

Mr. CARPER. Let me just close it down for our side. I say to Senator BROWN, it was a great opportunity to travel with him and get to know him and to learn. I thank him so much for being a great part of our team. I also thank Wendy Anderson, who helped put that together, and Army MAJ Jen McDonough.

We have been joined on the floor by Congressman ROBERT WITTMAN from the First District of Virginia. I say, with him sitting there, how impressed we were with him and how delighted we were to serve with him.

The road ahead in Afghanistan won't be easy. It is an important road for us to travel. It is not one we have to travel by ourselves. A lot of other nations are involved in this with their time, their treasure, and their people.

We need the best efforts from the leadership of Afghanistan. We know he is under a lot of pressure. We made it very clear to President Karzai that we have no intention of being an occupying force. We have every intention of bringing our folks home within a reasonable period of time. This is not an open-ended commitment. My hope is it will not run up the cash register as much as Senator ENSIGN has suggested, but nevertheless it is an important use of our resources. This is the battle, in my judgment, this is the war we should have been fighting all along.

I thank my colleagues for their patience, and I yield.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

AMENDMENT NO. 3724, AS MODIFIED, TO
AMENDMENT NO. 3721

(Purpose: Expressing the sense of the Senate that the Value Added Tax is a massive tax increase that will cripple families on fixed income and only further push back America's economic recovery and the Senate opposes a Value Added Tax)

Mr. MCCAIN. Mr. President, I ask unanimous consent to call up amendment No. 3724 and that it be modified with the changes at the desk.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the amendment as modified.

The bill clerk read as follows:

The Senator from Arizona [Mr. MCCAIN] proposes an amendment numbered 3724, as modified:

At the appropriate place insert the following:

SEC. ____ . SENSE OF THE SENATE REGARDING A VALUE ADDED TAX.

It is the sense of the Senate that the Value Added Tax is a massive tax increase that will cripple families on fixed income and only further push back America's economic recovery and the Senate opposes a Value Added Tax.

Mr. MCCAIN. Mr. President, as my colleagues well know—today is tax day. Earlier today I came to the floor to speak about the enormous burden Americans bear every year in order to comply with today's deadline for filing their Federal tax returns. We have a complex, antiquated and oversized Tax Code that wreaks havoc on American taxpayers and, according to the National Taxpayers Union, will require them to spend \$103 billion this year in compliance-related expenses. When we have a 2,000-plus page Tax Code which requires over \$100 billion in compliance costs—something is clearly wrong. So what is the answer? Amazingly—instead of offering proposals to reform the system and ease the burden on our citizens—some are suggesting creative ways to impose new taxes on Americans and even further complicate our Tax Code.

According to this morning's Wall Street Journal, the Obama administration and its allies have floated the idea of imposing value added tax—a sales tax imposed on each stage of production, on each firm's value added with the actual cost ultimately hidden from the end user with the final bill being paid by the consumer at the cash register. This type of tax has been widely imposed throughout Europe. This morning, in an editorial titled "Europe's VAT Lessons," the Wall Street Journal stated:

As Americans rush to complete their annual tax returns today, there is still some consolation in knowing that it could be worse: Like Europeans, we could pay both income taxes and a value-added tax, or VAT. And maybe we soon will. Paul Volcker, Nancy Pelosi, John Podesta and other allies of the Obama Administration have already floated the idea of an American VAT, so we thought you might like to know how it has worked in Europe.

VATs were sold in Europe as a way to tax consumption, which in principle does less economic harm than taxing income, savings or investment. This sounds good, but in practice the VAT has rarely replaced the income tax, or even resulted in a lower income-tax rate. The top individual income tax rate remains very high in Europe despite the VAT, with an average on the continent of about 46% . . .

In the U.S., VAT proponents aren't calling for a repeal of the 16th Amendment that allowed the income tax—and, in fact, they want income tax rates to rise. The White House has promised to let the top individual

rate increase in January to 39.6% from 35% as the Bush tax cuts expire, while the dividend rate will go to 39.6% from 15% and the capital gains rate to 20% next year and 23.8% in 2013 under the health bill, from 15% today. Even with these higher rates, or because of them, revenues won't come close to paying for the Obama Administration's new spending—which is why it is also eyeing a VAT.

Thanks to the recession and the stimulus, U.S. federal debt held by the public has now reached about 63% of GDP and is headed higher, but the OECD forecasts that the 30 wealthiest nations will see debt burdens "exceed 100% of gross domestic product in 2011." Debt levels in France, Germany, Spain and Italy are expected to have increased by 30 percentage points of GDP from 2008 to 2011. Greece has a VAT rate of 21%, but its debt as a share of GDP is 113%.

The very efficiency of the VAT means that it throws off huge amounts of revenue that politicians eagerly spend. The VAT thus becomes an engine of even greater public spending. In Europe, average government spending was about 30.2% of GDP when VATs began to spread in the late 1960s. Today, those governments are more than 50% larger, with spending of 47.1% of GDP on average. By contrast, U.S. government spending (federal and state) rose to 35.3% from 28.3% as a share of GDP in the same period.

It is precisely this revenue-generating ability that makes the VAT so appealing to liberal intellectuals and politicians. Even liberals understand that at some point high income tax rates stop yielding much more revenue as the rich change their behavior or exploit loopholes. The middle-class is where the real money is, and the only way to get more of it with the least political pain is through a broad-based consumption tax such as a VAT.

And one more point: In Europe, this heavier spending and tax burden has also meant lower levels of income growth and job creation. From 1982 to 2007, the U.S. created 45 million new jobs, compared to fewer than 10 million in Europe, and U.S. economic growth was more than one-third faster over the last two decades, according to the Bureau of Labor Statistics.

In 2008, the average resident of West Virginia, one of the poorest American states, had an income \$2,000 a year higher than the average resident of the European Union, according to economist Mark Perry of the University of Michigan, Flint. The price of a much higher tax burden to finance a cradle-to-grave entitlement state in Europe has been a lower standard of living. VAT supporters should explain why the same won't be true in America.

One trait of European VATs is that while their rates often start low, they rarely stay that way. Of the 10 major OECD nations with VATs or national sales taxes, only Canada has lowered its rate. Denmark has gone to 25% from 9%, Germany to 19% from 10%, and Italy to 20% from 12%. The nonpartisan Tax Foundation recently calculated that to balance the U.S. federal budget with a VAT would require a rate of at least 18%.

Proponents also argue that a VAT would result in less federal government borrowing. But that, too, has rarely been true in Europe. From the 1980s through 2005, deficits were by and large higher in Europe than in the U.S. By 2005, debt averaged 50% of GDP in Europe, according to OECD data, compared to under 40% in the U.S.

While there is no official proposal to impose the VAT—I think it is necessary for my colleagues to be on record on this onerous new tax. Therefore, I am offering this very simple sense of the Senate amendment which

calls the VAT exactly what it is—a massive tax increase that will cripple families on fixed incomes and only further push back America's economic recovery.

Daniel Mitchell, a senior fellow at the Cato Institute recently wrote:

The VAT—on top of all the other taxes Washington imposes—is a terrible idea. Imposing it would pretty well finish the transformation of our country into a European-style slow-growth nation. The right way to close Uncle Sam's gaping deficits is to reverse the continued explosion of federal spending.

The real-world evidence shows that VATs are strongly linked with both higher overall tax burdens and more government spending. In 1965, before the VAT swept across Europe, the average tax burden for advanced European economies (the EU-15) was 27.7 percent of economic output, versus 24.7 percent of GDP in the United States.

Taxes on income and profits consumed 8.8 percent of GDP in Europe in 1965—below the US level of 11.9 percent. By 2006, the European burden had climbed to 13.8 percent of GDP, slightly higher than the 13.5 percent US figure. (The same trend holds for corporate-tax data.)

Today's income-tax system is a nightmarish combination of class warfare and corrupt loopholes. But adding a VAT solves none of those problems, it merely gives politicians more money to spend and a chance to auction off a new set of tax breaks to interest groups. That's good for Washington, but bad for America.

J.D. Foster, a senior economics fellow with the Heritage Foundation, wrote:

It comes as no surprise that attention is now turning toward the VAT as the liberal solution for unsustainable deficits that threaten the stability and very future of our economy. Having hiked spending dramatically and then doubling down with his Obamacare, the nation now faces unprecedented near-term debts as the clock ticks toward the long-recognized entitlements time bomb. If there's one thing conservatives and liberals agree on completely, it's that deficits of this magnitude cannot persist. Credit markets won't allow it. Some fundamental course correction is certain. The massive amount of revenue a VAT could raise is the only acceptable solution left for most liberals since they steadfastly refuse to reverse course on their recently enacted spending binge.

Why is the VAT the darling of the left? Because it can raise vast new revenues without the taxpayers being really sure who took their money. Consumers would pay the tax when they purchase goods and services. Buy a car, pay the tax. Buy groceries, pay the tax. Buy chemotherapy drugs, pay the tax. In this way, taxpayers would only be aware of a bit of their tax bite with each purchase. And unless the tax is printed on the receipt and they look for it, consumers would have no idea how much tax they paid on a particular transaction.

Today's deficits, and tomorrow's, result from too much spending, not too little revenue. Reverse the massive Obama spending surge (and the Bush surge before that) and the deficits would quickly fall to sustainable levels. Instead, Paul Volcker has done the nation a great service in telling us what Obama and his congressional allies are planning. If that is not the case, if the President and the democratic leadership in Congress really are not planning a VAT attack, let them declare their opposition to a VAT plainly. Every current and would-be member

of Congress should say where they stand on the VAT. And unless they favor a huge government, much higher taxes, and less transparency from government, they will stand against it.

I agree with Mr. Foster—every current Member of Congress should say where they stand on the VAT. With this amendment I am giving Members of the Senate that opportunity.

Several of my colleagues have explained that they would support a VAT if it was replacing the Federal income tax or the current corporate tax structure. I say to those colleagues that I have not seen a shred of evidence from the administration or anyone in Congress that the VAT would be used as a replacement tax. I am supremely confident that—if and when it is offered—the VAT will be an additional tax on the American people. And that is the last thing the American people need right now. The solution to America's worsening government fiscal outlook is not to increase taxes—it is to cut spending. Congress could get America's economy back on track by focusing on tax relief and simplification, liability reform, regulatory reform, health care security, and energy independence—not on imposing a new, massive tax increase that will cripple middle- and low-income families and delay America's economic recovery.

The solution to America's worsening government fiscal outlook is not to increase taxes, it is to cut spending. Congress could get America's economy back on track by focusing on tax relief and simplification, liability reform, regulatory reform, health care security and energy independence, not on imposing a new massive tax increase that will cripple middle- and low-income families and delay America's economic recovery.

I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays are ordered.

Mr. McCAIN. I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

Mr. DODD. Mr. President, what is the business before the Senate?

The PRESIDING OFFICER. The McCain amendment is the pending amendment.

Mr. DODD. I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

FINANCIAL REFORM

Mr. DODD. Mr. President, I come to the floor now, and I came to the floor yesterday, in response to the campaign by those both outside and, apparently, inside this Chamber who are literally trying to kill the Wall Street reform legislation, and to tie that reform to that bill to bailouts.

I pointed out in those discussions yesterday that these arguments are straight out of Wall Street's playbook,

written by political strategist Frank Luntz. As we all know, I submitted his political strategy that he offered months or weeks before even consideration of the bill, outlining politically how to defeat this legislation. So even before there was a bill, Mr. Luntz had a strategy on how to kill it. You merely have to look at the date of his memo to know what I am talking about.

Yesterday we heard a strategy, basically written by him, to avoid any accountability for the mess they have made of our economy. And if it seems strange to you, Mr. President, and others, that the minority leader is choosing to attack our bill for being too kind to Wall Street by reciting talking points written on behalf of Wall Street, well, you are not alone, obviously, if that seems strange.

Even stranger, of course, was the leader's insistence that this legislation is too partisan. Perhaps he has not spoken to my colleague and friend from Alabama, the former chairman of the Banking Committee, Senator SHELBY, with whom I have spent months working on building consensus, who said himself months ago that we had achieved a consensus on as much as 70 percent of the bill that will be presented to this body in a matter of days.

Perhaps the minority leader had not spoken to any of the Republicans on the Banking Committee, who joined with Democrats in bipartisan working groups that I asked to be formed back months ago, each of which of those groups achieved real and meaningful progress that is reflected in the bill that will be on the floor in a matter of days; not just amendments that will be offered, it is in the text of the bill of those working groups, Democrats and Republicans on the Banking Committee.

Perhaps the Republican leader had forgotten that as far back as February of 2009, I insisted that meetings with the Treasury Department, as they were still crafting their plan for reforming Wall Street, include Republican staff so Republican ideas would be in the proposal from the very beginning.

Well, this morning the McClatchy newspapers looked into the minority leader's accusations made in this Chamber yesterday morning, and frankly found them lacking. Please indulge me for a moment. I am reading from this morning's newspaper. Let me quote, if I can:

McConnell accused Dodd of drafting partisan legislation, even though the banking committee Chairman has worked roughly half a year with key Senate Republicans and incorporated many of their ideas into his bill. McConnell also said the bill contains controversial bailouts, but it doesn't.

And this from today's Associated Press report:

McConnell on Tuesday said his views on the financial regulation package had been most influenced by the comments of community bankers in Kentucky, his home state. Yet such bankers are represented by the industry groups that most favor setting up an advanced prefinanced liquidation fund for

large institutions—the Independent Community Bankers Association.

The very community banks that insisted upon the \$50 billion that the banks have to put up if they are going to be unwound, rather than taxpayers. So the very banks that my friend from Kentucky claims are advising him on his views have a different view than he does about the bill that is before us.

The newspaper article goes on. It says:

... McConnell has also complained that the Democratic bill is partisan and the White House intervened to stop Democratic-Republican negotiations . . . But Sen. Christopher Dodd, Connecticut, chairman of the Senate Banking Committee, negotiated for months with leading Republicans and found much common ground, only to see the vote in his committee unfold along party lines.

Well, there you have it. Black and white. The attacks on the Wall Street reform bill are false. This legislation incorporates Republican ideas, Democratic ideas, and it definitely includes one idea that we all agree on: ending taxpayer bailouts. Just ask Sheila Bair, who is the Chairperson of the Federal Deposit Insurance Corporation, the organization that comes in and puts an end to failing banks. Ms. Bair is also a Republican, former legal adviser to Senator Bob Dole, former majority leader, minority leader of the Senate, an appointee of the previous administration, the Bush administration.

Sheila Bair told the American Banker, in an article published this morning:

The status quo is bailouts. That is what we have now. If you do not do anything you are going to keep having bailouts.

And nothing is what we will have if Members vote against allowing this bill even to come up for debate on the floor of the Senate. Sheila Baer goes on to say about this bill:

It makes bailouts—

This bill that we will have before this body—

It makes bailouts impossible. And it should. We worked really hard to squeeze bailout language out of this bill. The construct is that you cannot bail out an individual institution. You just cannot do it.

Mrs. BOXER. Will the Senator yield for a question?

Mr. DODD. I will be happy to yield to the Senator.

Mrs. BOXER. First, I want to say thank you so much for taking to the floor to explain to the American people the very strange debate we hear coming from the Republican leader on this. I was stunned, because I had heard that he had met with the Wall Street people and the banks, and then he said over and over again the same phrase yesterday, which was repeated endlessly, that the bill you and the President and the Democrats are working on—trying to get bipartisan support for, for which I commend you—he said that bill would mean one thing and one thing only—taxpayer bailouts—when we all know the entire purpose is to put an end to

one dollar of loss of taxpayer bailouts. So I have a question to ask. Is it not my friend's goal to get into a situation where the banks, the super big banks, the investment houses, pay into a fund themselves with their own money, so that if there are any problems and they need to be wound down, it does not cost a dollar of taxpayer money, that the fund will be paid for by these businesses themselves? Am I correct on that?

Mr. DODD. Let me thank my dear friend and colleague from California. She says it so much more directly and clearly than my efforts here to explain this. She is absolutely correct. This is the irony of ironies.

In fact, let me go further. The \$50 billion provision in this bill was proposed by the Republicans. I did not come up with this idea. This was the idea that was brought up by the community bankers and Republicans who said that if there is an unwinding of a failed institution, the American taxpayer should not have to pay a nickel for that; it should be paid for by the institutions that put themselves in that position.

That is what we did. In fact, in the other body, they have a stronger provision with even more dollars involved. The irony of ironies, that a Republican provision in this bill, designed to insulate the American taxpayers from having to pay a nickel to unwind a failed institution, they are now calling somehow evidence that this is a bailout.

The only reason that money can be used is to bail out, rather to unwind that institution, if it gets in that situation.

Mrs. BOXER. Further, my understanding is, if an institution gets in trouble, they are going to go down. They are not going to be revived.

Mr. DODD. Absolutely.

Mrs. BOXER. I would say to my friend, because he is an expert on this—and years ago I was on the Banking Committee, and am no longer there—I want to make sure I understand if I am right on this: I think the American people have appreciated the FDIC over the years, because the FDIC was another way for taxpayers to be kept out of a problem, because it is an insurance fund. The banks are taxed and they put the money into the fund. And if there is, in fact, a bankruptcy, you are covered. Right now I think it is up to \$250,000. Am I correct?

Mr. DODD. Correct.

Mrs. BOXER. So this whole notion has worked very well. But in closing, because I do not want to interrupt the speech of my friend, because I think it is important, it seems to me suddenly there has been a huge injection of politics into a bill that should have had, as you point out, I say to my friend from Connecticut, bipartisan support.

If, in fact, the Republicans came up with the idea to have a fee on these institutions, to protect the taxpayers so that we have no bailouts, and now, after meeting with the banks, it feels

to me these big institutions have turned on their own idea. But they are using the language that is the opposite of what they now want to do. Because, as I understand it—tell me if I am right—if we keep the status quo and do nothing, which is again their idea right now, we are in trouble, because we saw what happens when these big institutions get in trouble. Main Street starts to hurt. Lending starts to freeze. We have seen millions of job losses due to that horrible time we went through.

I want to commend my friend and urge him, if he has to come here every day—and I will be glad to come over here as well—to explain to the American people the truth. I am so tired of politics obscuring the truth. We need to put an end to it. We are not perfect. The other party is not perfect. No one is perfect. We do not have the ideas that are going to save and cure every problem. But we know one thing from this crisis. We had to turn to taxpayers. What a nightmare. Thank goodness, by the way, those funds are being repaid. We are still out some funds, but the vast majority of those funds are repaid. But we are not going to go through that again. I would never vote, and I say that right here, to bail out these big institutions that were gambling. They gambled on the future of America. I will not do it. Therefore, let's put something into place where they pay into a fund so if there is a problem in the future and they are going bust, we will wind them down and we will wind them out on their dollar.

I hope you will keep saying that, because I do not mind getting in a debate with the other side. As a matter of fact, I think there are great differences between the two parties, which makes our country great because we all appeal to different people in the country. It is good for the stability of the Nation. But let's not come here with false debate. Let's not come here with made-up arguments, because that only hurts the debate.

I wanted to praise my friend. I wanted to spend a couple of minutes thanking him for doing this.

Mr. DODD. I thank my colleague. I note, you only have to ask yourself—look, you do not have to have a Ph.D. in banking. Ask yourself this question: The idea of requiring these institutions to put up money in advance, so that if they fail they end up paying for the cost of unwinding—

Mrs. BOXER. Bingo.

Mr. DODD. Who would object to that? Who is objecting to this? I mentioned earlier, it was not my idea. This was brought to me by the Republicans. Sounds to me like the people who have to put up that money are probably the ones objecting to it. These are the large institutions that do not want to be assessed any cost associated with their mismanagement of an operation.

Mrs. BOXER. You got it.

Mr. DODD. So it is pretty much as plain as the nose on your face. I am

even surprised we have to make the case. So I thank my colleague from California. I will try to complete these remarks. I know others have other matters they want to be heard.

I thank Sheila Bair from the Federal Deposit Insurance Corporation. Many of us know her, having worked with the Republican leadership for years as legal counsel, of course; being an appointee of the Bush administration. She talked about our bill today, saying this bill has been written specifically to end any notion of any kind of a bailout by the American taxpayer.

It makes [bailouts] impossible, and it should. We worked really hard to squeeze bailout language out of this bill.

And she is right, working together.

The construct is you can't bail out an individual institution—you just can't do it.

Our bill stops bailouts by imposing tough new requirements on Wall Street firms. Being too big and too interconnected will cost these firms dearly. And, should that not be enough, under our legislation regulators can use new powers to break up those firms before they can take down the economy. It stops bailouts by forcing firms to write their own funeral plans and to pay for their own liquidation in advance so taxpayers do not have to pay a dime. They shouldn't. If that is not enough, our bill stops bailouts by literally eliminating any possibility for the government to bail out these firms. These Wall Street firms believe that no matter how much we hate bailouts, if they are important enough, at the end of the day taxpayers will come riding in on a white horse to save them, just as they did under the Bush administration.

This bill kills the white horse. There is no white horse under this bill. When we pass it, as I hope we will, large institutions, big banks will know if they fail, they fail. Their management gets fired under our bill. Their assets will be liquidated under our bill. Their creditors lose money under our bill, and taxpayers don't pay for any of it under our bill. The bill stops bailouts.

To insist otherwise indicates that either the minority leader doesn't know what is in the bill or he chose to distort what is in the bill. Yet I read this morning in the Wall Street Journal that the Republican leadership is "struggling to maintain a unified opposition," even going so far as to circulate a letter pledging that each Republican Senator will vote to filibuster this bill and keep it from even being discussed. I hope that is not the case.

I can't tell my colleagues, in my 30 years here, what a denial that is of everything I have stood for and worked for in countless pieces of legislation for three decades, to have Members of this body, who have spent hours with me crafting the bill I will offer, including their ideas, to then vote against even allowing this bill to be debated. I just know that cannot happen. I don't want to believe that 41 of my colleagues, many of whom have worked with me on this bill, are going to sign on to a com-

mitment that they will not allow this bill even to be debated unless I agree to their provisions. I have never seen anything like that in my 30 years.

I have worked tirelessly for months to put together a bill that reflects various ideas. I know it doesn't satisfy everyone. I have been criticized by the left and the right on this bill. I understand that. But I have tried to put together a bill that reflected what I thought was commonsense, sound, good legislation. I pray the news I am hearing about 41 Senators—before most of these people have even read what is in the bill—signing on to a political commitment without understanding what is at stake is not true. By losing this bill and having the status quo remain, bailouts then are in place. Taxpayers are exposed. The 8 million jobs that have been lost, the 7 million homes, others who have suffered as a result of this economic crisis get little or no relief. That is a stunning conclusion of the efforts that have gone on. It isn't about us. It is about the people out there who deserve far better than they are getting.

Still, even after it has become apparent that the Republican strategy is to delay and obstruct, even after it has become clear that the minority has very little to offer in this debate except for some false talking points read verbatim from the big banks' script, the minority leader took the floor again this morning and said:

Republicans believe the solution is for bipartisan talks to continue.

They will. As frustrated as I am, my door has never been shut. The door is still open to sit and resolve and work together to get to this bill. But I will not sit around days on end in the rope-a-dope game of never knowing who I am talking with, whether they have any ability to bring people to the table, "just agree with my idea and I am still against the bill." I have to ask myself, why did I go through this process over the last 4 or 5 months, agreeing to much of what they were offering, and there is not a single political vote to show for it; in fact, a vote against even debating the bill in the end? Why would one ever go through what I did to end up at this particular point?

Apparently, someone finally informed the minority leader that those talks had been going on for over a year. So they will continue. But then again, he once again made the false statement that the bill would "allow taxpayer dollars to bail out Wall Street banks."

There they go again, the same old talking point, the mantra repeated. If one says it often enough, I guess it becomes true in some people's minds.

I say to my friend, the minority leader, if he wants to continue the debate, he could start by ceasing efforts to filibuster this bill before it gets to the floor; before, I would suggest, no more than probably two or three people have even seen it or have any idea how many titles are in it, what it includes, and what we try to achieve. If you

want to debate, if you have ideas, then bring them to the floor. That is why this body exists.

If the debate is going to consist of Democrats offering ideas to tackle these very complex—and it is a complex set of issues—and critical challenges on behalf of American families and businesses and Republicans reading false talking points from Wall Street's playbook, then count me out. I will not engage in that kind of a debate or negotiation. I have no interest in that whatsoever.

We have a job to do. If my friends on the other side of the aisle don't feel like doing the work, maybe they should think about the millions of unemployed Americans who didn't go to work this morning because they lost a job in this economy, created by the mismanagement, the failure to step up and take steps to correct these problems over the last number of years. Those Americans would love nothing more than to put in an honest day's work for a good day's pay. But they can't because the same banks sponsoring this parade of bamboozlement on one side of the aisle cost our country 8.4 million jobs, 7 million homes, lost health care, and destroyed futures and retirement accounts. That is all gone.

What about them in this debate? Are their issues, their views, their concerns going to be discussed? No, just shut it down. Don't even debate the issue because "you can't agree with my idea."

That is not why this institution exists. It is not about the process. It is not about committee assignments. It is not about your idea or mine. It is about people beyond the walls of this Chamber who are counting on us to get a job done for them. Our failure to step up and even debate these issues and consider each other's ideas is a tragedy.

I know my friends on the other side of the aisle are faced with a difficult choice between supporting their party leadership and participating in this complicated, difficult debate. I am not naive. I know that is a hard place to be. But if we can't act like U.S. Senators for the sake of this issue, for the sake of legislation whose success or failure has such an enormous impact on the very survival of the middle class and the economy as we know it, then why are we even here? Why are we even engaged in this, if that is what the choice is?

It is easy to understand why the big banks don't like this bill. It is far harder for me to understand why any of us would be sympathetic to those arguments. We don't work for the big banks. We work for the American people who sent us here from our respective States. We work for families who have paid a steep price for Wall Street's risky behavior. We work for the American public that lost those jobs, those more than 8 million jobs, and still faces near double-digit unemployment. We work for an American public that lost nearly 7 million homes

to foreclosure, for millions of people who have seen their small businesses fail or their retirement accounts evaporate in a matter of hours. We work for an American public that is sick and tired of feeling like no one is looking out for their interests, like the political hacks and lobbyists hold all the cards in these discussions.

The minority seems intent on proving them right—I hope that is wrong, but I am worried they may be right—on proving that there is no issue more important than saying no, stopping all discussion, currying favor with special interests, and trying to gain petty political advantage, strangling this bill with a filibuster or suffocating it with false claims that stick our Nation and its taxpayers with bailouts forever; that will continue this era of greed and recklessness on Wall Street; that will leave us vulnerable once again to another economic crisis.

I have been here a long time. I know this institution is better than that. I know there are friends of mine on the other side who care about this bill, who want to be a part of the debate, who want to be part of the solution and have ideas to bring to the table and recognize no one group, no one Senator is going to write this bill exclusively. But I can't get there if the attitude is: We won't even let you debate or discuss it. That attitude is not what the American people expect of the Members of this body.

On their behalf, who desperately need us to act, I hope we are better than that; that in the coming days before this bill reaches the floor, we can find that common ground. If not, we need to go forward. But we need to have that debate on the floor of the Senate.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant editor of the Daily Digest proceeded to call the roll.

Mr. CORKER. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CORKER. I came to the floor of the Senate because my friend from Connecticut, who is my friend, made numerous comments about the process. I hope that possibly he would be willing to enter into a colloquy.

I will give a preamble, if I may. There is a lot of rhetoric that has gone on around this financial reform bill. I appreciate so much the chairman of the committee engaging me for 30 days to try to reach a bipartisan agreement. We voted a 1,336-page bill out of committee in 21 minutes with no amendments. We did so with the understanding—at least it was my understanding—that the best way to reach a bipartisan deal was to vote a bill out of committee—we knew it was going to be a party-line vote—to not stiffen opposition by having a bunch of amendments debated and maybe get people pulled

further apart. Then what we would do is try to seek a template for a bipartisan bill before it came to the floor.

Mr. DODD. Will my colleague yield?

Mr. CORKER. I will.

Mr. DODD. That was the intention. But there were 401 amendments filed by 2 p.m. on Friday, before the announced markup of the bill. Over the weekend, staff came to work on amendments.

I say respectfully, no one from the minority side came in on the weekend. But over the weekend, it was suggested to me by the minority—

Mr. CORKER. Not by this Senator.

Mr. DODD. No, but that they wouldn't offer any amendments. It turned out to be a 21-minute markup. I was prepared to stay there all week, as my colleagues know, and announced in advance that would be the case.

So for the purposes of understanding here, again, that was their decision. I hope we could get to some agreement farther down the road. We agreed to a lot. The bill that was on the table that day for the markup was substantially different than the bill I offered as a discussion draft in November.

Mr. CORKER. No question.

Mr. DODD. So it reflected a lot of ideas and thoughts that have been incorporated between that date and the actual markup date. I say that.

Mr. CORKER. I have repeatedly publicly thanked the good Senator from Connecticut for going through that process, and there is no question it is a much better bill. As a matter of fact, I think it is a very amendable bill.

Here is what I would say. I think things are being said that—there is no question some of the attacks on the order to liquidation have been over the top. On the other hand, there is no question that Treasury and the FDIC created some loopholes. That is what executive branches do because they want the flexibility to do whatever they wish to do. I would do the same thing if I were them. But there are some things that need to be tightened up, and I think we could do that in 5 minutes, I really do.

I talked with the Treasury Secretary yesterday. It is obviously more of a committee-committee level deal now, and I understand that. But I think we could resolve that. But I think the thing, if I could—I know there have been discussions about this letter. The fact is, I think what we are trying to do is say let's get this template done over the next couple weeks. Let's do not slow it down.

I know you talked about entering a bill on April 26. I know there have been talks about maybe sliding a week because there are some other cats and dogs that need to be dealt with. But we can do this. I think if everybody would calm down, and if everybody would quit exaggerating how bad things are—there has been a lot of cooperation.

I just met with the ranking member. I left his office. I think there is a strong desire to reach a bipartisan

agreement. I hope that—I am not blaming anybody, but I think the White House is stirring around on this. You have all kinds of forces going on. I think the good Senator from Connecticut wants a bipartisan bill that will stand the test of time. I know I want one. I know the ranking member wants one. I think most every Republican wants one. I think if we could quit shooting things over the transom and get settled down, I think, without even slowing down the introduction of this bill—not slowing it down 1 day; if we get serious as adults for the next 10 days or so, a week—I think we could finish. And I believe that.

I would ask—I would ask all my colleagues—and I ask this respectfully of my colleague from Connecticut—look, things did not get where they needed to be, and I understand what happened, but I still relish the fact that we came close. I think we can get back there. I do. I do not think anybody is trying to subterfuge this. I do not. I met with all my colleagues yesterday on the Republican side. We may have a few folks who do not want a bill, but just because they do not like laws. I am making that up slightly over the top myself. But I think most people want a good bill. And I say to the chairman, I think what you did in December demonstrated that you want a good bipartisan bill.

I do not think it is right—I will get into a little bit here—I do not think trying to call one Republican Senator to pick him off, two Republican Senators to pick them off—I do not think that is a bipartisan bill. Let's get back to the table to finish it.

Mr. DODD. My colleague wanted a colloquy here, and I am glad to be an audience for him. But if he wants a colloquy I will stay around.

Mr. CORKER. I am glad to listen, as I have often.

Mr. DODD. Let me say, again, I came here—if I have been strong it is because I am responding to the minority leader. The minority leader has come every morning now saying this bill perpetuates bailouts. I am not going to sit here idly and allow those accusations to be spread across the country when you and I both know that is not true—when I am told this is a partisan bill.

I have spent too much time here over too many years doing exactly what I have done in the 38 months I have been chairman of this committee; that is, to develop wherever I can bipartisan solutions to this bill. It has motivated me in everything I have done.

So to all of a sudden, out of the blue, knowing all the efforts I have made, along with others, to try and find that common ground—as my colleague from Tennessee well knows here—and then to be faced with a minority leader who should know better than coming to the floor making these silly accusations, false accusations about a process that has been anything but partisan, about conclusions in a bill that are anything but accurate in terms, in fact, of what is included in the legislation.

I am willing to listen to ideas on how we can make this tighter, if, in fact, that is the case, to stop the bailouts that are occurring in the country, all of that. But then having a letter being circulated, where 41 people, most of whom have no idea what is in this bill but just taking a political position because they are being asked to do so, without at least having some appreciation for those of us, including yourself, who have worked so hard on this to produce as good a bill as we can—understanding there are still ideas that many of our colleagues want to bring to this debate, and they should have a right to do that—that having a full-throated debate on the floor of the Senate—I am disturbed.

What does that say to future chairs? Why would you even bother doing what I went through if, in fact, at the end of it all the answer is: No, I am sorry, we did not get our way, so we are going to stop the debate? I find that terribly distressing. As a Member of this body, leaving it in a few months—I will not be here any longer next year for the debates—I have to say to the younger Members, the newer Members coming along: Be careful. If this is the template on how we operate, then all of the things I tried to do over the last year on this bill—from the hearings, involving everyone, going through the discussions, recognizing you did not solve every issue—then you have to ask yourself the question: Why would you do that if at the end of the process you get a letter circulated stopping a motion to proceed on a bill of this import after all the effort?

If this had been a purely partisan—you know, you are not allowed in the room. We are just going to keep you outside. We just want to write it—then I get that. You would be right, in my view. I would sign the letter, in fact, if that were the case. This is not that case, in my view. I say that respectfully to my colleague.

Mr. CORKER. I will respond respectfully that I think the course of action that is trying to get underway is to finish the bipartisan—let's face it. You and I went a long way. Then we stopped. On March 10 it ended. I understood that, look, you were losing Democrats on your committee.

Mr. DODD. And I was not gaining Republicans.

Mr. CORKER. You had one, and that is all you asked for when you started. I do not want to reiterate that. I never said I could speak for anybody but myself. And I did not leave the table. I never left the table. So the fact is, the bill took a partisan turn on March 10. There is no denying that. You would not deny that and look at me with a straight face.

There are some bipartisan solutions in this bill, I grant that, and I thank you for those inclusions. But there is still work to be done. And I would say to you that what Republicans are trying to do is say, let's finish that work before it gets to the floor. You have

said this, and I do not think I am betraying confidences. I would never do that intentionally. This is a complicated piece of legislation.

What we need to do is get the template—at least bipartisan in the beginning. And then you are right, there are issues such as the Volcker rule and there are governance issues that are going to be amended back and forth. But let's at least get the main parts of the bill right in the beginning—close to right—not the way you would want it on your own, not the way I would want it on my own. That has not happened on a number of the titles, in fairness.

I would urge everyone—there has been a lot of work done. You have done a tremendous amount of work in this committee. Let's finish that work over the next 10 days. Let's quit yelling at each other, and let's finish the work the American people sent us to do. I am not lecturing. I say all this respectfully. Let's finish what we started.

Mr. DODD. I hope it can be the case. I thank my colleague.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant editor of the Daily Digest proceeded to call the roll.

Mr. KYL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KYL. Mr. President, there is a view that sometime next week—upon the disposition of the bill that is currently before us and perhaps some other matters—we might take up the issue of so-called financial regulatory reform. I wish to speak for a moment to one of the key issues I know is of concern to some of my colleagues, and certainly to me.

The American people have a pretty firm view on this whole thing after what they have seen with regard to TARP and the other bailouts. They are obviously not crazy about what has happened.

I think most Americans think there should be two basic goals: First, to prevent the kind of crisis that occurred from ever happening again; and, secondly, to make sure that taxpayers are not on the hook, especially if we are talking about the possibility of continued bailouts where Federal money would be involved in unwinding big Wall Street firms that get into trouble.

Unfortunately, this bill that came out of the Banking Committee, and could be brought to the floor next week—unless it is changed significantly—not only does not achieve the first goal, but it also carries forward that policy of “too big to fail” and taxpayer bailouts. That is why in its current form you have a lot of people on my side of the aisle saying it has to be changed. Let's get together, talk in a bipartisan way, and make sure we can both achieve the goal and, secondly, not carry forward current bad policies.

This bill, at least in my view—and I will explain why—would set the conditions for firms to become overleveraged; that is to say, taking on too much debt relative to their value, and it would entrench in law forever this concept of taxpayer obligation to bail out these firms.

Well, how would it do this? Primarily, it creates a \$50 billion so-called orderly liquidation fund established through assessments on the largest banks. So at least the first part of the fund would be paid by banks themselves. But even that, obviously, would not be big enough to cover the bailout, for example, of one of our larger banks, let alone some of the other kinds of institutions. But by creating this fund, we are, in effect, designating those entities as “too big to fail,” meaning the government will have to then pick up obligations beyond what is covered by the \$50 billion.

So after the exhaustion of that fund, and some other steps, taxpayers have provided not just an implicit but an explicit guarantee. I have read the language in the bill, and it provides the FDIC shall be liable, in effect, for amounts that are necessary beyond that. The specific language is the FDIC “will guarantee the obligations of banks” in times of severe economic distress. That is the status quo. That is what people object to. Why should we be on the hook for those big banks when they fail?

There are some additional problems. This kind of guarantee increases the likelihood that those firms will take risky behavior and then become overleveraged, just as what happened with the real estate entities, so-called Fannie Mae and Freddie Mac. Because there was an implicit guarantee the government would bail them out if they got into trouble, they took risks that were beyond what they should have taken, and the end result was, because they failed, we were on the hook, and for a lot more than would have been the case had they not taken those risks.

In addition to that, because there is an implicit guarantee, they are actually shielded from market forces and are given a competitive advantage over their competition. Private investors, as we saw in the cases of Fannie Mae and Freddie Mac, are more likely to lend to these firms and to charge them a lower interest rate because they are pretty well guaranteed that if anything bad happens, they will get their money back. Meanwhile, other banks, such as Arizona community banks, don't have that kind of implicit guarantee. In fact, a lot of those banks are on the brink, frankly, of collapsing today. They are charged more money in order to borrow money than these very large, too-big-to-fail institutions. So this creates an anticompetitive barrier that will, in effect, make cartels out of the large institutions that would receive this guarantee.

The consequences would be severe. Peter Wallison is a fellow at the American Enterprise Institute and is very knowledgeable about these matters. He wrote this last year:

Financial institutions that are not large enough to be designated significant will gradually lose out in the marketplace to the larger companies that are perceived to have government backing just as Fannie and Freddie were able to drive banks and others from the secondary market for prime middle-class mortgages. A small group of government-backed financial institutions will thus come to dominate all sectors of finance in the U.S.

Well, that is the formal way of saying what I said before, and that is one of the reasons we don't want to have this kind of implicit guarantee or, in the case of the legislation, explicit guarantee by the taxpayers. You will see the same kinds of distortions as were created by Fannie Mae and Freddie Mac in the housing market prior to the collapse of the financial sector last year.

Back in 2003, I was chairman of the Senate Republican policy committee, and we began researching and writing about this. We wrote two specific papers sounding the alarm about Fannie Mae and Freddie Mac. I was concerned back then that this explicit guarantee or backing of these institutions permitted them to operate without adequate capital and to assume more risk than their competitors and borrow at below market rates of interest, and that is exactly what happened. Smaller companies got crushed. Fannie and Freddie engaged in increasingly risky lending with the backing of the Federal Government. On a massive scale, they made mortgages available to people who could not afford them, like buying those risky mortgages, and that easy credit fueled very rapidly rising home prices. As prices rose, obviously, the demand for even larger mortgages rose, and Fannie and Freddie looked for ways to make even more mortgage credit available, notwithstanding a questionable ability to repay. It was a giant accident waiting to happen.

By 2008, these two GSEs—government-sponsored enterprises—held nearly \$5 trillion in mortgages and mortgage-backed securities. They were overleveraged. They were too big to fail. The resulting collapse devastated our economy, and it left taxpayers with a tab of hundreds of billions of dollars. In fact, Fannie Mae and Freddie Mac have now transferred to you and me \$6.3 trillion of their liabilities—just those two entities—and we are on the hook for it.

That is what we have to prevent from happening, but that is exactly what this legislation that passed out of the Banking Committee would permit. Why would we continue this kind of too-big-to-fail taxpayer liability in what we call a reform bill? We ought to stop that, make sure it never happens again.

I also wish to make this point, since there is a new regulator contemplated

in this legislation. What happened to Fannie and Freddie happened despite the fact that they had their own dedicated regulator, and that is exactly what is proposed for institutions in this bill. In fact, the bill would use the very same regulators who failed to stop the financial crisis from happening.

I thought this was supposed to be reform. This isn't reform. I am reminded of a line from literature—I don't think it is from "A Tale of Two Cities," but it could be—where the actor says, "Reform, sir? Don't talk of reform. Things are bad enough already." That is kind of the way I look at this. We have problems, and the kind of reform that is being suggested here is not an improvement; it is a continuation of the same obligation of taxpayers to bail out those who are deemed too big to fail.

I wish to add that the bill even extends the scope of these potential future bailouts beyond banks. It would explicitly give the Federal Reserve authority to regulate any large company in America that it wanted to. Thus, the Financial Stability Oversight Council, FSOC, would have the power to designate nonbank financial institutions as a threat to financial stability—the code word for "too big to fail." So a new government board based in Washington would decide which institutions get special treatment, giving unaccountable bureaucrats tremendous authority to pick winners and losers, and these favorite firms, too, would have a funding advantage over their competitors.

In addition to extending this to bigger companies, the legislation extends this same definition all the way through our financing sectors to smaller companies. For example, one of the auto dealers in your town that finances the automobiles you buy, if you have more than four payments, they are covered under here. It even would cover a dentist's office or an optometrist. If it takes more than four payments to take care of what he had to do, he would be covered by this. So this would extend to small and large and in all cases puts a government bureaucrat in charge of trying to find out why a firm is in trouble and ultimately requires, if they are needed, taxpayers to come to the rescue of these firms. As I said, we have to avoid making the mistakes of the past. A firm's cost of capital should be based on its ability to repay its commitments, not on the probability of future government assistance.

So given recent experience, I would suggest that we need a more competitive financial industry with many firms, not just a few large firms with implicit government guarantees dominating the market.

I started my comments by speaking about what the American people don't like and what they would like to see. I think they deserve a better approach than this legislation that passed out of the Banking Committee, one that promotes accountability and responsible oversight. This bill, as I said, is a risk

the taxpayers don't need and, frankly, cannot afford.

So I urge my Democratic colleagues to reengage with Republicans to produce a bipartisan bill that can pass the Senate by a wide margin. Let's not have any more health care bills where it is done strictly on a partisan, party-line basis, with a consensus lacking, with the American people not liking what is being done. We can provide for the orderly bankruptcy of these failed institutions without keeping taxpayers on the hook for losses.

By the way, a lot of this reform has to deal with preventing the bankruptcy in the first place—in other words, regulating some of these new esoteric financial instruments so that there is greater transparency in the complicated trading of these financial instruments.

I think we can work this out and keep politics out of it. Everybody understands there are things which need to be done to prevent the kind of collapse we had in the past. It is my understanding that the hard-working members of the Banking Committee on both sides of the aisle had been working hard together and had been producing compromises. They were characterized to me as, it is not everything I would want, but then in a compromise you don't get everything you want. That is the spirit in which we can work together to produce a product that I think would be acceptable to our constituents, who don't want to be on the hook for any more of these bailouts, as well as provide the kind of transparency up front and procedures for unwinding businesses on the back end when they finally are unable to continue in business, a process which would not require the taxpayers to bear ultimate responsibility for their losses. If we are able to work together to do this, it will be a win-win situation for the American people, and just maybe we will demonstrate that Republicans and Democrats can actually sit down together, work something out, and pass a bill that is good for everybody.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

ARTICLES OF IMPEACHMENT AGAINST JUDGE G. THOMAS PORTEOUS, JR.

The PRESIDING OFFICER. The Chair submits to the Senate for printing in the Senate Journal and in the CONGRESSIONAL RECORD the replication of the House of Representatives to the Answer of Judge G. Thomas Porteous, Jr., to the Articles of Impeachment against Judge Porteous, pursuant to S. Res. 457, 111th Congress, Second Session, which replication was received by the Secretary of the Senate on April 15, 2010.

The materials follow.

CONGRESS OF THE UNITED STATES,
Washington, DC, Apr. 15, 2010.

Re Impeachment of G. Thomas Porteous, Jr.,
United States District Judge for the
Eastern District of Louisiana.

Hon. NANCY ERICKSON,
Secretary of the Senate,
U.S. Senate, Washington, DC.

DEAR MS. ERICKSON: Pursuant to Senate
Resolution 457 of March 17, 2010, enclosed is
the Replication of the House of Representa-
tives to the Answer of G. Thomas Porteous
Jr., to the Articles of Impeachment.

A copy of the Replication and of this letter
will be served upon counsel for Judge
Porteous today through electronic mail.

Sincerely,

ALAN I. BARON,
Special Impeachment Counsel.

IN THE SENATE OF THE UNITED STATES
Sitting as a Court of Impeachment

IN RE: IMPEACHMENT OF G. THOMAS PORTEOUS,
JR., UNITED STATES DISTRICT JUDGE FOR
THE EASTERN DISTRICT OF LOUISIANA

REPLICATION OF THE HOUSE OF REP-
RESENTATIVES TO THE ANSWER OF G.
THOMAS PORTEOUS, JR., TO THE ARTI-
CLES OF IMPEACHMENT

The House of Representatives, through its
Managers and counsel, respectfully replies to
the Answer to Articles of Impeachment as
follows:

RESPONSE TO THE PREAMBLE

Judge Porteous in his Answer to the Arti-
cles of Impeachment, denies certain of the
allegations and makes what are primarily
technical arguments as to the charging lan-
guage that do not address the factual sub-
stance of the allegations. However, it is in
Judge Porteous's Preamble that he sets forth
his real defense and, without denying he
committed the conduct that is alleged in the
Articles of Impeachment, insists that never-
theless he should not be removed from Of-
fice.

At several points in his Preamble, Judge
Porteous notes that he was not criminally
prosecuted by the Department of Justice, the
implication being that the House and the
Senate should abdicate their Constitu-
tionally assigned roles of deciding whether
the conduct of a Federal judge rises to the
level of a high crime or misdemeanor and
warrants the Judge's removal, and should in-
stead defer to the Department of Justice on
this issue. Judge Porteous maintains that
impeachment and removal may only proceed
upon conduct that resulted in a criminal
prosecution, no matter how corrupt the con-
duct at issue, or what reasons explain the
Department's decision not to prosecute.
Judge Porteous provides no support for this
contention because there is none—that is not
what the Constitution provides.

Indeed, the Senate has by its prior actions
made it clear that the decision as to whether
a Judge's conduct warrants his removal from
Office is the Constitutional prerogative of
the Senate—not the Department of Justice—
and the existence of a successful (or even an
unsuccessful) criminal prosecution is irrele-
vant to the Senate's decision. The Senate
has convicted and removed a Federal judge
who was acquitted at a criminal trial (Judge
Alcee Hastings). The Senate has also con-
victed a Federal judge for personal financial
misconduct (Judge Harry Claiborne) while at
the same time acquitting that same Judge of
the Article that was based specifically on the
fact of his criminal conviction.¹ Thus, Judge
Porteous's repeated references to what the
Department of Justice did or did not do adds

nothing to the Senate's evaluation of the
charges or the facts in this case.²

Further, according to Judge Porteous, pre-
Federal bench conduct cannot be the basis of
Impeachment, even if that conduct consisted
of egregious corrupt activities that was be-
yond the reach of criminal prosecution be-
cause the statute of limitations had run, and
even if Judge Porteous fraudulently con-
cealed that conduct from the Senate and the
White House at the time of his nomination
and confirmation. There is nothing in the
Constitution to support this contention, and
it flies in the face of common sense. The Sen-
ate is entitled to conclude that Judge
Porteous's pre-Federal bench conduct re-
veals him to have been a corrupt state judge
with his hand out under the table to bail
bondsmen and lawyers. Such conduct, which,
as alleged in Articles I and II, continued into
his Federal bench tenure, demonstrates that
he is not fit to be a Federal judge.

Finally, the notion that Judge Porteous is
entitled to maintain a lifetime position of
Federal judge that he obtained by acts that
included making materially false statements
to the United States Senate is untenable.
Judge Porteous would turn the confirmation
process into a sporting contest, in which, if
he successfully were to conceal his corrupt
background prior to the Senate vote and
thereby obtain the position of a Federal
judge, he is home free and the Senate cannot
remove him.

ARTICLE I

The House of Representatives denies each
and every statement in the Answer to Arti-
cle I that denies the acts, knowledge, intent
or wrongful conduct charged against Re-
spondent.

FIRST AFFIRMATIVE DEFENSE

The House of Representatives denies each
and every allegation of this purported af-
firmative defense and further states that Ar-
ticle I sets forth an impeachable offense as
defined in the Constitution of the United
States.

SECOND AFFIRMATIVE DEFENSE

The House of Representatives denies each
and every allegation of this purported af-
firmative defense, namely, that Article I is
vague. To the contrary, Article I sets forth
several precise and narrow factual assertions
associated with Judge Porteous's handling of
a civil case (the Liljeberg litigation), includ-
ing allegations that Judge Porteous "denied
a motion to recuse himself from the case, de-
spite the fact that he had a corrupt financial
relationship with the law firm of Amato &
Creely, P.C. which had entered the case to
represent Liljeberg" and that while that case
was pending, Judge Porteous "solicited and
accepted things of value from both Amato
and his law partner Creely, including a pay-
ment of thousands of dollars in cash." There
is no vagueness whatsoever in these allega-
tions. Article I's allegation that Judge
Porteous deprived the public and the Court
of Appeals of his "honest services"—a phrase
to which Judge Porteous raises a particular
objection—could not be more clear and free
of ambiguity as used in this Article, and ac-
curately describes Judge Porteous's dishon-
esty in handling a case, including his distor-
tion of the factual record so that his ruling
on the recusal motion was not capable of ap-
pellate review.³

THIRD AFFIRMATIVE DEFENSE

The House of Representatives denies each
and every allegation of the purported affir-
mative defense that Article I charges more
than one offense. The plain reading of Arti-
cle I is that Judge Porteous committed mis-
conduct in his handling of the Liljeberg case
by means of a course of conduct involving
his financial relationships with the attor-

neys in that case and his failure to disclose
those relationships or take other appropriate
judicial action. The separate acts set forth in
Article I constitute part of a single unified
scheme involving Judge Porteous's dishon-
esty in handling Liljeberg. Further, the
charges in this Article are fully consistent
with impeachment precedent.⁴

FOURTH AFFIRMATIVE DEFENSE

The House of Representatives denies each
and every allegation of this purported af-
firmative defense, which, in effect, seeks to
suppress the voluntary statements of a high-
ly educated and experienced Federal judge,
made under oath, before other Federal
judges. Judge Porteous was provided a grant
of immunity in connection with his Fifth
Circuit Hearing testimony, and the immu-
nity order provided that his testimony from
that proceeding could not be used against
him in "any criminal case." Simply put, an
impeachment trial is not a criminal case.⁵
Accordingly, there is simply no credible
basis to argue that the Senate should not
consider Judge Porteous's voluntary and im-
munized Fifth Circuit testimony.

ANSWER TO ARTICLE II

The House of Representatives denies each
and every statement in the Answer to Arti-
cle II that denies the acts, knowledge, intent
or wrongful conduct charged against Re-
spondent.

FIRST AFFIRMATIVE DEFENSE

The House of Representatives denies each
and every allegation of this purported af-
firmative defense and further states that Ar-
ticle II sets forth an impeachable offense as
defined in the Constitution of the United
States.

SECOND AFFIRMATIVE DEFENSE

The House of Representatives denies each
and every allegation of this purported af-
firmative defense, namely, that the Article
is vague. To the contrary, Article II sets
forth several precise and narrow factual as-
sertions associated with Judge Porteous's re-
lationship with the Marcottes—both prior to
and subsequent to Judge Porteous taking the
Federal bench. Article II alleges with speci-
ficity the things of value given to Judge
Porteous over time and identifies the judi-
cial or other acts taken by Judge Porteous
for the benefit of the Marcottes and their
business.

THIRD AFFIRMATIVE DEFENSE

The House of Representatives denies each
and every allegation of this purported af-
firmative defense, namely, that the Article
improperly charges multiple offenses. The
plain reading of Article II is that Judge
Porteous engaged in a corrupt course of con-
duct whereby, over time, he solicited and ac-
cepted things of value from the Marcottes,
and, in return, he took judicial acts or other
acts while a judge to benefit the Marcottes
and their business.

FOURTH AFFIRMATIVE DEFENSE

The House of Representatives denies each
and every allegation of this purported af-
firmative defense, namely, that Article II
improperly charges pre-Federal bench con-
duct as a basis for impeachment. First, Ar-
ticle II plainly alleges that Judge Porteous's
corrupt relationship with the Marcottes con-
tinued while he was a Federal Judge. Second,
Judge Porteous's assertion that pre-Federal
bench conduct may not form a basis for im-
peachment finds no support in the Constitu-
tion and is not supported by any other sound
legal or logical basis.⁶ As a factual matter, it
is especially appropriate for the Senate to
consider Judge Porteous's pre-Federal bench
corrupt relationship with the Marcottes
where it was affirmatively concealed from
the Senate in the confirmation process,

where it involved conduct as a judicial officer directly bearing on whether he was fit to hold a Federal judicial office, and where that conduct, having now been exposed, brings disrepute and scandal to the Federal bench.

ARTICLE III

The House of Representatives denies each and every statement in the Answer to Article III that denies the acts, knowledge, intent or wrongful conduct charged against Respondent.

FIRST AFFIRMATIVE DEFENSE

The House of Representatives denies each and every allegation of this purported affirmative defense and further states that Article III sets forth an impeachable offense as defined in the Constitution of the United States.

SECOND AFFIRMATIVE DEFENSE

The House of Representatives denies each and every allegation of this purported affirmative defense, which alleges in substance that the allegations in Article III are vague. To the contrary, Article III sets forth several specific allegations associated with Judge Porteous's conduct in his bankruptcy proceedings. There is no credible contention that Judge Porteous cannot understand what he is charged with in this Article.

THIRD AFFIRMATIVE DEFENSE

The House of Representatives denies each and every allegation of this purported affirmative defense, which alleges, in substance, that Article III charges more than one offense. The plain reading of Article III is that Judge Porteous committed misconduct in his bankruptcy proceeding by making a series of false statements and representations, and by incurring new debt in violation of a Federal Bankruptcy Court order. This Article alleges a single unified fraud scheme, with the purpose of deceiving the bankruptcy court and creditors as to his assets and his financial affairs, so that Judge Porteous could enjoy undisclosed wealth and income for personal purposes including gambling.

FOURTH AFFIRMATIVE DEFENSE

The House of Representatives denies each and every allegation of this purported affirmative defense, which, in effect, seeks to suppress the voluntary statements of a highly educated and experienced Federal judge, made under oath, before other Federal judges. Judge Porteous was provided a grant of immunity in connection with his Fifth Circuit Hearing testimony, effectively eliminating the possibility that any of that testimony could be used against him in any criminal case. An impeachment trial is not a criminal case. There is simply no credible basis to argue that the Senate should not consider Judge Porteous's voluntary and immunized Fifth Circuit testimony.

FIFTH AFFIRMATIVE DEFENSE

The House of Representatives denies each and every allegation of this purported affirmative defense—which does not take issue with the proposition that Judge Porteous committed misconduct in a Federal judicial bankruptcy proceeding, but contends only that the acts as alleged do not warrant impeachment. First, this is not an affirmative defense. It is up to the Senate to decide whether the facts surrounding the bankruptcy warrant impeachment.

Second, the Senate has in fact removed a judge for personal financial misconduct, and in 1986 convicted Federal Judge Harry Claiborne and removed him from office for evading taxes. It is significant that the Senate did not convict Judge Claiborne for the crime of evading taxes. Rather, the Senate acquitted Judge Claiborne of the one Article that charged him with having committed and having been convicted of a crime.

Third, what the Department of Justice may consider material for purposes of a criminal prosecution has nothing to do with what the Senate may deem to be material for purposes of determining whether Judge Porteous should be removed, from Office—an Office which requires that he oversee bankruptcy cases and administer and enforce the oath to tell the truth.⁷

ARTICLE IV

The House of Representatives denies each and every statement in the Answer to Article IV that denies the acts, knowledge, intent or wrongful conduct charged against Respondent.

FIRST AFFIRMATIVE DEFENSE

The House of Representatives denies each and every allegation of this purported affirmative defense and further states that Article IV sets forth an impeachable offense as defined in the Constitution of the United States.

SECOND AFFIRMATIVE DEFENSE

The House of Representatives denies each and every allegation of this purported affirmative defense, which alleges the Article is vague. The allegations sets forth in Article IV are specific and precise. In fact, Judge Porteous's description of the charge fairly characterizes the offense: "In essence, Article IV alleges that Judge Porteous gave false answers on various forms that were presented in connection with the background investigation. . . . It is apparent, therefore, that Judge Porteous has a clear understanding of these allegations in Article IV, which specify the dates and circumstances when the statements were made, and the contents of the statements that are alleged to have been false. There is no credible contention that Article IV does not provide Judge Porteous specific notice as to what this Article alleges.

THIRD AFFIRMATIVE DEFENSE

The House of Representatives denies each and every allegation of this purported affirmative defense. The allegations set forth in Article IV are specific and precise. They charge in substance that Judge Porteous made a series of false statements to conceal the fact of his improper and corrupt relationships with the Marcottes and with attorneys Creely and Amato in order to procure the position of United States District Court Judge. Charging these four false statements, all involving a single issue, in a single Article is consistent with precedent.¹

FOURTH AFFIRMATIVE DEFENSE

The House of Representatives denies each and every allegation of this purported affirmative defense, alleging that the Senate cannot impeach Judge Porteous based on pre-Federal bench conduct. First, Judge Porteous's assertion that pre-Federal bench conduct may not form a basis for impeachment is not supported by the Constitution. Notwithstanding Judge Porteous's assertions to the contrary, the Constitution does not limit Congress from considering pre-Federal bench conduct in deciding whether to impeach, and there are compelling reasons for Congress to consider such conduct—especially where such conduct consists of making materially false statements to the Senate. The logic of Judge Porteous's position is that he cannot be removed by the Senate, even though the false statements he made to the Senate concealed dishonest behavior that goes to the core of his judicial qualifications and fitness to hold the Office of United States District Court Judge. The proposition that the Senate lacks power under these cir-

cumstances to remedy the wrong committed by Judge Porteous is simply untenable.

Respectfully submitted,

THE UNITED STATES HOUSE OF REPRESENTATIVES

By

ADAM SCHIFF,

Manager.

BOB GOODLATTE,

Manager.

ALAN I. BARON,

Special Impeachment

Counsel.

Managers of the House of Representatives: Adam B. Schiff, Bob Goodlatte, Zoe Lofgren, Henry C. "Hank" Johnson, F. James Sensenbrenner, Jr.

April 15, 2010.

ENDNOTES

¹Judge Harry E. Claiborne was acquitted of Article III, charging that he "was found guilty by a twelve-person jury" of criminal violations of the tax code, and that "a judgment of conviction was entered against [him]." See "Impeachment of Harry E. Claiborne," H. Res. 471, 99th Cong., 2d Sess. (1986) (Articles of Impeachment); 132 Cong. Rec. S15761 (daily ed. Oct. 9, 1986) (acquitting him on Article III).

²Moreover, the Department of Justice's investigation hardly vindicated Judge Porteous. To the contrary, the Department viewed Judge Porteous's misconduct as so significant that it referred the matter to the Fifth Circuit for disciplinary review and potential impeachment, and set forth its findings in its referral letter.

³Judge Porteous treats Article I as if it alleges the criminal offense of "honest services fraud," in violation of Title 18, United States Code, Section 1346, and that because the term "honest services" has been challenged as vague in the criminal context, the term is likewise vague as used in Article I. Despite Judge Porteous's suggestion to the contrary, Article I does not allege a violation of the "honest services" statute. Moreover, it could hardly be contended that proof that Judge Porteous acted dishonestly in the performance of his official duties does not go to the very heart of the Senate's determination of whether he is fit to hold office.

⁴The respective Articles of Impeachment against Judges Halsted L. Ritter, Harold Louderback, and Robert W. Archbald each set forth lengthy descriptions of judicial misconduct arising from improper financial relationships between those judges and the private parties. These consist of detailed narration specifying numerous discrete acts. See "Impeachment of Judge Halsted L. Ritter," H. Res. 422, 74th Cong., 2d Sess. (March 2, 1936) and "Amendments to Articles of Impeachment Against Halsted L. Ritter," H. Res. 471, 74th Cong., 2d Sess. (March 30, 1936), reprinted in "Impeachment, Selected Materials, House Comm. on the Judiciary," Comm. Print (1973) [hereinafter "1973 Committee Print"] at 188-197 (H. Res. 422), 198-2902 (H. Res. 471); ["Articles of Impeachment against Judge Robert W. Archbald"], H. Res. 622, 62d Cong., 2d Sess (1912), 48 Cong. Rec. (House) July, 1912 (8705-08), reprinted in 1973 Committee Print at 176; and ["Articles of Impeachment against George W. English,"] Cong. Rec. (House), Mar. 25, 1926 (6283-87), reprinted in 1973 Committee Print at 162.

⁵The Constitution makes it clear that impeachment was not considered by the Framers to be a criminal proceeding. It provides: "Judgment in Cases of Impeachment shall not extend further than to removal from Office, and disqualification to hold and enjoy any Office of honor, Trust or Profit under the United States: but the Party convicted shall nevertheless be liable and subject to Indictment, Trial, Judgment and Punishment,

according to Law." U.S. Const., Art. 3, cl. 7. See also, *United States v. Nixon*, 506 U.S. 224, 234 (1993) ("There are two additional reasons why the Judiciary, and the Supreme Court in particular, were not chosen to have any role in impeachments. First, the Framers recognized that most likely there would be two sets of proceedings for individuals who commit impeachable offenses—the impeachment trial and a separate criminal trial. In fact, the Constitution explicitly provides for two separate proceedings. . . . The Framers deliberately separated the two forums to avoid raising the specter of bias and to ensure independent judgments. . . .").

⁶As but one example, if the pre-Federal bench conduct consisted of treason, there could be no credible contention that such conduct would not provide a basis for impeachment.

⁷It should be noted that Judge Porteous has testified and cross-examined witnesses at the Fifth Circuit Hearing on the subject of his bankruptcy, and the House therefore possesses evidence that was unavailable to the Department of Justice.

⁸As but one example, Article III of the Articles of Impeachment against Judge Walter Nixon charged that he concealed material facts from the Federal Bureau of Investigation and the Department of Justice by making six, specified, false statements on April 18, 1984 at an interview, and by making seven discrete false statements under oath to the Grand Jury. "Impeachment of Walter L. Nixon, Jr.," H. Res. 87, 101st Cong., 1st Sess. (1989) (Article III).

The PRESIDING OFFICER (Mr. FRANKEN). The Senator from Illinois.

Mr. BURRIS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BURRIS. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

CELEBRATING THE LIFE OF BENJAMIN HOOKS

Mr. BURRIS. Mr. President, early this morning, we awoke to sad news out of Memphis, TN. This country has lost a civil rights pioneer, a strong leader, and a witness to history.

Benjamin Lawson Hooks fought all of his life for freedom, prosperity, and universal equality. When the world was consumed by war, Benjamin put on the uniform of the 92nd Infantry Division and rendered honorable service to his country.

When peace was won and America looked inward today to address policies of discrimination and inequality, he was on the frontlines once again, standing with visionaries such as Rev. Dr. Martin Luther King, Jr.

At every turn, and at every moment in his life, he waged to fight against injustice. He became an attorney and was eventually appointed as the highest ranking Black Federal judge in the State of Tennessee. But that was only the beginning of a remarkable career in public service.

Benjamin Hooks was the first African American to serve on the Federal Communications Commission, where he

spoke out against biased reporting in the media and called for minority ownership of TV and radio stations.

In 1977, he was unanimously elected as President of the National Association for the Advancement of Colored People, the NAACP—a position he would hold with distinction until his retirement in 1993 and which would come to define his career.

Throughout those tumultuous years, Benjamin Hooks was at the forefront of the nonviolent struggle for civil rights. He constantly challenged old assumptions, stood up to discrimination, and fought against those who defended the status quo.

He taught us the courage to live out our convictions. He showed us how to translate our dearest principles into words and action.

In 1980, he became the first national leader to address conventions of both political parties. He denounced those who resorted to violence, and he personally led prayer vigils, peaceful protests, and countless other popular demonstrations.

At various times throughout his career, Benjamin Hooks served as a pastor, a soldier, a judge, and a political leader. He fought for equality in the courtroom, on the pulpit, on the airwaves, and even on the battlefield, but never did he act for personal gain. Not once did he forget the cause of justice that he and others dedicated their lives to defend.

So great was the legacy of this civil rights leader, so deep was the impact he had on the fabric of our society, that even today, on the sad occasion of his passing, I cannot help but feel a lasting sense of pride in the profound and enduring accomplishments he leaves behind.

Benjamin Hooks will be sorely missed by all who knew him, particularly his family, to whom we express our deepest condolences today.

Even as we mourn his loss, I urge my colleagues to join me in celebrating his memory and honoring the living legacy he leaves behind. I am sure Benjamin would be the first to remind us that we must not pause in remembrance for long because there is much work yet to be done.

Let us take up this fight. Let us defend the principles that guided Benjamin Hooks throughout his life and embrace the spirit that drove this pioneer to reach for equality, fight for opportunity, and aspire to greatness.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

(The remarks of Mr. SPECTER pertaining to the introduction of S. 3214 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. SPECTER. Mr. President, in the absence of any other Senator seeking recognition, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LEMIEUX. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEMIEUX. I ask to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

TAX DAY

Mr. LEMIEUX. Mr. President, today is April 15. It is the day Americans are required by law to file their tax returns to pay their fair share to the Internal Revenue Service so that we can operate the Federal Government. I think it is appropriate on a day such as this to talk about the taxes and the efforts of Americans over the past months to put together their financial information to pay what they must pay to the government.

Leading up to today, Americans have been involved in that effort of carefully preparing their income tax returns. It is estimated that 7.6 billion hours of time and more than 1 million accountants were required to file this year's returns. Our Tax Code has become so complicated that it takes 7.6 billion hours for Americans to file and figure out those complicated returns, and more than 1 million accountants to help us in our efforts.

I know my wife Meike last night was up late making sure we got everything in on time. We do our own taxes, and it is not easy to understand, even for someone like my wife who is an accountant and who is trained in it.

It begs the question—why? Every time we do something in this government that does not necessarily help the folks we represent, it is our obligation to question those practices. Need the Tax Code be as difficult as it is? Need it take so many billions of hours of Americans' time, time that could be spent working, time that could be spent with their families? Need we employ 1 million service providers in the form of accountants to help us fill out all these taxes? Of course, the answer is no. There are good proposals in this Chamber and in the House to simplify the Tax Code, to make it so one can put it on one piece of paper.

My colleagues, Senator GREGG and Senator WYDEN, have such a proposal. There is a proposal in the House that offers the same type of clarity and simplicity to allow Americans, if they choose, to file taxes quickly and easily. Certainly, that is something we should undertake and be about.

But let's also ask this question: Is the amount of money that Americans pay in tax actually going to something that is effectively and efficiently administered by the Federal Government? Let's think about all of the money that Washington is taking from Americans every day—and not just Washington, our State and local authorities. In fact, when you think

about the number of taxes that people pay, it is quite amazing.

First, they go to their jobs in the morning and they make a salary and they pay tax on their income. Then, if they choose to spend that money, they are taxed in a variety of different ways because, if not every State, virtually every State has a sales tax. So they are taxed on the money they make and then they are taxed on the money they spend. Of course, if they do not want to spend that money and save it, we are going to tax them on that too.

Think about that. What kind of incentive should we be creating for Americans? Should we be saying they should save their money or should we be saying they should spend it? We tax them, albeit at a lower rate, even to save their money.

Any interest they receive on money they put in the bank, or if they invest in a mutual fund or a stock and they receive returns on that investment—they sell that stock, they pay tax again. Of course, we know when they die they pay death taxes.

But that is not all. Do you have a phone? You are paying a tax on that. Do you have a cell phone? You pay tax on that. Do you have cable television? You pay tax on that. Do you want to buy property in the State of Florida where I am from? You pay tax on that. Do you want to own and hold property? You pay tax on that.

For some Americans, more than 50 percent of what they make, more than half is paid in taxes. I contend that it is immoral to take from anybody more than half of what they make in taxes, especially if how that money is being spent is not being spent wisely.

Here in Washington we are very good at taxing. Now we have become very good at spending. This year we are figuring the 2011 budget. We are going to take in an estimated \$2.2 trillion, but we are going to spend \$3.8 trillion—\$1.6 trillion more than we are going to take in. We are not looking at the money we are taking in in taxes and trying to figure out how much we should spend based upon that baseline. We spend based upon what this Congress decides it needs.

We have a Budget Committee in the Senate. There is one in the House, too. But the truth of it is we do not operate under a budget. American families sit down at the kitchen table and figure out how much they make and therefore how much they can spend. American businesses do the same thing. So do State governments, by the way. State governments that have balanced budget requirements like my home State of Florida right now are in their legislative session, and they are evaluating how much they can spend based upon how much they are going to have from tax receipts. Guess what. They only spend what they take in. They have three choices: They can cut spending, they can raise taxes, or find new sources of revenue.

Here in Washington it is like it is a different conversation, if there is a

conversation even at all, because we do not talk about spending based upon what we take in. We talk about spending based upon what people in this Chamber want to spend money on. That system, unfortunately, threatens the very viability of this country.

We know right now that we have a nearly \$13 trillion national debt. Remember, 1 trillion is 1,000 billion. These numbers are so staggering, it is hard to comprehend them. We know if we continue to spend the way we are projected to spend, this administration has told us that by 2020 we will be \$22 trillion in debt. Why is that important? It is important because it hurts investment in our country, and it is important because more and more of what we spend each year goes to paying interest on the debt. This year, we are going to spend more than \$200 billion just paying interest on money we should not have spent in the past. If we keep going, by 2020 we will spend \$900 billion a year on interest. And, my friends, by the time we get to that point, the system will have failed because, with mandatory spending, spending on Social Security, Medicare, and Medicaid, plus \$900 billion in interest payments, there will not be any money left for anything else. There will not be any money left for defense. There will not be any money left for homeland security. There will not be any money left for commerce or agriculture or any of the other programs, and the system will have failed. So do we wait until 2020 when the system fails or do we do something about it now?

We do not have a problem on the revenue side. We are taxing people plenty, and today is a day when most Americans realize that. There is a real problem in this country that we do not think about taxes more because they are sort of hidden from us. We have something called withholding. Most people work for somebody else, they are employees, and they get their check every week, every 2 weeks, once a month. And what do they look at? They want to know what the bottom-line number is. They think that is what they make. They think that is what their employer is paying them, in effect. They do not realize—and none of us do—that they make the top-line number. What is in our check is after everything else has been paid.

Imagine if we got rid of withholding. Imagine if every American was required, at the end of the month or at the end of a quarter, as small businesspeople have to do, to write a check to the Federal Government to actually pay their taxes, to take that affirmative act instead of having it withheld out of their check. I think Americans would be in the streets. I think they would be protesting because they would finally realize how much money they are actually paying in taxes.

Our problem in this country isn't not enough tax. We do not need to, as members of this administration have

suggested, add a value added tax or the equivalent of a national sales tax to help get us out of our deficit and debt problems. What we need to do is stop spending money we do not have.

By the way, this body and the body down the hall—you would think we would be focused on oversight, trying to figure out how the money is being spent in these agencies. Sadly, I tell you that is a topic of little interest to many of the people in either of these two bodies. My colleagues for the most part—and there are notable exceptions—care more about creating new programs than focusing on the programs we have.

So what we need is a construct. We need something that is going to focus us on spending—spending less. Legislation comes to the floor, and we have a Member of the Senate champion and shepherd that legislation through to spend money. What we do not have is a procedure to focus us on spending less. All the mechanisms here, all the directions flow toward spending money. They never flow toward saving money. We have to change the structure around here, even if just a little. We have to change the focus. What we need to focus on is not spending as much money so that we can have a balanced budget.

Yesterday, I proposed a solution called the 2007 solution and filed legislation to this end, that we would freeze spending at the 2007 spending levels because if we did that, we could balance the budget by 2013 and by 2020 we could cut our national debt in half—not the \$22 trillion that is estimated but \$6 trillion, half of the \$12 trillion debt we have now—and we could save America for our children because if we continue down the path we are on, they are not going to have the opportunities we have. We have been able to enjoy an America where anything is possible, where you are not limited by anything but your hopes and dreams. But for our children—I have four little ones: Max, Taylor, Chase, and Madeleine. Madeleine is 2 weeks old. They are not going to have the same opportunities I have enjoyed if their country cannot afford to meet its obligations; if investors from around the world no longer come here because we are no longer a good investment; if we have to raise taxes to such an incredibly high level that it stifles innovation and entrepreneurship, where my kids come to me, when they are 18 or 22, when they are done with school, and say: Dad, I am going to Ireland or India or Brazil or some other country because the promise of that country is greater than that of the United States of America. So it is incumbent upon us in this time—not tomorrow, not next week, not next year, not when we think the economy is doing better, but today—to start getting our spending under control.

Why can't we live off of what we lived off of in 2007? When I go back to Florida—and I talked to some folks today from Florida who are here from

Bartow, which is in central Florida, in Polk County, and I said to these business leaders: Could you live off what you had in 2007? They all shook their heads affirmatively because they had more money in 2007 than they have today.

So now that we have gotten past the stimulus and that big bulge in our spending, hopefully, is over, why can't we go back to 2007 levels, before the economy declined? Remember, it was not until December of 2007 that the recession started. Why can't we go back to that robust year and say: This is our baseline. We took in \$2.7 trillion that year. That is more than we expect to take in this year by $\frac{1}{2}$ trillion. Why can't we live on that level? Guess what. Then we would have to come to the floor of the Senate—and our colleagues would have to do it in the House of Representatives—and have a discussion about priorities: Do we need to spend as much money as we are spending today in our various agencies? Are we getting bang for the buck?

When is the last time a Cabinet Secretary, an agency head went inside their department and said: I want you to find cuts of 10 percent, 20 percent. I want you to use technology to create efficiencies. Let's impose a hiring freeze until we can figure out whether we can do more with less.

American businesses have been doing this for the past 3 years during this recession. They have been cutting in order to make ends meet. Government is going to have to do the same. And I guarantee you that there are hundreds of billions of dollars of waste and inefficiency and fraud in the system; that if we spent as much money and attention and time focusing on that as we do on creating new programs, we could right our fiscal house.

So I have offered this legislation to bring us back to 2007, really just to have a debate, have a focus and a structure to talk about it every year for 50 hours on the floor of this Chamber and in the House so that we can begin to focus on what matters; that is, putting our fiscal house in order so that our children have the same opportunities we have because, frankly, that is our solemn obligation in this country. Our obligation is to make sure our children have equal or greater opportunities than we had. Everything else that we do, by comparison, will not measure up if we fail to meet that solemn and sacred vow.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. SHAHEEN.) The clerk will call the roll. The bill clerk proceeded to call the roll.

Mr. SANDERS. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

FINANCIAL REFORM

Mr. SANDERS. Madam President, my understanding is, our Republican

colleagues have been on the floor and have expressed their concerns about financial reform and their desire to work in a bipartisan way. I welcome that. I am going to lay out some ideas I hope could have Republican support. I am not sure they will, but I would love to see it because the vast majority of the people in our country are profoundly disgusted with the behavior on Wall Street, the greed, the recklessness, the illegal behavior which has led us to the terrible recession we find ourselves in today. I wish to tick off a couple issues I hope my Republican colleagues would be interested in working with me on.

Every week I receive—and I suspect others do as well—telephone calls and letters and e-mails from people in my State who are outraged by the kind of interest rates they are forced to pay, interest rates which are nothing less than usury, usury which has been condemned by every major religion in this world, which has been condemned throughout history by some of our great philosophers and writers who have basically said it is wrong and immoral to force desperate people who are in need of loans to pay outrageous interest rates.

Yet today more than one-quarter of all credit cardholders in this country are paying interest rates above 20 percent and, in some cases, as high as 79 percent. That is not providing credit. That is loan sharking. That is doing precisely what criminals do when they lend people money and then break their kneecaps if they don't pay it back on time—except the loan sharks who are doing this now wear three-piece suits. They don't break kneecaps, but they destroy lives by forcing people to pay outrageously high interest rates when people are using their credit cards to buy groceries, to fill the gas tank to get to work, to pay for basic needs their families have.

Millions of credit cardholders have received letters from Citibank, Bank of America, Wells Fargo, and JPMorgan Chase notifying them that their interest rates are going up, in some cases to 30 percent. A point that has to be made is that these four large banks, the four largest banks in a America, issue two-thirds of the credit cards. These four banks are ripping off the American people from one end of the country to the other. It is time that outrageous behavior ended.

I hope my Republican colleagues who have come to the floor expressing concern about Wall Street, I hope what they are saying is more than just rhetoric, that they truly want to do something. If they want to do something, I hope they will join me when I offer an amendment as part of financial reform to cap credit card interest rates at 15 percent. That is the same statutory cap that has been in existence for 30 years at credit unions all over the country. Credit unions are doing just fine, but by law, they cannot ask for more than 15 percent, except under certain circumstances, when it can go up

to 18 percent. If that is good enough for credit unions, it should be good enough for Citibank, Bank of America, Wells Fargo, JPMorgan Chase, and other large financial institutions.

If my Republican friends are sincere, I hope they will join me in supporting efforts to bring transparency to the Federal Reserve. An amendment I intend to offer will do that. What we need to do, among many things, is to understand which financial institutions during the bailout received over \$2 trillion in secret taxpayer-backed loans virtually interest free. Who are they? Last year, as a member of the Budget Committee, I asked Fed Chairman Bernanke that simple question. He said, no, he is not going to tell me which financial institutions, he is not going to tell the American people which financial institutions received trillions of taxpayer dollars. I have a problem with that. I believe the American people do. We are going to offer an amendment as part of financial reform in order to understand what, in fact, is happening, to demand transparency there.

In April of last year, the Senate voted 59 to 39 on an amendment I offered with Senators WEBB, BUNNING, and FEINGOLD to the budget resolution calling on the Fed to release this information. Yet as of this day, the Fed has refused to do so. In August of last year, Federal U.S. district judge Loretta Preska, nominated by President George W. Bush, ordered the Federal Reserve to release this information. The Fed appealed that decision and last March the U.S. appeals court in Manhattan upheld that decision. Yet the Fed has still not disclosed this information. Over 300 Members of Congress have cosponsored legislation calling for an independent audit of the Fed. In other words, we now have 59 Senators, over 300 Members of Congress, a U.S. district court judge, and a U.S. appeals court that have said to the Chairman of the Fed, Mr. Bernanke, in no uncertain terms, that the American people have a right to know the names of the largest banks that have received over \$2 trillion in taxpayer-backed loans from the Federal Reserve.

If my Republican friends are sincere, if they truly want to take on the greed and the recklessness of Wall Street, if they want to give the American people transparency as to what is happening on Wall Street, I certainly hope they will support that amendment.

I also hope we can receive support to address the issue of too big to fail. In that regard, I have offered legislation which is pretty simple. It says the Treasury Department would provide a list to Congress of all the too-big-to-fail banks in this country within 90 days of passage of that legislation and break them up within 1 year so they can no longer threaten to bring down the economy if, once again, they get into trouble. Quite amazingly—and I think most people don't understand

this—under the leadership of the Bush administration and Fed Chairman Bernanke, the largest financial institutions since the bailout have not gotten smaller; in fact, they have become larger.

In 2008, the Bank of America, the largest commercial bank in the country, which received a \$45 billion taxpayer bailout, purchased Countrywide, the largest mortgage lender in the country, and Merrill Lynch, the largest brokerage firm. In other words, what we are seeing in at least three out of the four largest banks is, since the bailout, they have become even larger, becoming an even greater threat to the financial stability of the country if, once again, they are ever in a position to fail.

The issue of large banks is not only that they are a threat to the stability of our economy, if they are about to fail. The other aspect of the problem is the concentration of ownership that currently exists. When we have four large financial institutions that issue two-thirds of the credit cards in the country and half the mortgages, we have a very dangerous and noncompetitive type of situation. Given the fact that we have seen these financial institutions issue esoteric and not understandable financial instruments whose only goal is to secure more money and profits and compensation packages for the CEOs of these institutions, we need to start breaking them up and have financial institutions that understand that their role is to provide credit to the productive economy, the businesses that actually produce real products, provide real services, and create real jobs. In other words, we need to break them up to create a new Wall Street which becomes part of the United States, part of our economy, not an isolated island whose only goal in life is to issue worthless financial instruments in order to make outrageous short-term profits. That is a huge issue that we have to deal with.

If my Republican colleagues are, in fact, sincere, if they want to do more than follow pollster Frank Luntz's playbook and throw out certain words they think will work for them politically, I look forward to their support for real financial reform.

The Bottom line is, we cannot continue to do what we have done for a number of years. We have to summon the courage, and it will take courage because Wall Street is enormously powerful. In order to get the deregulation that led us to the financial disaster we experienced a year and a half ago, over a 10-year period, Wall Street spent the unbelievable sum of money of \$5 billion on campaign contributions and lobbying. Frankly, I don't even know how one can spend that kind of money. But nonetheless, it certainly worked. Against my vote, when I was in the House, they got the deregulation they wanted. Lo and behold, once they were deregulated, not to my surprise, they went out and did all kinds of

strange things, reckless things, illegal things, which brought us to where we were a year and a half ago.

What we need is real financial reform. We need a cap on interest rates so Wall Street cannot continue to rip off ordinary Americans. We need transparency at the Fed. We need to know which financial institutions are receiving trillions of dollars of taxpayer money. We need to begin the process of breaking up these huge financial institutions, not only from a too-big-to-fail concern but also from a concentration of ownership issue because we are going to need a lot more competition in the financial industry than we have now.

We will find out soon enough whether our Republican friends are doing more than reading from a pollster's playbook or whether they are serious about taking on Wall Street. I have my doubts, but I hope I am wrong. I hope we will gain their support in bringing real reform to our financial institutions.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant editor of the Daily Digest proceeded to call the roll.

Mr. DURBIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONTINUING EXTENSION ACT OF 2010—Continued

Mr. DURBIN. Madam President, for those who are following the Senate activities today, we are considering the extension of unemployment benefits. It is a debate which has gone on repeatedly. I see the chairman of the Senate Finance Committee has come to the Chamber and has been sitting patiently on the floor trying to work this through, and I think we may be close to a vote on this matter very shortly.

If I am not mistaken, if we are successful in passing this extension, it will extend unemployment benefits to the end of May. I hope we do not face this again between now and then because not only does it tie up the Senate for a lengthy period of time, but it creates real uncertainty across America.

Madam President, 212,000 people had their unemployment benefits cut off in the United States last week because we were gone and the benefits expired; so this week another 212,000 people. In my home State of Illinois, 16,000 people a week lose their unemployment benefits because of the decision by the Senate not to move forward and extend those unemployment checks.

An unemployment check in my home State is about \$300 a week. Some have come to the floor and argued we should not give unemployment benefits because it makes people lazy. If they are getting \$300 a week, they will not go looking for jobs. I wonder when it was, if ever, that a Senator tried to live on

\$300 a week. I think it would be very difficult, in most cases impossible, for those who are used to a lifestyle that is much more expensive.

So extending these benefits, in my estimation, is not only humane, it is good economic judgment. The money given to people out of work is money that is spent immediately for the necessities of life. It is not saved or invested. They go out and spend it on what they need, whether it is on utility bills or rent or food or clothing—whatever it might be. So it is money that is injected straight into the economy.

When Republicans come to the floor, they say: Wait a minute. At some point, with our national debt, we have to pay for this. I say to them: How would you pay for it? They say: We pay for it by cutting spending on projects that create jobs. Wait a minute. If you cut spending on projects that create jobs, there are more people unemployed. More people unemployed need more benefits. We cannot end the recession until we focus on getting people back to work.

One of the key areas Senator BAUCUS on the Senate Finance Committee has worked on is putting money into small businesses across America. Many of us believe small businesses are going to be the engine that brings us out of this recession. So when Senator BAUCUS and the Finance Committee create tax credits for businesses that hire the unemployed or reduce their payroll taxes for those who hire the unemployed or have new deductions for expensing and the purchase of capital equipment, we are doing everything we can to put money into those small businesses. The argument that we should stop spending on those things will mean the recession goes on longer.

I hope we can reach a point soon where we put the question of unemployment behind us. There should be a debate on the national debt, and there will be. I do not know if it is a great honor, but Senator REID, the majority leader, has appointed me to the Deficit Commission. I met today with Erskine Bowles, who was the head of the Small Business Administration under President Clinton, as well as Alan Simpson, a former U.S. Senator from Wyoming, who chair this commission.

We are going to start, in a couple weeks, our inquiry and debate on what to do about our national debt. It is one that is long overdue. But I think if we are honest about this, we realize it will take some thoughtful consideration and some time to come up with an approach that really deals with the debt in a humane and sensible way, but does not stop our recovery in this recession. So we are tasked with doing that.

Senator BAUCUS is a member of that commission as well. We will spend some time together talking about it, I am sure. We have to report by the end of the year. In the meantime, we will be watching the appropriations bills that come through here to cut the waste out of the spending if there is

some in some of these agencies. And I am sure we can find some.

In the meantime, let's not make the unemployed across America the victims of this debate. Let us give them some certainty that the basics, the necessities of life, which they need because they have lost a job through no fault of their own, are going to be provided for. We want to make certain if they lost their lifesavings and stand to lose their home, we give them at least a little bit of a helping hand while they look for work.

In my home State of Illinois, the unemployment figures came out today, and, sadly, they have not gone down. It tells me we were late to the recession and we will probably be slow to the recovery. I am sorry to report that, but I think it may be the case. But, in the meantime, we have to create the climate for small business expansion, and we have to create the safety net for those who are out of work across America. The passage of this bill will help us to do that.

Madam President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant editor of the Daily Digest proceeded to call the roll.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Madam President, first, I wish to express my appreciation to everyone in the Senate. This has been a good debate. Sides have been chosen, and I think the arguments were good on both sides. We had amendments on this. There were efforts made to just move forward and have a cloture vote on it. I thought this was the best way to go.

So I appreciate everyone's cooperation. We didn't want to take these votes, but we took them, and I think it is better for the order.

Madam President, I ask unanimous consent that at 5 p.m. today, the Senate proceed to vote in relation to the McCain amendment No. 3724; that upon disposition of the McCain amendment, no further amendments be in order; that the Senate then proceed to vote on the motion to invoke cloture on the Baucus amendment No. 3721, as modified; that if cloture is invoked, then all postcloture time be yielded back; the Baucus amendment as modified and amended, if amended, be agreed to; the bill then be read a third time; and following the reading of the pay-go letter from the chairman of the Budget Committee, the cloture motion with respect to the bill be withdrawn, the Senate then proceed to vote on passage of the bill, as amended, and that 2 minutes prior to the first vote be equally divided and controlled between Senators BAUCUS and MCCAIN.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.
The Senator from Arizona.

AMENDMENT NO. 3724, AS MODIFIED

Mr. MCCAIN. Madam President, it is tax day. Americans are overburdened and taxed by an antiquated, complex, and oversized Tax Code. This year they will spend \$100 billion in compliance-related expenses. Instead of offering proposals to reform the system, some are suggesting a new value-added tax which would increase taxes on average Americans and even further complicate our Tax Code. I believe it is an opportunity, with a sense-of-the-Senate resolution, for Members of Congress to say where they stand. This is their opportunity.

I encourage my colleagues to support the amendment.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Madam President, the amendment by the Senator from Arizona would state a sense of the Senate that we should not adopt a value-added tax. Personally, I agree with him. I do not favor a value-added tax. I, for one, would be happy to accept the amendment. I don't know if the Senator from Arizona wants a rollcall vote. I don't know if it is provided for. I hope we don't have to have one, but if he wants one, that is fine with me. The order states we will start voting at 5 o'clock, and when we do get to the vote on the McCain amendment, I intend to vote for it.

The PRESIDING OFFICER. Is all time yielded back?

Mr. BAUCUS. I yield back my time.

The PRESIDING OFFICER. The yeas and nays have been ordered.

The question is on agreeing to the amendment.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Florida (Mr. NELSON) and the Senator from Virginia (Mr. WARNER) are necessarily absent.

I further announce that, if present and voting, the Senator from Florida (Mr. NELSON) would vote "yea."

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 85, nays 13, as follows:

[Rollcall Vote No. 115 Leg.]

YEAS—85

Alexander	Collins	Hutchison
Barrasso	Conrad	Inhofe
Baucus	Corker	Inouye
Bayh	Cornyn	Isakson
Begich	Crapo	Johanns
Bennet	DeMint	Johnson
Bennett	Dodd	Kerry
Bond	Durbin	Klobuchar
Boxer	Ensign	Kohl
Brown (MA)	Enzi	Kyl
Brownback	Feingold	Landrieu
Bunning	Feinstein	Lautenberg
Burr	Franken	Leahy
Burriss	Gillibrand	LeMieux
Cantwell	Graham	Lieberman
Carper	Grassley	Lincoln
Casey	Gregg	Lugar
Chambliss	Hagan	McCain
Coburn	Harkin	McCaskill
Cochran	Hatch	McConnell

Menendez	Roberts	Stabenow
Merkley	Rockefeller	Tester
Mikulski	Sanders	Thune
Murkowski	Schumer	Udall (CO)
Murray	Sessions	Vitter
Nelson (NE)	Shaheen	Wicker
Pryor	Shelby	Wyden
Reid	Snowe	
Risch	Specter	

NAYS—13

Akaka	Dorgan	Voinovich
Bingaman	Kaufman	Webb
Brown (OH)	Levin	Whitehouse
Byrd	Reed	
Cardin	Udall (NM)	

NOT VOTING—2

Nelson (FL) Warner

The amendment (No. 3724), as modified, was agreed to.

Mr. BAUCUS. I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BAUCUS. Madam President, I ask consent that the next two votes be 10-minute votes.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLOTURE MOTION

The PRESIDING OFFICER. By unanimous consent, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will report.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the Baucus substitute amendment No. 3721 to H.R. 4851, a bill to provide a temporary extension of certain programs, and for other purposes:

John D. Rockefeller IV, Benjamin L. Cardin, Jeanne Shaheen, Al Franken, Daniel K. Akaka, Kent Conrad, Sheldon Whitehouse, Patty Murray, Tom Udall, Bernard Sanders, Richard Durbin, Ron Wyden, Robert P. Casey, Jr., Edward E. Kaufman, Patrick J. Leahy, Mark L. Pryor, Byron L. Dorgan.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on amendment No. 3721, as modified, offered by the Senator from Montana, Mr. BAUCUS, to H.R. 4851, an act to provide a temporary extension of certain programs, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Florida (Mr. NELSON) and the Senator from Virginia (Mr. WARNER) are necessarily absent.

I further announce that, if present and voting, the Senator from Florida (Mr. NELSON) would vote "yea."

The yeas and nays resulted—yeas 60, nays 38, as follows:

[Rollcall Vote No. 116 Leg.]

YEAS—60

Akaka Feinstein Mikulski
Baucus Franken Murray
Bayh Gillibrand Nelson (NE)
Begich Hagan Pryor
Bennet Harkin Reed
Bingaman Inouye Reid
Boxer Johnson Rockefeller
Brown (OH) Kaufman Sanders
Burr Kerry Schumer
Byrd Klobuchar Shaheen
Cantwell Kohl Snowe
Cardin Landrieu Specter
Carper Lautenberg Stabenow
Casey Leahy Tester
Collins Levin Udall (CO)
Conrad Lieberman Udall (NM)
Dodd Lincoln Voivovich
Dorgan McCaskill Webb
Durbin Menendez Whitehouse
Feingold Merkley Wyden

NAYS—38

Alexander Corker Inhofe
Barrasso Cornyn Isakson
Bennett Crapo Johanns
Bond DeMint Kyl
Brown (MA) Ensign LeMieux
Brownback Enzi Lugar
Bunning Graham McCain
Burr Grassley McConnell
Chambliss Gregg Murkowski
Coburn Hatch Risch
Cochran Hutchison

Roberts Sessions Shelby Thune Vitter Wicker

NOT VOTING—2

Nelson (FL) Warner

The PRESIDING OFFICER. On this vote, the yeas are 60, the nays are 38. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Under the previous order, the amendment, as modified, is agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time. The PRESIDING OFFICER. The clerk will read the letter from the chairman of the Budget Committee.

The legislative clerk read the following letter:

There being no objection, the material was ordered to be printed in the RECORD, as follows:

BUDGETARY EFFECTS OF PAYGO LEGISLATION FOR H.R. 4851

Senator Kent Conrad, Apr. 15, 2010

Mr. CONRAD: This is the Statement of Budgetary Effects of PAYGO Legislation for H.R. 4851, as amended by S.A. 3721, as modi-

fied. This statement has been prepared pursuant to Section 4 of the Statutory Pay-As-You-Go Act of 2010 (Public Law 111-139), and is being submitted for printing in the Congressional Record prior to passage of H.R. 4851, as amended, by the Senate.

Total Budgetary Effects of H.R. 4851: 2010-2015—net increase in deficit of \$18.192 billion.

2010-2020—net increase in deficit of \$18.229 billion.

Reduction of Total Budgetary Effects for Current Policy under Section 7:

2010-2015—\$2.115 billion pursuant to section 7(c).

2010-2020—\$2.115 billion pursuant to section 7(c).

Reduction of Total Budgetary Effects for Provisions Designated as an Emergency under Section 4(g):

2010-2015—\$16.077 billion.

2010-2020—\$16.114 billion.

Total Budgetary Effects of H.R. 4851 for the 5-year Statutory PAYGO Scorecard: \$0.

Total Budgetary Effects of H.R. 4851 for the 10-year Statutory PAYGO Scorecard: \$0.

Also submitted for the RECORD as part of this statement is a table prepared by the Congressional Budget Office, which provides additional information on the budgetary effects of this Act.

AMENDMENT NO. 3721, AS MODIFIED, TO H.R. 4851, THE CONTINUING EXTENSION ACT OF 2010, AS PROPOSED BY SENATOR BAUCUS (MAT10352)

By fiscal year, in millions of dollars—

Table with columns for years 2010-2020 and rows for Total Changes, Less: Designated as Emergency Requirements, Current-Policy Adjustment, Statutory Pay-As-You-Go Impact, Memorandum: Components of the Emergency Designations: Change in Outlays, Changes in Revenues.

Notes: Components may not sum to totals because of rounding.

a Section 11(c) of the Continuing Extension Act of 2010 would designate all sections of the Act, except section 4, as an emergency requirement pursuant to section 4(g) of the Statutory Pay-As-You-Go Act of 2010.

b Section 7(c) of the Statutory Pay-As-You-Go Act of 2010 provides for current-policy adjustments related to Medicare payments to physicians.

Sources: Congressional Budget Office and Joint Committee on Taxation.

Mr. BAUCUS. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second.

Under the previous order, the cloture motion on the bill is withdrawn.

The bill having been read the third time, the question is, Shall the bill pass? The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Indiana (Mr. BAYH), the Senator from Florida (Mr. NELSON), and the Senator from Virginia (Mr. WARNER) are necessarily absent.

I further announce that, if present and voting, the Senator from Florida (Mr. NELSON) would vote "aye."

The PRESIDING OFFICER (Mr. BURRIS). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 59, nays 38, as follows:

[Rollcall Vote No. 117 Leg.]

YEAS—59

Akaka Boxer Cardin
Baucus Brown (OH) Carper
Begich Burris Casey
Bennet Byrd Collins
Bingaman Cantwell Conrad

Dodd Landrieu Rockefeller
Dorgan Lautenberg Sanders
Durbin Leahy Schumer
Feingold Levin Shaheen
Feinstein Lieberman Snowe
Franken Lincoln Specter
Gillibrand McCaskill Stabenow
Hagan Menendez Tester
Harkin Merkley Udall (CO)
Inouye Mikulski Udall (NM)
Johnson Murray Voivovich
Kaufman Nelson (NE) Webb
Kerry Pryor Whitehouse
Klobuchar Reed Wyden
Kohl Reid

NAYS—38

Alexander Crapo LeMieux
Barrasso DeMint Lugar
Bennett Ensign McCain
Bond Enzi McConnell
Brown (MA) Graham Murkowski
Brownback Grassley Risch
Bunning Gregg Roberts
Burr Hatch Sessions
Chambliss Hutchison Shelby
Coburn Inhofe Thune
Cochran Isakson Vitter
Corker Johanns Wicker
Cornyn Kyl

NOT VOTING—3

Bayh Nelson (FL) Warner

The bill (H.R. 4851), as amended, was passed, as follows:

H.R. 4851

Resolved, That the bill from the House of Representatives (H.R. 4851) entitled "An Act to provide a temporary extension of certain

programs, and for other purposes.", do pass with the following amendment:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Continuing Extension Act of 2010".

SEC. 2. EXTENSION OF UNEMPLOYMENT INSURANCE PROVISIONS.

(a) IN GENERAL.—(1) Section 4007 of the Supplemental Appropriations Act, 2008 (Public Law 110-252; 26 U.S.C. 3304 note) is amended—

(A) by striking "April 5, 2010" each place it appears and inserting "June 2, 2010";

(B) in the heading for subsection (b)(2), by striking "APRIL 5, 2010" and inserting "JUNE 2, 2010"; and

(C) in subsection (b)(3), by striking "September 4, 2010" and inserting "November 6, 2010".

(2) Section 2002(e) of the Assistance for Unemployed Workers and Struggling Families Act, as contained in Public Law 111-5 (26 U.S.C. 3304 note; 123 Stat. 438), is amended—

(A) in paragraph (1)(B), by striking "April 5, 2010" and inserting "June 2, 2010";

(B) in the heading for paragraph (2), by striking "APRIL 5, 2010" and inserting "JUNE 2, 2010"; and

(C) in paragraph (3), by striking "October 5, 2010" and inserting "December 7, 2010".

(3) Section 2005 of the Assistance for Unemployed Workers and Struggling Families Act, as contained in Public Law 111-5 (26 U.S.C. 3304 note; 123 Stat. 444), is amended—

(A) by striking "April 5, 2010" each place it appears and inserting "June 2, 2010"; and

(B) in subsection (c), by striking “September 4, 2010” and inserting “November 6, 2010”.

(4) Section 5 of the Unemployment Compensation Extension Act of 2008 (Public Law 110-449; 26 U.S.C. 3304 note) is amended by striking “September 4, 2010” and inserting “November 6, 2010”.

(b) FUNDING.—Section 4004(e)(1) of the Supplemental Appropriations Act, 2008 (Public Law 110-252; 26 U.S.C. 3304 note) is amended—

(1) in subparagraph (C), by striking “and” at the end;

(2) by inserting after subparagraph (D) the following new subparagraph:

“(E) the amendments made by section 2(a)(1) of the Continuing Extension Act of 2010; and”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the enactment of the Temporary Extension Act of 2010 (Public Law 111-144).

SEC. 3. EXTENSION AND IMPROVEMENT OF PREMIUM ASSISTANCE FOR COBRA BENEFITS.

(a) EXTENSION OF ELIGIBILITY PERIOD.—Subsection (a)(3)(A) of section 3001 of division B of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5), as amended by section 3(a) of the Temporary Extension Act of 2010 (Public Law 111-144), is amended by striking “March 31, 2010” and inserting “May 31, 2010”.

(b) RULES RELATING TO 2010 EXTENSION.—Subsection (a) of section 3001 of division B of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5), as amended by section 3(b) of the Temporary Extension Act of 2010 (Public Law 111-144), is amended by adding at the end the following:

“(18) RULES RELATED TO APRIL AND MAY 2010 EXTENSION.—In the case of an individual who, with regard to coverage described in paragraph (10)(B), experiences a qualifying event related to a termination of employment on or after April 1, 2010 and prior to the date of the enactment of this paragraph, rules similar to those in paragraphs (4)(A) and (7)(C) shall apply with respect to all continuation coverage, including State continuation coverage programs.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the provisions of section 3001 of division B of the American Recovery and Reinvestment Act of 2009.

SEC. 4. INCREASE IN THE MEDICARE PHYSICIAN PAYMENT UPDATE.

Paragraph (10) of section 1848(d) of the Social Security Act, as added by section 1011(a) of the Department of Defense Appropriations Act, 2010 (Public Law 111-118) and as amended by section 5 of the Temporary Extension Act of 2010 (Public Law 111-144), is amended—

(1) in subparagraph (A), by striking “March 31, 2010” and inserting “May 31, 2010”; and

(2) in subparagraph (B), by striking “April 1, 2010” and inserting “June 1, 2010”.

SEC. 5. EHR CLARIFICATION.

(a) QUALIFICATION FOR CLINIC-BASED PHYSICIANS.—

(1) MEDICARE.—Section 1848(o)(1)(C)(ii) of the Social Security Act (42 U.S.C. 1395w-4(o)(1)(C)(ii)) is amended by striking “setting (whether inpatient or outpatient)” and inserting “inpatient or emergency room setting”.

(2) MEDICAID.—Section 1903(t)(3)(D) of the Social Security Act (42 U.S.C. 1396b(t)(3)(D)) is amended by striking “setting (whether inpatient or outpatient)” and inserting “inpatient or emergency room setting”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall be effective as if included in the enactment of the HITECH Act (included in the American Recovery and Reinvestment Act of 2009 (Public Law 111-5)).

(c) IMPLEMENTATION.—Notwithstanding any other provision of law, the Secretary of Health and Human Services may implement the amendments made by this section by program instruction or otherwise.

SEC. 6. EXTENSION OF USE OF 2009 POVERTY GUIDELINES.

Section 1012 of the Department of Defense Appropriations Act, 2010 (Public Law 111-118), as amended by section 7 of the Temporary Extension Act of 2010 (Public Law 111-144), is amended by striking “March 31, 2010” and inserting “May 31, 2010”.

SEC. 7. EXTENSION OF NATIONAL FLOOD INSURANCE PROGRAM.

(a) EXTENSION.—Section 129 of the Continuing Appropriations Resolution, 2010 (Public Law 111-68), as amended by section 8 of Public Law 111-144, is amended by striking “by substituting” and all that follows through the period at the end and inserting “by substituting May 31, 2010, for the date specified in each such section.”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall be considered to have taken effect on February 28, 2010.

SEC. 8. COMPENSATION AND RATIFICATION OF AUTHORITY RELATED TO LAPSE IN HIGHWAY PROGRAMS.

(a) COMPENSATION FOR FEDERAL EMPLOYEES.—Any Federal employees furloughed as a result of the lapse in expenditure authority from the Highway Trust Fund after 11:59 p.m. on February 28, 2010, through March 2, 2010, shall be compensated for the period of that lapse at their standard rates of compensation, as determined under policies established by the Secretary of Transportation.

(b) RATIFICATION OF ESSENTIAL ACTIONS.—All actions taken by Federal employees, contractors, and grantees for the purposes of maintaining the essential level of Government operations, services, and activities to protect life and property and to bring about orderly termination of Government functions during the lapse in expenditure authority from the Highway Trust Fund after 11:59 p.m. on February 28, 2010, through March 2, 2010, are hereby ratified and approved if otherwise in accord with the provisions of the Continuing Appropriations Resolution, 2010 (division B of Public Law 111-68).

(c) FUNDING.—Funds used by the Secretary to compensate employees described in subsection (a) shall be derived from funds previously authorized out of the Highway Trust Fund and made available or limited to the Department of Transportation by the Consolidated Appropriations Act, 2010 (Public Law 111-117) and shall be subject to the obligation limitations established in such Act.

(d) EXPENDITURES FROM HIGHWAY TRUST FUND.—To permit expenditures from the Highway Trust Fund to effectuate the purposes of this section, this section shall be deemed to be a section of the Continuing Appropriations Resolution, 2010 (division B of Public Law 111-68), as in effect on the date of the enactment of the last amendment to such Resolution.

SEC. 9. SATELLITE TELEVISION EXTENSION.

(a) AMENDMENTS TO SECTION 119 OF TITLE 17, UNITED STATES CODE.—

(1) IN GENERAL.—Section 119 of title 17, United States Code, is amended—

(A) in subsection (c)(1)(E), by striking “April 30, 2010” and inserting “May 31, 2010”; and

(B) in subsection (e), by striking “April 30, 2010” and inserting “May 31, 2010”.

(2) TERMINATION OF LICENSE.—Section 1003(a)(2)(A) of Public Law 111-118 is amended by striking “April 30, 2010”, and inserting “May 31, 2010”.

(b) AMENDMENTS TO COMMUNICATIONS ACT OF 1934.—Section 325(b) of the Communications Act of 1934 (47 U.S.C. 325(b)) is amended—

(1) in paragraph (2)(C), by striking “April 30, 2010” and inserting “May 31, 2010”; and

(2) in paragraph (3)(C), by striking “May 1, 2010” each place it appears in clauses (ii) and (iii) and inserting “June 1, 2010”.

SEC. 10. EXTENSION OF SMALL BUSINESS LOAN GUARANTEE PROGRAM.

(a) APPROPRIATION.—There is appropriated, out of any funds in the Treasury not otherwise

appropriated, \$80,000,000, for an additional amount for “Small Business Administration—Business Loans Program Account”, to remain available until expended, for the cost of fee reductions and eliminations under section 501 of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5; 123 Stat. 151) and loan guarantees under section 502 of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5; 123 Stat. 152), as amended by this section: Provided, That such costs shall be as defined in section 502 of the Congressional Budget Act of 1974.

(b) EXTENSION OF SUNSET DATE.—Section 502(f) of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5; 123 Stat. 153) is amended by striking “April 30, 2010” and inserting “May 31, 2010”.

SEC. 11. SENSE OF THE SENATE REGARDING A VALUE ADDED TAX.

It is the sense of the Senate that the Value Added Tax is a massive tax increase that will cripple families on fixed income and only further push back America’s economic recovery and the Senate opposes a Value Added Tax.

SEC. 12. DETERMINATION OF BUDGETARY EFFECTS.

(a) IN GENERAL.—The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

(b) EMERGENCY DESIGNATION FOR CONGRESSIONAL ENFORCEMENT.—This Act, with the exception of section 4, is designated as an emergency for purposes of pay-as-you-go principles. In the Senate, this Act is designated as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

(c) EMERGENCY DESIGNATION FOR STATUTORY PAYGO.—This Act, with the exception of section 4, is designated as an emergency requirement pursuant to section 4(g) of the Statutory Pay-As-You-Go Act of 2010 (Public Law 111-139; 2 U.S.C. 933(g)).

Mr. LEVIN. Mr. President, it is unfortunate that this vote comes today and not 2 weeks ago. While we delayed taking action, thousands of people in my state, and millions across the country, worried that these benefits, benefits that provide a thin buffer between their families and disaster, would disappear. These families are suffering through the anxiety and frustration of job loss not because of anything they did, but because of a crisis spawned in Wall Street banks and unscrupulous mortgage companies.

This bill takes a number of important steps to alleviate the effects of the financial crisis. It would extend the unemployment and COBRA health insurance benefits on which so many families depend until early June. While we have seen recent signs of improvement in employment, the unemployment rate in Michigan, and the Nation, remains unacceptably high, making these extensions all the more necessary. According to the governor’s office, more than 125,000 Michiganders will exhaust their unemployment benefits.

We should keep in mind, too, that extending these benefits not only helps families struggling to put food on the table and a roof overhead; it helps all

of us, by contributing to our economic recovery. There is widespread agreement that benefits such as unemployment payments give us the biggest “bang for the buck” in terms of economic stimulus. By extending these benefits, we will give continued support to an economy struggling to recover, an effort that benefits all Americans.

I encourage my colleagues to place the interests of struggling American families, and the economic recovery, clearly before us, and to pass this much-needed extension.

EXECUTIVE SESSION

NOMINATION OF LAEL BRAINARD, TO BE AN UNDER SECRETARY OF THE TREASURY

NOMINATION OF MARISA J. DEMEO, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

NOMINATION OF CHRISTOPHER H. SCHROEDER, TO BE AN ASSISTANT ATTORNEY GENERAL

NOMINATION OF THOMAS I. VANASKIE, TO BE UNITED STATES CIRCUIT JUDGE FOR THE THIRD CIRCUIT

NOMINATION OF DENNY CHIN, TO BE UNITED STATES CIRCUIT JUDGE FOR THE SECOND CIRCUIT

Mr. REID. Mr. President, I now ask unanimous consent the Senate proceed to executive session and that it be in order to file cloture on the following nominations in the order listed: Calendar Nos. 644, 165, 699, 578, and 607.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. I ask unanimous consent that the cloture vote on Calendar No. 644 occur at 5:30 p.m., on Monday, April 19.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLOTURE MOTIONS

The PRESIDING OFFICER. The cloture motions having been presented under rule XXII, the clerk will report the motions.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Lael Brainard, of the District of Columbia, to be an Under Secretary of the Treasury.

Harry Reid, Patrick J. Leahy, Sheldon Whitehouse, Joseph I. Lieberman, Sherrod Brown, Richard Durbin, Daniel K. Inouye, Tom Harkin, Amy Klobuchar, Roland W. Burris, John D. Rockefeller, IV, Jon Tester, Chris-

topher J. Dodd, Byron L. Dorgan, Al Franken, Claire McCaskill, Benjamin L. Cardin.

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Marisa J. Demeo, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia.

Harry Reid, Patrick J. Leahy, Sheldon Whitehouse, Joseph I. Lieberman, Sherrod Brown, Richard J. Durbin, Daniel K. Inouye, Patty Murray, Tom Harkin, Amy Klobuchar, Roland W. Burris, John D. Rockefeller, IV, Jon Tester, Christopher J. Dodd, Byron L. Dorgan, Al Franken, Claire McCaskill, Benjamin L. Cardin.

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Christopher H. Schroeder, of North Carolina, to be an Assistant Attorney General.

Harry Reid, Herb Kohl, Sheldon Whitehouse, Richard J. Durbin, Benjamin L. Cardin, Patty Murray, Mark Begich, Kirsten E. Gillibrand, Mark R. Warner, Russell D. Feingold, Al Franken, Roland W. Burris, Dianne Feinstein, Patrick J. Leahy, Barbara Boxer, Charles E. Schumer, Edward E. Kaufman.

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Thomas I. Vanaskie, of Pennsylvania, to be United States Circuit Judge for the Third Circuit.

Harry Reid, Patrick J. Leahy, Jack Reed, Russell D. Feingold, Kirsten E. Gillibrand, Daniel K. Inouye, Arlen Specter, Benjamin L. Cardin, Bernard Sanders, Robert P. Casey, Jr., Richard J. Durbin, Al Franken, Roland W. Burris, Sheldon Whitehouse, Christopher J. Dodd, Dianne Feinstein, Daniel K. Akaka.

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Denny Chin, of New York, to be United States Circuit Judge for the Second Circuit.

Harry Reid, Patrick J. Leahy, Jack Reed, Russell D. Feingold, Kirsten E. Gillibrand, Daniel K. Inouye, Benjamin L. Cardin, Bernard Sanders, Robert P. Casey, Jr., Roland W. Burris, Richard J. Durbin, Al Franken, Charles E. Schumer, Sheldon Whitehouse, Christopher J. Dodd, Dianne Feinstein, Daniel K. Akaka.

LEGISLATIVE SESSION

Mr. REID. I now ask unanimous consent that the Senate resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. REID. I ask unanimous consent that the Senate proceed to a period of morning business, with Senators per-

mitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MIDDLE-CLASS TAX RELIEF

Mr. BROWN of Ohio. Mr. President, the middle class is the backbone of our Nation. Middle-class families sustain our neighborhoods and our economy and support our public services such as our schools and police and fire departments and libraries.

Over the last two weeks—last week and the week before—I traveled extensively across Ohio and met with Ohioans who define the character of the American middle class.

College students at the University of Toledo described their hopes and aspirations to become our next educators and entrepreneurs, community and business leaders, and civic activists.

Workers at the 60-year-old General Motors plant in Defiance, near the Indiana border, described how they are ready to build the next generation car engines and rebuild the middle-class communities in which they work and live.

In Cincinnati, workers at GE’s historic Evendale plant—a Cincinnati suburb—represent the classic American success story: people working hard, getting ahead, getting paid an honest day’s wage for an honest day’s work.

I met with veterans. Chairman AKAKA allowed me to set up, in Cambridge, OH—in eastern rural Appalachian Ohio—a Veterans’ Committee hearing. I met with other veterans in the Chillicothe VA Center and the Cincinnati VA Center—two terrific VA facilities—to meet with and talk to and understand better the services for veterans who return from war and who represent those values of hard work and fair play.

Too many middle-class families in the Presiding Officer’s State—whether it is Joliet, IL—or Mansfield, OH, too many middle-class families are still fighting to have something to show for it. They are fighting for a secure job with decent wages, a home with an affordable mortgage, and the belief that their children will have a future full of opportunity and stay close by and raise their children so they can know their grandparents.

Tax day is today, April 15, and many middle-class Americans are just trying to get by while our economy begins to recover. That is why when President Obama and this Congress—the Senate and the House—enacted the American

Recovery and Reinvestment Act last year, we made sure that one-third of those several hundred billion dollars—one-third of those dollars went to tax relief for 95 percent of working families in America.

We hear my colleagues on the other side of the aisle talk about tax cuts as if they invented them, but we don't hear them tell the truth about tax cuts because their idea of tax cuts is overwhelming tax benefits to the wealthiest people in our society—not doing what President Obama and the House and Senate did last year and this year: providing those tax breaks and tax cuts and tax relief directly to the large middle-class and working class in this country. Middle-class taxpayers, as a result, can collect on more than a dozen Recovery Act tax benefits this season. While the Recovery Act is putting Americans back to work rebuilding America, it is also honoring the dignity of work through the Making Work Pay tax credit. On average, Ohioans received \$496 through the Making Work Pay tax credit, \$496 in people's pockets. Middle-class tax relief helps make college more affordable through the American Opportunity Credit, tax savings for up to \$2,500 to pay college expenses. More homes can be energy efficient and less costly through energy efficiency and renewable energy incentives. Energy-efficient windows and doors and heating and cooling systems reduce utility bills, while increasing the value of the most important asset for many Americans—their home. The first-time home buyer tax credit has made the dream of home ownership a reality, helped create jobs, stabilized home prices, and rebuilt communities across the Nation.

These are tax breaks that have been enacted that Americans are already taking advantage of and, in many cases, celebrating on this day that people aren't particularly glad to see: April 15. It means this April 15 is a whole lot better for American taxpayers than 2 years ago, when April 15 was for people who didn't have the tax relief the Obama administration has brought them.

The Cash for Clunkers Program provided American consumers and Ohio consumers with vouchers to purchase new fuel-efficient vehicles. It was a resounding success. More Americans bought more American cars. That program stabilized the auto sector. It saved and created thousands of jobs across Ohio and the Nation. I saw these jobs being created in Defiance, OH, as I mentioned, where some 80 workers will be called back to help build the engine for the new Chevy Cruze made in Youngstown. I know those workers at GM in Parma, a Cleveland suburb, will be helping with some of the stamping and the fabrication of the Chevy Cruze, and I know that 1,100 workers are in the process of being put back to work, to work a third shift at the Lordstown GM plant to build the most energy-efficient car in the GM fleet.

Existing tax credits, such as the earned income tax credit which rewards work for people making \$20,000 to \$40,000 a year—this is not welfare; it rewards people who are working hard, playing by the rules, not making a lot of money—or the child tax credit, these existing tax credits were expanded to ensure more eligible Americans received the tax credits they earned. Nationwide, the average tax refund is up 10 percent—\$266 for a record average. The average tax refund is \$3,036 so far. Those numbers will slightly change as people file today, before midnight.

The IRS says this increase is largely due to the Recovery Act. Ninety-nine percent of working families and individuals in Ohio benefited from at least one of the tax cuts signed into law by President Obama. Working Ohioans received \$1,046 on average as a result of these critical middle-class tax relief programs. That means because of what this Congress did, the Senate and the House, what President Obama did, middle-class Ohio families save over \$1,000. That is \$1,000 in their pockets that wouldn't have been there 2 years ago, before President Obama took office, would not have been available under the Bush tax policies because those tax policies benefited the richest people but didn't benefit the middle class.

So under the Bush tax policies, wealthier people were particularly happy, but the middle class was left out. Under Obama tax policies, wealthier people might not be quite so happy, but the broad middle class will have more than \$1,000 extra in their pockets as a result of this middle-class tax relief. It is a critical part of the economic recovery.

That is why the President and the Congress passed just last month the largest health-related, middle-class tax cut in the last two decades when it passed the historic health care reform, insurance reform legislation. We know there is much work ahead. I would add the first thing that came out of that legislation on health care was already in place and is now already in place; that is, significant tax incentives for small businesses, for employers to provide health insurance for their employees. When they couldn't afford it in the past, with these tax incentives, many employers will be able to afford providing health insurance for their employees.

We know there is much work ahead to ensure the interests of the middle class are protected in our Tax Code over the corporate special interests. I know many Republicans, including those running for office in my State—for Governor and Senate and attorney general—many Republicans want to repeal the health care bill. But understand when they repeal the health care bill, they are doing what they have done in the past. They are taking from the middle class and giving to the wealthy. That is the class warfare I have heard on this floor for the last 3 years. It is the class warfare I heard in

the House of Representatives when Republicans continued to do more and more for the richest people in this country and less and less for the middle class and less and less for low-income people. That is the kind of class warfare they have waged for years. I hope they aren't successful in doing that on the health care bill. I don't think they will be, but it is important to guard against that.

Senate Democrats are not just looking back with what we were able to do, we are looking forward to what we are going to do to make taxes work better for America. Senate Democrats are working on further tax relief to help middle-class families whose daycare costs for a young child or an elderly parent undercut their pay and their savings. We will continue to fight for middle-class tax relief that will rebuild our economy in Dayton and Springfield and Zanesville and Mansfield and Ravenna and Girard and Lima and restore prosperity for all Ohioans. We will continue to fight for college students in Toledo, the GM workers in Defiance, the GM workers in Evendale, and veterans and all middle-class families across the Ohio and the country. America's middle class, as a result, will pay less and save more because this President and this Congress are actually doing something about it.

I yield the floor.

BUDGET SCOREKEEPING REPORT

Mr. CONRAD. Mr. President, I rise to submit to the Senate the fifth budget scorekeeping report for the 2010 budget resolution. The report, which covers fiscal year 2010, was prepared by the Congressional Budget Office pursuant to Section 308(b) and in aid of Section 311 of the Congressional Budget Act of 1974, as amended.

The report shows the effects of Congressional action through April 9, 2010, and includes the effects of legislation since I filed my last report for fiscal year 2010 on January 28, 2010. The new legislation includes: P.L. 111-127, the Emergency Aid to American Survivors of the Haiti Earthquake Act; P.L. 111-142, the Social Security Disability Applicants' Access to Professional Representation Act of 2010; P.L. 111-145, the United States Capitol Police Administrative Technical Corrections Act of 2009; P.L. 111-147, the Hiring Incentives to Restore Employment Act; P.L. 111-148, the Patient Protection and Affordable Care Act; P.L. 111-151, the Satellite Television Extension Act of 2010; and P.L. 111-152, the Health Care and Education Reconciliation Act of 2010.

The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of S. Con. Res. 13, the 2010 budget resolution.

The estimates show that for fiscal year 2010 current level spending is above the levels provided in the budget resolution by \$3.1 billion for budget authority and \$5.8 billion above for outlays. For revenues, current level shows

that \$14.2 billion in room remains relative to the budget resolution level.

I ask unanimous consent that the letter and accompanying tables from CBO be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, Apr. 15, 2010.

Hon. KENT CONRAD,
Chairman, Committee on the Budget, U.S. Senate,
Washington, DC.

DEAR MR. CHAIRMAN: The enclosed report shows the effects of Congressional action on the fiscal year 2010 budget and is current through April 9, 2010. This report is submitted under section 308(b) and in aid of sec-

tion 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of S. Con. Res. 13, the Concurrent Resolution on the Budget for Fiscal Year 2010, as approved by the Senate and the House of Representatives.

Pursuant to section 403 of S. Con. Res. 13, provisions designated as emergency requirements are exempt from enforcement of the budget resolution. As a result, the enclosed current level report excludes these amounts (see footnote 2 of Table 2 of the report).

Since my last letter, dated January 28, 2010, the Congress has cleared and President has signed the following acts which affect budget authority, outlays, or revenues for fiscal year 2010:

Emergency Aid to American Survivors of the Haiti Earthquake Act (Public Law 111-127);

Social Security Disability Applicants' Access to Professional Representation Act of 2010 (Public Law 111-142);

United States Capitol Police Administrative Technical Corrections Act of 2009 (Public Law 111-145);

Hiring Incentives to Restore Employment Act (Public Law 111-147);

Patient Protection and Affordable Care Act (Public Law 111-148);

Satellite Television Extension Act of 2010 (Public Law 111-151); and

Health Care and Education Reconciliation Act of 2010 (Public Law 111-152).

Sincerely,
DOUGLAS W. ELMENDORF,
Director.

Enclosure.

TABLE 1.—SENATE CURRENT LEVEL REPORT FOR SPENDING AND REVENUES FOR FISCAL YEAR 2010, AS OF APRIL 9, 2010
(In billions of dollars)

	Budget resolution ¹	Current level ²	Current level over/under (–) resolution
ON-BUDGET			
Budget Authority	2,897.5	2,900.5	3.1
Outlays	3,010.1	3,015.9	5.8
Revenues	1,612.3	1,626.5	14.2
OFF-BUDGET			
Social Security Outlays ³	544.1	544.1	0.0
Social Security Revenues	668.2	668.1	–0.1

¹ S. Con. Res. 13, the Concurrent Resolution on the Budget for Fiscal Year 2010, includes \$10.4 billion in budget authority and \$5.4 billion in outlays as a disaster allowance to recognize the potential cost of disasters; those funds will never be allocated to a committee. At the direction of the Senate Committee on the Budget, the budget resolution totals have been revised to exclude those amounts for purposes of enforcing current level.
² Current level is the estimated effect on revenues and spending of all legislation, excluding amounts designated as emergency requirements (see footnote 2 of table 2), that the Congress has enacted or sent to the President for his approval. In addition, full-year funding estimates under current law are included for entitlement and mandatory programs requiring annual appropriations, even if the appropriations have not been made.
³ Excludes administrative expenses of the Social Security Administration, which are off-budget, but are appropriated annually.
Source: Congressional Budget Office.

TABLE 2.—SUPPORTING DETAIL FOR THE CURRENT LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2010, AS OF APRIL 9, 2010
(In millions of dollars)

	Budget authority	Outlays	Revenues
Previously Enacted ¹ :			
Revenues	n.a.	n.a.	1,633,385
Permanents and other spending legislation	1,656,952	1,651,725	n.a.
Appropriation legislation ²	1,917,749	2,048,775	n.a.
Offsetting receipts	–690,252	–690,252	n.a.
Total, previously enacted	2,884,449	3,010,248	1,633,385
Enacted this session:			
An act to accelerate the income tax benefits for charitable cash contributions for the relief of victims of the earthquake in Haiti (P.L. 111–126)	0	0	–40
Emergency Aid to American Survivors of the Haiti Earthquake Act (P.L. 111–127)	50	50	0
Social Security Disability Applicants' Access to Professional Representation Act of 2010 (P.L. 111–142)	–4	–4	0
United States Capitol Police Administrative Technical Corrections Act of 2009 (P.L. 111–145)	10	6	0
Hiring Incentives to Restore Employment Act (P.L. 111–147)	20,903	141	–4,380
Patient Protection and Affordable Care Act (P.L. 111–148)	8,500	3,130	–580
Satellite Television Extension Act of 2010 (P.L. 111–151)	2	0	2
Health Care and Education Reconciliation Act of 2010 (P.L. 111–152)	1,130	220	–1,930
Total, enacted this session	30,591	3,543	–6,928
Entitlements and mandatories:			
Budget resolution estimates of appropriated entitlements and other mandatory programs	–14,500	2,066	0
Total Current Level ³	2,900,540	3,015,857	1,626,457
Total Budget Resolution ⁴	2,907,837	3,015,541	1,612,278
Adjustment to the budget resolution for disaster allowance ⁵	–10,350	–5,448	n.a.
Adjusted Budget Resolution	2,897,487	3,010,093	1,612,278
Current Level Over Budget Resolution	3,053	5,764	14,179
Current Level Under Budget Resolution	n.a.	n.a.	n.a.

¹ Includes legislation affecting budget authority, outlays and revenues that was enacted in the first session of the 111th Congress.
² Pursuant to section 403 of S. Con. Res. 13, provisions designated as emergency requirements (and rescissions of provisions previously designated as emergency requirements) are exempt from enforcement of the budget resolution. The amounts so designated for fiscal year 2010, which are not included in the current level totals, are as follows:

	Budget authority	Outlays	Revenues
Previously Enacted (see footnote 1)	12,042	21,040	–4,475
Temporary Extension Act of 2010 (P.L. 111–144)	7,942	7,901	–704
Total, amounts designated as emergency	19,984	28,941	–5,179

³ For purposes of enforcing section 311 of the Congressional Budget Act in the Senate, the budget resolution does not include budget authority, outlays, or revenues for off-budget amounts. As a result, current level excludes these items.
⁴ Periodically, the Senate Committee on the Budget revises the totals in S. Con. Res. 13, pursuant to various provisions of the resolution.

	Budget authority	Outlays	Revenues
Original Budget Resolution Totals	2,888,691	3,001,311	1,653,682
Revisions:			
For the Supplemental Appropriations Act, 2009 (section 401(c)(4))	5	2,004	0
For an act to protect the public health by providing the Food and Drug Administration with certain authority to regulate tobacco products . . . and for other purposes (sections 311(a) and 307)	0	0	40
For the Congressional Budget Office's reestimate of the President's request for discretionary appropriations (section 401(c)(5))	3,766	2,355	0
For further revisions to a bill to protect the public health by providing the Food and Drug Administration with certain authority to regulate tobacco products . . . and for other purposes (sections 311(a) and 307)	10	13	6
For further revisions to the Supplemental Appropriations Act, 2009 (section 401(c)(4))	6	–1,175	0
For an act to make technical corrections to the Higher Education Act of 1965, and for other purposes (section 303)	32	36	0

For further revisions to the Supplemental Appropriations Act, 2009 (section 401(c)(4))	-11	-11	0
For an amendment in the nature of substitute to H.R. 3548, the Unemployment Compensation Extension Act of 2009 (sections 306(f) and 306(b))	5,708	5,708	-38,940
For the Patient Protection and Affordable Care Act of 2009 (section 301(a))	12,500	11,500	9,100
For the Department of Defense Appropriations Act, 2010 (section 401(c)(4))	0	1,950	0
For further revisions to the Patient Protection and Affordable Care Act of 2009 (section 301(a))	-5,220	-6,670	-9,630
For further revisions to the Patient Protection and Affordable Care Act of 2009 (section 301(a))	-7,280	-4,830	530
For further revisions to the Patient Protection and Affordable Care Act of 2009 (section 301(a))	8,500	3,130	-580
For the Health Care and Education Reconciliation Act of 2010 (section 301(a))	1,130	220	-1,930
Revised Budget Resolution Totals	2,907,837	3,015,541	1,612,278

⁵ S. Con. Res. 13 includes \$10,350 million in budget authority and \$5,448 million in outlays as a disaster allowance to recognize the potential cost of disasters; those funds will never be allocated to a committee. At the direction of the Senate Committee on the Budget, the budget resolution totals have been revised to exclude those amounts for purposes of enforcing current level.

Note: n.a. = not applicable; P.L. = Public Law.
Source: Congressional Budget Office.

HONORING OUR ARMED FORCES

LANCE CORPORAL JACOB A. ROSS, USMC

Mr. BARRASSO. Mr. President, I rise today to express our Nation's deepest thanks and gratitude to a special young man and his family. I was deeply saddened to receive word during the past recess that that on March 24, 2010, LCpl Jacob A. Ross of Gillette, WY, was killed in the line of duty while serving our country in support of Operation Enduring Freedom. Lance Corporal Ross was killed in combat in Helmand Province in southern Afghanistan.

Lance Corporal Ross was assigned to the 2nd Battalion, 2nd Marine Regiment, 2nd Marine Division, II Marine Expeditionary Force out of Camp Lejeune, NC. Lance Corporal Ross graduated from Campbell County High School in 2008. He is remembered by his friends as hard-working, intelligent and kind-hearted. He was athletic and was on the swimming and soccer teams in high school. Jacob had a passion for the outdoors and loved to hunt, fish and camp under the Wyoming skies. He always wanted to be a marine. After graduation, he followed in his father's footsteps and joined the U.S. Marine Corps.

It is because of Jacob Ross that all Americans are able to live our daily lives as free people. Freedom is not free. It carries a very high price. And that price has been paid over and over by America's men and women who answer the call to service and willingly bear the burdens of defending our Nation. They deserve our deepest respect and gratitude. They put their very lives on the line every day, and because of them and their families, our nation remains free and strong in the face of danger.

The motto of the U.S. Marine Corps is "Semper Fidelis." It means "Always Faithful." LCpl Jacob Ross lived up to these words with great honor. He gave his life, that last full measure of devotion, for you, me, and every single American. He gave his life serving and defending his country and its people, and we honor him for this selfless sacrifice. He was always faithful to our country and its citizens, and to his fellow marines.

Lance Corporal Ross is survived by his wife Brittney, and his parents Karen and Dennis, his sister Katie and his brother, Nathan. He is also survived by his brothers and sisters in arms of the U.S. Marine Corps. We say goodbye to a son, a husband, a brother, a friend, and a marine. The United States of

America pays its deepest respect to LCpl Jacob A. Ross for his courage, his love of country and his sacrifice, so that we may remain free. He was a hero in life and he remains a hero in death. All of Wyoming, and indeed the entire Nation, is proud of him. May God bless him and his family. Lance Corporal Ross, Semper Fi.

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

HOLOCAUST REMEMBRANCE DAY 2010

• Mr. NELSON of Florida. Mr. President, I rise today to commemorate Holocaust Remembrance Day.

This week, in America and throughout the world, Jews observed Holocaust Remembrance Day in synagogues, reciting prayers. Families gathered in their homes to light candles and remember those loved ones who perished. Young people listened to the stirring testimonials of grandparents and survivors of one of the worst atrocities committed by humankind. These rituals are recited each year in an effort to remember. But, also to ensure that we as a human race never forget.

Florida has the largest number of Holocaust survivors in the entire country. Each time I visit the Miami Jewish Health Systems and other centers in our state, I am reminded of our solemn obligation to care for those survivors, whose numbers dwindle with each passing year.

This week, we pause to remember those who lost their lives simply because of their faith and their heritage. We also remember others who suffered persecution and were murdered by the Nazis: Gypsies and Poles, the handicapped, gays and lesbians, political dissidents, prisoners of war, and the brave civilians who risked their own lives to save their neighbors.

Last June, a lone gunman attacked the Holocaust Memorial Museum here in Washington. This morally depraved man shot and killed a guard and terrorized countless visitors before he was brought down. The shots were fired on the day the museum was scheduled to show a play based on the life of Anne Frank, a girl whose story serves as a disturbing reminder of the Nazis' campaign of terror and also the heroism demonstrated by a few decent people to protect those whose lives were in jeopardy.

January 11, 2010, Miep Gies, the last of those who protected Anne Frank

passed away. She was a woman who did not want to be called a hero, but it is her heroism that we must honor, remember, and pass down to future generations.

A survivor recently informed me that on Holocaust Remembrance Day she wanted people to remember the kindness that she received during the Holocaust. She said that kindness helped her survive. Mr. President, it is amazing that survivors, when asked about a period of unimaginable horror, can recall sentiments of thanks and an appreciation for life.

The good that individuals can do is not limited to the past. Americans today are continuing to help those survivors by documenting their experiences and educating our communities. This past January, I attended the 30th anniversary celebration of the Holocaust Documentation & Education Center. The center is in the process of creating the first South Florida Holocaust Museum. There is still great work to be done and I am proud of the Americans who are committed to this important effort.

Congress also has a responsibility to ensure that the memories of those dark days are recalled to ensure that nothing like it happens on this Earth again.

In respect for the victims of the Holocaust and surviving relatives, I introduced a resolution on restitution or compensation for property and other assets seized by the Nazi and Communist regimes in postwar Europe, in anticipation of the International Conference on Holocaust Assets that was held in Prague in June 2009. At this conference, the United States signed the Terezin Declaration, which among many declarations reminds us about the need to take care of Holocaust survivors' social welfare as they increase in age.

I also introduced the World War II War Crimes Accountability Act to encourage foreign governments to prosecute and extradite wanted criminals, and to bring them to justice.

We are in a race against time. Each year, more Holocaust survivors are laid to rest. Let us work together quickly to let them see a measure of justice done in their lifetime.

Finally, our government has made solemn commitments in the past that the horror of the Holocaust will never be repeated. And yet we are all well aware of the grim stories of ethnic cleansing in the former Yugoslavia in the 1990s, the mass murder of Tutsis in Rwanda in 1994, and the genocide in

Darfur. America must be a moral leader among nations in working to halt and prevent genocide.

I urge President Obama, Secretary of State Clinton and U.N. Ambassador Rice to continue the battle against ignorance, intolerance, and instability that contributes to genocide and to confront those governments that engage in genocide. America must make every effort to ensure that those who commit these horrific crimes face justice.●

GUATEMALA'S NEXT ATTORNEY GENERAL

Mr. LEAHY. Mr. President, I want to speak briefly about a matter of urgent importance for the people of Guatemala and for U.S. relations with Guatemala.

Later this month, President Colom will select Guatemala's next Attorney General from a slate of six candidates. This may be among the most important decisions he makes this year, at a time when drug trafficking and other organized crimes, assassinations of human rights defenders, and other social and political activists, corruption, and impunity threaten the foundation of Guatemala's fragile democracy.

In the 3 three months of this year alone, at least five Guatemalan human rights defenders, social activists, and trade unionists have been murdered, including two members of the Resistance Front for the Defense of Natural Resources—its president, Evelinda Ramirez Reyes, and Octavio Roblero. Also killed were Juan Antonio Chea, a Mayan indigenous lawyer who worked with the Human Rights Office of the Archbishop and the National Reparations Program; Pedro Antonio Garcia of the Malacatan Municipal Workers Union; and Germán Antonio Curup, a member of a group opposed to the construction of a cement plant in San Juan Sacatepéquez. Mr. Curup was murdered in particularly brutal fashion—abducted on February 11, his body was dumped 2 days later, throat cut and showing signs of torture. That cut of brutality is not unusual in Guatemala, nor is it unusual that no one has been arrested or punished for those crimes.

The 1996 Peace Accords were a historic milestone, ending three decades of civil war when government security forces and associated death squads and civil patrols targeted anyone who was considered subversive. Tens of thousands of rural Mayan villagers, students, lawyers, journalists, and other social and political activists were arbitrarily arrested, tortured, and killed. The URNG rebels were also guilty of atrocities. Almost no one has been punished for those crimes.

While the Peace Accords spelled out commitments by the government and goals for the country's future political, economic, and social development, progress has been disappointing. Implementation of many elements of the ac-

cords has been repeatedly delayed, and widespread debilitating poverty, impunity, and women's and indigenous peoples' rights remain urgent concerns. These are among the key issues the Peace Accords were designed to address, which were at the root of the conflict.

In the meantime, in the absence of a credible or effective justice system, corruption has flourished and violent crime has skyrocketed. There has also been a steady emigration of poor Guatemalans seeking jobs in the United States.

Effectively confronting these problems requires political will, which has too often been lacking in Guatemala. Secretary Clinton expressed the willingness of the United States to stand with the Guatemalan people during her visit there on March 5, and I hope the Guatemalan Government will seize this opportunity to develop ambitious and effective strategies to confront these challenges.

There is no better place to start than by appointing an Attorney General who has the integrity, experience, courage, and determination to show that justice can be a reality for all the people of Guatemala regardless of race, ethnicity, gender, or economic status.

Investigating and prosecuting assassinations of human rights defenders, as well as some of the most notorious political crimes, should be a priority. The United States is helping through our donations to the International Commission against Impunity in Guatemala, CICIG. The CICIG is doing an important job and should continue, but it is no substitute for an effective Ministry of Justice. We are ready and willing to support an Attorney General who demonstrates the necessary professional qualifications and commitment. But absent those qualifications and commitment, as chairman of the State and Foreign Operations Subcommittee, I would find it difficult to justify spending more resources on a fruitless quest for justice reform in Guatemala.

A related imperative is reforming Guatemala's police forces, which are undertrained, underpaid, under-equipped, and infected with corruption. President Colom deserves great credit for appointing Helen Mack, a widely respected human rights defender, to develop a plan for police reform, and I look forward to her recommendations. An Attorney General whose integrity matches that of Helen Mack's would be a welcome step.

Guatemala has a troubled history and is facing immense challenges, both internally and along its borders, as it is rapidly becoming a favorite haven for Latin criminal organizations. Yet as the land of one of the most accomplished pre-Colombian civilizations in this hemisphere whose indigenous descendants enrich present-day Guatemala in countless ways, spectacular tropical forests and towering volcanoes, it is also a country with great po-

tential. The United States is prepared to help tackle these challenges if Guatemalan Government officials in key positions merit our support. I urge President Colom to use the opportunity of selecting Guatemala's next Attorney General to send that message clearly.

TOURETTE SYNDROME

Mr. INOUE. Mr. President, I rise today to raise awareness of a complex neurological disorder affecting an estimated 200,000 Americans. Tourette Syndrome, TS, emerges in children, as young as 5 years old. Symptoms include "tics," repeated involuntary noises or movement. Some adults with TS have learned to control their tics, or redirect them in other ways.

I have not been knowledgeable on this subject. However, I recently had the pleasure of meeting a group of four—two mothers and two sons—all dealing in some way with TS. Zach Pezzillo, a high school junior from Haiku, Maui, in my State of Hawaii, was diagnosed with TS at age 7. After 2 years of misdiagnosis, Zach and his mother, Susannah Christy, were almost relieved to learn why Zach constantly sniffed. Zach was fortunate in that his tics were mild. He has become a well spoken young man, a gifted photographer, and a wonderful youth ambassador for the National Tourette Syndrome Association. I am sure much of his success is due in large part to his mother Susannah, whose support of her son's drive and openness with his affliction is noteworthy.

I also had the pleasure of meeting Chris Schuette, a young man who, in his adulthood, has learned to control his tics so well that he was able to serve with AmeriCorps in 2007. His mother, Cynthia Schuette, heads the Northern California and Hawaii Chapter of the National Tourette Syndrome Association, and has been involved in educating the public about TS since her son, now 26, was diagnosed with the disorder nearly 20 years ago.

Not all Americans with TS are as lucky as Zach and Chris. This is a disorder so largely misunderstood that Zach, after telling a neurologist about his TS, was challenged by this learned professional, who told him he must not have TS because she couldn't see any physical manifestations of his disorder. Such misinformation leads to misdiagnosis for children with TS. While the Centers for Disease Control, through necessary grant programs, continues its essential research into the causes of TS, we must do our part in educating ourselves and others about this disorder.

CONGRATULATING BUTLER UNIVERSITY

Mr. BAYH. Mr. President, today I honor Butler University's 2010 Men's Basketball team for its historic season which culminated in last week's NCAA championship game in Indianapolis.

Although the Bulldogs narrowly lost to the Duke University Blue Devils, 2010 was a season for the record books.

This was Butler's first-trip to the NCAA "Final Four" and the best performance by a school of Butler's size in 40 years. Butler entered the championship game with a 25-game winning streak, the longest in the Nation.

The championship was especially meaningful as the team played in Indianapolis, nearby the university's home court, the storied Hinkle Fieldhouse.

I particularly want to recognize the work of Butler's coach, Brad Stevens. Under the leadership of this native Hoosier, the Bulldogs have become a national power. In his first three seasons, Coach Stevens has won 89 games—a Butler record.

Much of that success can be attributed to the Bulldogs' guiding philosophy, the "Butler Way" which emphasizes the importance of working as a team, both on and off the court.

Dr. Bobby Fong, the university's president, and the faculty and administration of Butler all deserve credit for maintaining the right balance between athletics and academics. Butler has one of the highest graduation rates of all the schools in this year's NCAA Tournament, and 2 of this year's 15 Academic All-Americans were players for the Bulldogs.

Butler's commitment to both academic and athletic excellence embodies the best of college athletics. I am proud to recognize their winning combination of talent and determination.

The Butler University Bulldogs have proved once again that an underdog team from the Hoosier State can capture America's heart.

TRIBUTE TO VIRGINIA BEECHER

Mr. GREGG. Mr. President, I wish to thank and congratulate Virginia Beecher for her years of service to the people and State of New Hampshire. Kathy and I have known Gini for so long, it is best not to mention the specific number of years. She is a friend, confidant, and someone we greatly admire for her extraordinary commitment to public service.

Gini completes her work for New Hampshire as the director of Motor Vehicles, a position she has held for 15 years. Her leadership of this critical agency, which affects so many New Hampshire citizens, has taken it from the dark ages to a highly computerized, customer-friendly department. She has focused on providing the citizens of New Hampshire with their licenses and car registrations in an efficient and pleasant way. Her commitment has always been to bring the highest standards and a professional approach to the department.

This is only one stop in her exceptional career of service to New Hampshire. Kathy and I had to convince her to leave her beloved Department of Safety for a brief tenure in the Governor's office when I began my term as

Governor. It was her unique knowledge of how the State government works that helped us get up and running effectively and quickly. After she straightened out the Governor's office, she returned to continue to be the force that made the Department of Safety one of the most professional and well run agencies in the State.

You cannot talk about Gini's influence without mentioning her total commitment to the North Country. It has always been a part of her being. Gini has a commonsense, no nonsense approach that characterizes that part of our great State.

New Hampshire government will obviously miss Gini's talent and enthusiasm. Kathy and I wish her the best as she moves on to other challenges. We are honored that our paths have been so intertwined over these many years and that she is our friend.

Thank you, Virginia Beecher, for your many years of service to the State of New Hampshire.

ADDITIONAL STATEMENTS

SMALL BUSINESS COMMUNITY GROWTH

• Mr. BOND. Mr. President, one of the many blessings of being a U.S. Senator is the opportunity to be exposed to so many people who strive, work together, and improve their communities and our Nation every day.

Despite hardship, America is a place where Americans face challenges as opportunities determined to see that tomorrow is always better than today. One powerful example is the partnership that exists in St. Joseph, MO, between community leaders and the Missouri Western State University. How pleasing it is to have members of the forward-leaning St. Joseph Area Chamber of Commerce led by Ted Allison come to Washington and, as usual, front and center among the distinguished group is the president of the University, Dr. Robert Vartabedian.

How powerful it is to have Mr. Allison testify before the House Committee on Small Business, represented by his Congressman and committee ranking member, SAM GRAVES, and speak passionately about the job-producing power of the small business community such as exists in St. Joseph, and the importance of education to support small business productivity and growth.

Dr. Vartabedian, and his predecessor, Dr. James Scanlon, share the view that the University does not exist in isolation but that the University should understand and serve the community just as the community, in this case, the Chamber of Commerce, and others, serve the University.

Dr. Scanlon, who retired after 7 years in June of 2008, was a tireless head of the school and advocate for the community. Integrity and intellect served Dr. Scanlon's action-oriented approach

which insisted upon customer-based performance. He never rested and he did not allow members of the St. Joseph community to rest either. After all, the community included future employers and neighbors of his kids and Dr. Scanlon was interested in them having productive and happy lives far beyond graduation.

Originally a New Yorker, of all things, one would think Dr. Scanlon always lived in St. Joseph and intended never to leave, but his remarkable footprint continued under the current leadership and has provided a foundation for continued vision and performance. "Oh happy day!" became his trademark exclamation, and while I hope it was for Dr. Scanlon, I am certain that because of him, it has been for thousands of students and their faculty and community members.

In a large part thanks to Dr. Scanlon, and now, Dr. Vartabedian's leadership, Western has thrived, becoming a source of pride for the community, region, and state.

Western's statewide mission is applied learning. Remarkably, about 90 percent of Western students completed at least one internship, practica, or faculty-student project by the time they graduate. In other words, Western students have classroom and real-world experience.

Since 2001, the college has become a university, experienced its fifth straight year of record enrollments, doubled its laboratory space for sciences, undertaken to fill its capacity at the new Science & Technology Incubator, built up modern math and science capacity, began a new M.S. program in Nursing, became the summer home of the Kansas City Chiefs, and has seen the establishment of the Steven L. Craig School of Business.

According to Missouri Western, the gift by Mr. Craig that made the new school possible "means serious business for Western."

The generosity by Mr. Craig will not only launch another valuable path for students to develop value, but represents a strong endorsement of the Western program, and the sense of community in St. Joseph where Craig was born.

Mr. Craig graduated from nearby Savannah High School before moving to California to graduate from the University of Southern California. He founded the Craig Realty Group, a Newport Beach, CA, company that owns and manages 13 upscale factory outlet centers in 6 states.

The gift of \$5.5 million was one of the very largest in the Nation and the largest individual gift to the university's foundation. In addition to being the largest individual gift to the university, these funds will directly enhance St. Joseph, MO, the Midwest region, and will be used to develop tomorrow's business leaders who should follow not only Mr. Craig's business model, but his model of selfless philanthropy as well.

Missouri Western officials recognize that Mr. Craig's gift celebrates three of his qualities: entrepreneurial spirit, generosity, and faith.

This conspiracy of goodness by a true working community on behalf of a future community membership is a model to applaud and to emulate. Doctors Scanlon and Vartabedian, Mr. Allison, Mr. Craig and all those who have locked arms with you leaders to plow forward, thank you and well done and, more importantly, well doing.●

RECOGNIZING SAN BERNARDINO'S BICENTENNIAL

● Mrs. BOXER. Mr. President, I am honored today to join with the people of San Bernardino as they celebrate their bicentennial—the 200th anniversary of the founding of this great city.

From the day in 1810 when Franciscan missionary Father Dumetz named the area "San Bernardino" to the present, San Bernardino—nestled south of the San Bernardino Mountains and west of the lower desert—has been recognized for its scenic beauty and strategic location.

San Bernardino's colorful history begins in the early years of the 19th century when Spanish missionaries were the first settlers to the region. Mission San Bernardino was established in 1810 and the missionaries, along with the American Indians native to the area, diverted water to the valley from Mill Creek for irrigation purposes. As a result, the area flourished.

Gradually the mission period came to a close and soon came the rise of the Great Spanish Rancheros. The abandoned Mission San Bernardino did not stay vacant for long. San Bernardino Rancho was granted to the Lugo Brothers in 1842 and eventually became an important post on the trading route known as the Spanish Trail, where pioneer trailblazers such as Kit Carson and Jedediah Strong Smith often traveled.

In 1848, California joined the United States. By this time, many rancheros had left the area. In 1851, the Lugo brothers eventually sold San Bernardino Rancho to a party of 500 Mormon settlers who built a stockade around the ranch and named it "Fort San Bernardino". The community thrived and was officially incorporated in 1854 as a city with a population of 1,200. At that time, San Bernardino was strictly a temperance town, with no drinking or gambling allowed.

As the 19th century waned, the giant railway companies eventually found their way to San Bernardino, changing it from a sleepy town into an enterprising city. Santa Fe, Union Pacific, and Southern Pacific all made San Bernardino the hub of their southern California operations. When the Santa Fe Railway established a transcontinental link in 1886, the already prosperous valley exploded. Even more settlers flocked from the East, and the population doubled between 1900 and 1910.

San Bernardino has had a great history with military involvement. The San Bernardino Engineer Depot, commonly called Camp Ono, was located along what is now the I-215 freeway and was used by the U.S. Army as a vehicle and ammunition supply and storage depot, drycleaning facility, sewage spreading area, tent manufacturing and dyeing facility, locomotive maintenance facility, railcar and tank degreasing facility, motor vehicle pool, prisoner of war camp, bomb manufacturing, and water softening facility.

The site was also a part of the Advance Communications Zone Depot in the southern California defense system. Camp Ono consisted of a total of 1,662.82 acres and was leased by the U.S. Army on 1 July 1940 and existed until December 1946. A prisoner of war camp occupied 300 acres of the site. Approximately 499 Italian prisoners of war were incarcerated, and they were used to maintain army vehicles, degrease tanks, and operated a tent repair and tent dyeing facility.

Norton Air Force Base was also located east of downtown San Bernardino. This frontline military installation was home to a logistics depot and heavy-lift transport facility for a wide variety of military aircraft, equipment, and supplies as part of the Material/Air Force Logistics Command and then as part of the Military Airlift Command. The secondary mission of the base was as a headquarters for Aerospace Defense Command for southern California, the Air Force Audio-Visual Center and numerous Air Force Reserve units and the Office of the Inspector General.

Norton was closed as a result of base realignment and closure, BRAC, action in 1994. The aviation facilities of the base were converted into San Bernardino International Airport and the remainder for other private development opportunities. Mattel Toys, Stater Bros Markets, Pep Boys, and Kohl's also are located within the industrial complex on the former base.

McDonald's was founded by brothers Richard and Maurice McDonald in San Bernardino in 1940. Their introduction of the Speedee Service System in 1948 established the principles of the modern fast-food restaurant.

San Bernardino is also the home of Al Houghton Stadium and the Western Regional Little League Inc. Each year San Bernardino hosts 11 Western States in the West and Northwest regional tournaments. The winner of each tournament goes on to the Little League World Series in Williamsport, PA.

San Bernardino has a plethora of educational opportunities. California State University, San Bernardino, was founded in 1965 and graduated its first class in 1969. From a very small beginning, this university has flourished with new facilities and Division II sports programs. There are also many other schools of higher learning in the city, including San Bernardino Valley

College, the Art Institute of California-Inland Empire, Argosy University-Inland Empire, Everett College, and the American Sports University.

Today San Bernardino has emerged as a modern urban community with a bright future. The enduring spirit and vitality of yesterday's pioneers are still evident and reflected in the pride of community. The city of San Bernardino serves as the county seat and is the largest city in the county of San Bernardino, with a population more than 205,000.

Please join me in honoring the city of San Bernardino as it celebrates its bicentennial.●

TRIBUTE TO THOMAS EDWARD PINELLI

● Mrs. GILLIBRAND. Mr. President, I wish to pay tribute to the military service of Thomas Edward Pinelli, a veteran of World War II who is being honored in Washington, DC, this week.

Mr. Pinelli served as a forward observer and technical sergeant in the Third Infantry Division, which fought the Germans through the Vosges Mountains in France, through the Colmar Pocket, and finally until VE day in Germany. As part of this division, he helped liberate the Dachau concentration camp and free thousands of civilians who were under Hitler's rule. His division received a unit citation from President Franklin D. Roosevelt, and Sergeant Pinelli was awarded medals for sharp shooting and good conduct.

After World War II, Thomas returned to his hometown of Bronx, NY, where he began a career with the U.S. Postal Service. After 30 years, he retired in Westchester County, where he now resides.

As grateful as Thomas Pinelli is for the opportunity to serve his country, he is even more grateful for the opportunity to have lived a full life in service to his community as a committed citizen, husband, and father. Mr. Pinelli's two sons are also giving back to their communities as they emulate their father's commitment to service: his elder son Thomas Jr. is a health care provider, and his younger son John teaches high school in New York City.

On April 14 and 15, the U.S. Holocaust Memorial Museum honored Thomas Pinelli and many others for their role in liberating the Dachau Concentration Camp in April 1945. Thomas traveled to Washington for this ceremony, thrilled at the chance to visit the Nation's Capital, to see old friends, and to relive this momentous time in American history. I wish to congratulate him on this honor and thank him for his service to our Nation.●

TRIBUTE TO DALE E. KLEIN

● Mr. INHOFE. Mr. President, the Honorable Dale E. Klein completed his last day as a member of the U.S. Nuclear Regulatory Commission on March 30,

2010, and has returned to the faculty of the University of Texas, from which he had been on an extended leave of absence as the result of his appointment by former President George W. Bush to the Department of Defense and subsequently to the Nuclear Regulatory Commission. Dr. Klein began his tenure at the NRC on July 1, 2006, having been appointed by the President as the agency's Chairman. He continued to serve in that role until May 13, 2009, when President Obama designated Gregory B. Jaczko as the NRC Chairman. Although Dr. Klein would have preferred to return to the University of Texas at that time, he elected to remain an NRC Commissioner from May 2009 to March 30, 2010, to ensure continuity of the Commission until the President could nominate, and the U.S. Senate could confirm, his successor and two additional new Commissioners to fill existing vacancies on the Commission.

Dr. Klein's tenure as the NRC Chairman coincided with the rapid acceleration in the nuclear industry's plans for the development of a new generation of U.S. nuclear power plants. By the time of his departure from the agency, the NRC had received 18 applications for 28 new nuclear power plants after nearly three decades in which no new nuclear plants had been constructed in the U.S. This dramatic resurgence of the nuclear power option created an urgent and very critical need for the NRC to hire an unprecedented number of new staff since many of the agency's most experienced technical staff were nearing retirement age and the agency had critical skill shortages in such areas as construction inspection. Dr. Klein provided oversight and direction to the recruiting effort, which at its peak would result in net annual increases of approximately 250 new staff. In the absence of this effort, the NRC would not have been able to complete its technical reviews of new applications on a time frame that would support the nuclear industry's plans or meet the Nation's growing need for new sources of clean, safe, and affordable energy.

At the same time, Dr. Klein recognized that the resurgence in interest in nuclear power was a global phenomenon that was occurring both in countries with established nuclear power programs and countries with no prior experience with nuclear power. He consistently emphasized the critical importance of establishing and maintaining a strong, independent national nuclear regulatory authority in all countries considering the nuclear power option in his numerous meetings with his international regulatory counterparts in foreign countries, in meetings of international organizations like the IAEA, and during his frequent trips to foreign countries. Noting that an accident anywhere is an accident everywhere, he also ensured that the NRC provided assistance in setting up national nuclear regulatory bodies when requested by the host country.

Dr. Klein understood that for the NRC to continue to be an outstanding regulatory agency that could serve as a model for foreign countries, it needed good people, a strong safety culture, and the right technology. He observed that when he arrived at the NRC in July 2006, the agency had an outstanding technical staff and a strong safety culture, but was far behind the times in its technology infrastructure. He spent considerable time and effort in upgrading NRC's technology infrastructure not only to ensure improved communication within the NRC and with its stakeholders, but also to enable the NRC to attract and retain the young people that would become the core agency staff in the future.

As the NRC accelerated its hiring of new staff after 2006, however, the existing NRC headquarters complex, the White Flint Complex in Rockville, MD, could no longer accommodate the headquarters staff, forcing the NRC to rent additional space in four other buildings in the Rockville area. This dispersal represented a return to conditions existing at the time of the Three Mile Island accident in 1979, when the NRC was widely dispersed in 11 buildings in the Washington Metropolitan area. A study published after the accident cited the multiple, scattered locations of the agency's headquarters staff as a factor hampering the NRC's response to the 1979 accident. Consequently, Dr. Klein made it one of his highest priority goals as Chairman to reconsolidate NRC headquarters in a single location in the vicinity of the White Flint complex. Most of the preparatory work and obtaining local government, GSA, and Congressional approval for the construction of a third building at the White Flint complex occurred under the guidance and direction of Dr. Klein during his tenure as Chairman.

Dr. Klein has made very significant contributions to maintaining the U.S. Nuclear Regulatory Commission as the world's first and most experienced nuclear regulatory body and has demonstrated over the last 7 years his commitment to public service and protection of the public health and safety. I am therefore pleased to ask my Senate colleagues to join me in recognizing this outstanding public servant and in wishing him and his family success in all his future endeavors.●

TRIBUTE TO AARON MARTIN

● Mrs. LINCOLN. Mr. President, today I honor Aaron Martin, a native of Stuttgart from my home State of Arkansas. His bravery and that of his fellow servicemen and women made national headlines recently as they captured a group of Somali pirates in the Indian Ocean.

A 1994 Stuttgart High School graduate, Martin was among the sailors who took on a small gang of Somali pirates in the early morning hours of April 1. The USS *Nicholas*, a guided

missile warship, was tracking the pirates when they opened fire in Indian Ocean waters, according to reports. The USS *Nicholas*, which saw combat in the first Gulf War, returned fire and disabled the small ship.

Martin is the son of Bruce and Jannette Martin of Stuttgart. He and his wife Natalie have an 8-year-old son and a 12-year-old daughter.

Along with all Arkansans, I am grateful for the service and sacrifice of all of our military servicemembers and their families.●

CONGRATULATING THE LITTLE ROCK AIR FORCE BASE

● Mrs. LINCOLN. Mr. President, today I congratulate Little Rock Air Force Base and its community council for winning the prestigious 2009 Abilene Trophy, which is presented annually to a civilian community for outstanding support to a nearby U.S. Air Force Air Mobility Command Base. The winner is determined by a selection committee of the Abilene Chamber of Commerce Military Affairs Committee in Texas, with final approval by the U.S. Air Force Air Mobility Command.

According to COL Greg Otey, Little Rock Air Force Base Installation Commander, "the council's steadfast support of the base, its missions and its people haven't gone unnoticed. I've said many times that we are blessed to have such a supportive local community, and this award validates everything I've been saying since I arrived here last year."

Little Rock Air Force Base is known as the "Home of C-130 Combat Airlift" in large part due to the outstanding relationship among its community partners. The relationship between the base and local community remains as strong today as when it began in the 1950s, and community support is integral to the base's ability to accomplish its mission.

For example, in 2009, ground was broken on a new Joint Education Center, a higher-learning institution open to both military members and civilians. The city of Jacksonville voted to support the center with another \$5 million of its own. Airpower Arkansas, a subset of the Community Council, raised more than \$50,000 from local business and individuals for the base's 2010 air show. Civic leaders sponsored base events such as the Air Force Ball, the Annual Awards Ceremony, and the Black Knight Heritage Dinner. These leaders also took time on Thanksgiving and Christmas to serve meals to Airmen at the base dining facility.

I commend the Little Rock Air Force Base and its community council for their efforts, hard work, and dedication. Along with all Arkansans, I am grateful for the service and sacrifice of all of our military servicemembers and their families.●

TRIBUTE TO THE GOLDEN LIONS

• Mrs. LINCOLN. Mr. President, today I pay tribute to the University of Arkansas at Pine Bluff's Golden Lions basketball team and head coach George Ivory for representing our great State so well during this year's NCAA basketball tournament. In particular, I recognize Coach Ivory, who was recently named the 2010 National Coach of the Year by the Heritage Sports Radio Network, which covers sporting events for our nation's Historically Black Colleges and Universities. Ivory received this honor based on voting from basketball fans across the Nation.

Under the leadership of Chancellor Lawrence A. Davis and Athletic Director Louis "Skip" Perkins, Coach Ivory led the Golden Lions to the 2010 Southwestern Athletic Conference Tournament Championship and a berth in the NCAA Division I Men's Basketball Tournament. UAPB earned a 61-44 victory over Winthrop during the NCAA tournament, advancing to the next round. The Golden Lions' tournament appearance marked the first in the program's history. The Golden Lions finished the season 18-16, capturing their first overall winning season since rejoining the Southwestern Athletic Conference in 1997.

I commend the entire UAPB community for their support of the Golden Lions team, and for building an environment where students have the opportunity to reach their academic goals and achieve their dreams.●

MESSAGE FROM THE HOUSE

At 11:40 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1258. An act to amend the Communications Act of 1934 to prohibit manipulation of caller ID information, and for other purposes.

H.R. 3125. An act to require an inventory of radio spectrum bands managed by the National Telecommunications and Information Administration and the Federal Communications Administration.

H.R. 3506. An act to amend the Gramm-Leach-Bliley Act to provide an exception from the continuing requirement for annual privacy notices for financial institutions which do not change their policies and practices with regard to disclosing nonpublic personal information from the policies and practices that were disclosed in the most recent disclosure sent to consumers, and for other purposes.

H.R. 4275. An act to designate the annex building under construction for the Elbert P. Tuttle United States Court of appeals Building in Atlanta, Georgia, as the "John C. Godbold Federal Building".

H.R. 4994. An act to amend the Internal Revenue Code of 1986 to reduce taxpayer burdens and enhance taxpayer protections, and for other purposes.

The message also announced that the House has passed the following joint resolution, without amendment:

S. J. Res. 25. Joint resolution granting the consent and approval of Congress to amend-

ments made by the State of Maryland, the Commonwealth of Virginia, and the District of Columbia to the Washington Metropolitan Area Transit Regulation Compact.

The message further announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 243. Concurrent resolution authorizing the use of Emancipation Hall in the Capitol Visitor Center for an event to celebrate the birthday of King Kamehameha.

ENROLLED BILL SIGNED

The PRESIDENT pro tempore (Mr. BYRD) reported that he had signed the following enrolled bill, which was previously signed by the Speaker of the House:

H.R. 4573. An act to urge the Secretary of the Treasury to instruct the United States Executive Directors at the International Monetary Fund, the World Bank, the Inter-American Development Bank, and other multilateral development institutions to use the voice, vote, and influence of the United States to cancel immediately and completely Haiti's debts to such institutions, and for other purposes.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 3506. An act to amend the Gramm-Leach-Bliley Act to provide an exception from the continuing requirement for annual privacy notices for financial institutions which do not change their policies and practices with regard to disclosing nonpublic personal information from the policies and practices that were disclosed in the most recent disclosure sent to consumers, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 4275. An act to designate the annex building under construction for the Elbert P. Tuttle United States Court of Appeals Building in Atlanta, Georgia, as the "John C. Godbold Federal Building"; to the Committee on Environment and Public Works.

H.R. 4994. An act to amend the Internal Revenue Code of 1986 to reduce taxpayer burdens and enhance taxpayer protections, and for other purposes; to the Committee on Finance.

MEASURES PLACED ON THE CALENDAR

The following bills were read the first and second times by unanimous consent, and placed on the calendar:

H.R. 1258. An act to amend the Communications Act of 1934 to prohibit manipulation of caller ID information, and for other purposes.

H.R. 3125. An act to require an inventory of radio spectrum bands managed by the National Telecommunications and Information Administration and the Federal Communications Commission.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-5373. A communication from the Under Secretary of Defense (Personnel and Read-

ness), transmitting the report of an officer authorized to wear the insignia of the grade of brigadier general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-5374. A communication from the Director, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Oklahoma Regulatory Program" (SATS No. OK-032-FOR) received during adjournment of the Senate in the Office of the President of the Senate on April 9, 2010; to the Committee on Energy and Natural Resources.

EC-5375. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Reconsideration of Interpretation of Regulations that Determine Pollutants Covered by Clean Air Act Permitting Programs" (FRL No. 9133-6) received during adjournment of the Senate in the Office of the President of the Senate on March 31, 2010; to the Committee on Environment and Public Works.

EC-5376. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Indiana; Alternate Monitoring Requirements for Indianapolis Power and Light—Harding Street Station" (FRL No. 9124-9) received during adjournment of the Senate in the Office of the President of the Senate on April 8, 2010; to the Committee on Environment and Public Works.

EC-5377. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Wisconsin; Particulate Matter Standards" (FRL No. 9129-7) received during adjournment of the Senate in the Office of the President of the Senate on April 8, 2010; to the Committee on Environment and Public Works.

EC-5378. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan, Sacramento Metropolitan Air Quality Management District" (FRL No. 9124-5) received during adjournment of the Senate in the Office of the President of the Senate on April 8, 2010; to the Committee on Environment and Public Works.

EC-5379. A communication from the Assistant Secretary for Fish and Wildlife Parks, National Wildlife Refuge Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "2009-2010 Refuge-Specific Hunting and Sport Fishing Regulations—Additions" (RIN1018-AW49) as received during adjournment of the Senate in the Office of the President of the Senate on April 9, 2010; to the Committee on Environment and Public Works.

EC-5380. A communication from the Director of Congressional Affairs, Office of Nuclear Reactor Regulations, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Increase in the Primary Nuclear Liability Insurance Premium" (RIN3150-AI74) received during adjournment of the Senate in the Office of the President of the Senate on April 9, 2010; to the Committee on Environment and Public Works.

EC-5381. A communication from the Regulations Coordinator, Centers for Medicare

and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Policy and Technical Changes to the Medicare Advantage and the Medicare Prescription Drug Benefit Programs" (RIN0938-AP77) received during adjournment of the Senate in the Office of the President of the Senate on April 8, 2010; to the Committee on Finance.

EC-5382. A communication from the Program Manager, Administration for Children and Families, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Temporary Assistance for Needy Families (TANF) Carry-over Funds" (RIN0970-AC40) received during adjournment of the Senate in the Office of the President of the Senate on April 9, 2010; to the Committee on Finance.

EC-5383. A communication from the Federal Register Liaison Officer, Alcohol and Tobacco Tax and Trade Bureau, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Liquor Dealer Recordkeeping and Registration, and Repeal of Certain Special (Occupational) Taxes" (RIN1513-AB63) received during adjournment of the Senate in the Office of the President of the Senate on April 7, 2010; to the Committee on Finance.

EC-5384. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Travel Expenses of State Legislators" (RIN1545-BG92) received during adjournment of the Senate in the Office of the President of the Senate on April 8, 2010; to the Committee on Finance.

EC-5385. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Publication of Inflation Adjustment Factor, Nonconventional Source Fuel Credit, and Reference Price for Calendar Year 2009" (Notice No. 2010-31) received during adjournment of the Senate in the Office of the President of the Senate on April 8, 2010; to the Committee on Finance.

EC-5386. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "PFIC Shareholder Reporting Under New Section 1298(f) for Tax Years Beginning Before March 18, 2010" (Notice No. 2010-34) received during adjournment of the Senate in the Office of the President of the Senate on April 8, 2010; to the Committee on Finance.

EC-5387. A communication from the Assistant Secretary of the Employment and Training Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Attestation Applications by Facilities Temporarily Employing H-1C Non-immigrant Foreign Workers as Registered Nurses; Final Rule" (RIN1205-AB52) received during adjournment of the Senate in the Office of the President of the Senate on April 9, 2010; to the Committee on Finance.

EC-5388. A communication from the Assistant Secretary of the Employment and Training Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Trade Adjustment Assistance; Merit Staffing of State Administration and Allocation of Training Funds to States" (RIN1205-AB56) received during adjournment of the Senate in the Office of the President of the Senate on April 9, 2010; to the Committee on Finance.

EC-5389. A communication from the Commissioner, Social Security Administration, transmitting, pursuant to law, a report relative to the Administration's competitive

sourcing efforts during fiscal year 2009; to the Committee on Finance.

EC-5390. A communication from the Inspector General, Department of Health and Human Services, transmitting, pursuant to law, a report relative to the use of funds appropriated by the Deficit Reduction Act of 2005; to the Committee on Finance.

EC-5391. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2010-0056—2010-0063); to the Committee on Foreign Relations.

EC-5392. A communication from the Principal Deputy Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement for the transfer of technical data, and defense services to support the transfer of the ProtoStarII Satellite Commercial Communication Satellite from Bermuda to Isle of Man, British Isles in the amount of \$50,000,000 or more; to the Committee on Foreign Relations.

EC-5393. A communication from the Principal Deputy Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement for the transfer of technical data, and defense services to support the Proton launch of the OS-2 Commercial Communications Satellite from the Baikonur Cosmodrome in Kazakhstan in the amount of \$50,000,000 or more; to the Committee on Foreign Relations.

EC-5394. A communication from the Deputy Associate General Counsel for General Law, Office of the General Counsel, Department of Homeland Security, transmitting, pursuant to law, (3) reports relative to vacancies in the Department of Homeland Security, received during adjournment of the Senate in the Office of the President of the Senate on April 8, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-5395. A communication from the Chairman of the Chief Human Capital Officers Council, Director of the Office of Personnel Management, transmitting, pursuant to law, the annual report of the Chief Human Capital Officers Council for fiscal year 2009; to the Committee on Homeland Security and Governmental Affairs.

EC-5396. A communication from the Assistant Secretary for Management and Chief Financial Officer, Department of the Treasury, transmitting, pursuant to law, the Department's Fiscal Year 2009 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC-5397. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, the Department's Fiscal Year 2009 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC-5398. A communication from the Administrator of the U.S. Small Business Administration, transmitting, pursuant to law, the Administration's Fiscal Year 2009 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC-5399. A communication from the Director, Office of Personnel Management, trans-

mitting, pursuant to law, the Office of Personnel Management's Fiscal Year 2009 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC-5400. A communication from the Secretary of Transportation, transmitting, pursuant to law, the Department's Fiscal Year 2009 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC-5401. A communication from the Chief Judge, Superior Court of the District of Columbia, transmitting, pursuant to law, a report relative to activities carried out by the Family Court during 2009; to the Committee on Homeland Security and Governmental Affairs.

EC-5402. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report relative to the Department's activities under the Civil Rights of Institutionalized Persons Act; to the Committee on the Judiciary.

EC-5403. A communication from the Director, Administrative Office of the United States Courts, transmitting, pursuant to law, the 2009 Annual Report of the Director of the Administrative Office of the U.S. Courts and a report relative to the 2009 Judicial Business of the United States Court; to the Committee on the Judiciary.

EC-5404. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, the third annual report of the Department of Justice's Office of Privacy and Civil Liberties; to the Committee on the Judiciary.

EC-5405. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, the quarterly report of the Department of Justice's Office of Privacy and Civil Liberties; to the Committee on the Judiciary.

EC-5406. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled "2008 Annual Report of the National Institute of Justice"; to the Committee on the Judiciary.

EC-5407. A communication from the Deputy Under Secretary of Defense (Policy), Department of Defense, transmitting, pursuant to law, a report relative to National Guard Counterdrug Schools Activities; to the Committee on the Judiciary.

EC-5408. A communication from the Chairman of the Federal Election Commission, transmitting, pursuant to law, the report of a rule entitled "Collection of Administrative Debts; Collection of Debts Arising from Enforcement and Administration of Campaign Finance Laws" (Notice No. 2010-10) received in the Office of the President of the Senate on April 13, 2010; to the Committee on Rules and Administration.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LEAHY, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 3031. A bill to authorize Drug Free Communities enhancement grants to address major emerging drug issues or local drug crises.

By Mr. DODD, from the Committee on Banking, Housing, and Urban Affairs, without amendment:

S. 3217. An original bill to promote the financial stability of the United States by improving accountability and transparency in the financial system, to end “too big to fail”, to protect the American taxpayer by ending bailouts, to protect consumers from abusive financial services practices, and for other purposes.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. LEAHY for the Committee on the Judiciary.

William Joseph Martinez, of Colorado, to be United States District Judge for the District of Colorado.

Gary Scott Feinerman, of Illinois, to be United States District Judge for the Northern District of Illinois.

Sharon Johnson Coleman, of Illinois, to be United States District Judge for the Northern District of Illinois.

Loretta E. Lynch, of New York, to be United States Attorney for the Eastern District of New York for the term of four years.

Noel Culver March, of Maine, to be United States Marshal for the District of Maine for the term of four years.

George White, of Mississippi, to be United States Marshal for the Southern District of Mississippi for the term of four years.

Brian Todd Underwood, of Idaho, to be United States Marshal for the District of Idaho for the term of four years.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. MENENDEZ (for himself, Mr. COCHRAN, Mr. NELSON of Florida, Mr. LEMIEUX, and Mr. KAUFMAN):

S. 3208. A bill to amend the Internal Revenue Code of 1986 to provide a special rule for allocating the cover over of distilled spirits taxes between Puerto Rico and the Virgin Islands; to the Committee on Finance.

By Mr. LAUTENBERG:

S. 3209. A bill to amend the Toxic Substances Control Act to ensure that risks from chemicals are adequately understood and managed, and for other purposes; to the Committee on Environment and Public Works.

By Mr. KERRY (for himself and Mr. DODD):

S. 3210. A bill to establish a Design Excellence Program at the Department of State, to reestablish the Architectural Advisory Board, to assess the Standard Embassy Design Program, and for other purposes; to the Committee on Foreign Relations.

By Mrs. SHAHEEN (for herself, Ms. STABENOW, Mrs. HAGAN, and Mr. FRANKEN):

S. 3211. A bill to amend title XVIII of the Social Security Act to improve access to diabetes self-management training by designating certain certified diabetes educators as certified providers for purposes of outpatient diabetes self-management training services under part B of the Medicare Program; to the Committee on Finance.

By Mr. MENENDEZ:

S. 3212. A bill to amend the Internal Revenue Code of 1986 and section 1603 of the

American Recovery and Reinvestment Tax Act of 2009 to provide that qualified energy efficiency property is eligible for the energy credit and the Department of Treasury grant; to the Committee on Finance.

By Mr. LEVIN (for himself, Mrs. HUTCHISON, Mr. VITTER, Ms. STABENOW, Mr. SHELBY, Ms. COLLINS, Mr. BROWN of Ohio, and Ms. LANDRIEU):

S. 3213. A bill to ensure that amounts credited to the Harbor Maintenance Trust Fund are used for harbor maintenance; to the Committee on Environment and Public Works.

By Mr. SPECTER (for himself, Mr. FEINGOLD, and Mr. KAUFMAN):

S. 3214. A bill to prohibit any person from engaging in certain video surveillance except under the same conditions authorized under chapter 119 of title 18, United States Code, or as authorized by the Foreign Intelligence Surveillance Act of 1978; to the Committee on the Judiciary.

By Mr. BINGAMAN (for himself, Mr. SCHUMER, Mr. KERRY, Mr. MENENDEZ, Mr. AKAKA, Mr. BROWN of Ohio, Mr. DODD, Mr. DURBIN, Mr. LIEBERMAN, Mr. MERKLEY, Mr. PRYOR, and Mr. UDALL of New Mexico):

S. 3215. A bill to amend the Internal Revenue Code of 1986 to provide taxpayer protection and assistance, and for other purposes; to the Committee on Finance.

By Mr. GRASSLEY:

S. 3216. A bill to amend title XVIII of the Social Security Act to ensure Medicare beneficiary access to physicians, to ensure equitable reimbursement under the Medicare program for all rural States, and to eliminate sweetheart deals for frontier States; to the Committee on Finance.

By Mr. DODD:

S. 3217. An original bill to promote the financial stability of the United States by improving accountability and transparency in the financial system, to end “too big to fail”, to protect the American taxpayer by ending bailouts, to protect consumers from abusive financial services practices, and for other purposes; from the Committee on Banking, Housing, and Urban Affairs; placed on the calendar.

By Mr. CONRAD (for himself and Mr. SESSIONS):

S. 3218. A bill to amend the Controlled Substances Act to clarify that persons who enter into a conspiracy within the United States to possess or traffic illegal controlled substances outside the United States, or engage in conduct within the United States to aid or abet drug trafficking outside the United States, may be criminally prosecuted in the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. DURBIN (for himself, Mr. FRANKEN, and Mr. WHITEHOUSE):

S. 3219. A bill to amend title 11, United States Code, with respect to certain exceptions to discharge in bankruptcy; to the Committee on the Judiciary.

By Ms. SNOWE:

S. 3220. A bill to amend the Employee Retirement Income Security Act of 1974 and the Public Health Service Act to provide parity under group health plans and group health insurance coverage for the provision of benefits for prosthetics and custom orthotics and benefits for other medical and surgical services; to the Committee on Health, Education, Labor, and Pensions.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. VOINOVICH (for himself, Mr. KERRY, Mr. LUGAR, Mrs. SHAHEEN, and Mr. CARDIN):

S. Res. 483. A resolution congratulating the Republic of Serbia's application for European Union membership and recognizing Serbia's active efforts to integrate into Europe and the global community; to the Committee on Foreign Relations.

By Mrs. BOXER (for herself and Mr. INHOFE):

S. Res. 486. A resolution designating the week of May 16 through May 22, 2010, as “National Public Works Week”; considered and agreed to.

By Mr. AKAKA (for himself and Mr. ENZI):

S. Res. 485. A resolution designating April 2010 as “Financial Literacy Month”; considered and agreed to.

By Mr. SCHUMER (for himself and Mr. SESSIONS):

S. Res. 484. A resolution supporting the mission and goals of the 2010 National Crime Victims' Rights Week to increase public awareness of the rights, needs, and concerns of victims and survivors of crime in the United States, no matter the country of origin or creed of the victim, and to commemorate the National Crime Victims' Rights Week theme referred to as “Crime Victims' Rights: Fairness. Dignity. Respect.”; considered and agreed to.

By Mr. BYRD (for himself, Mr. ROCKEFELLER, Mr. HARKIN, Mr. ENZI, Mr. REID, Mr. MCCONNELL, Mr. AKAKA, Mr. ALEXANDER, Mr. BARRASSO, Mr. BAUCUS, Mr. BAYH, Mr. BEGICH, Mr. BENNETT, Mr. BENNETT, Mr. BINGAMAN, Mr. BOND, Mrs. BOXER, Mr. BROWN of Massachusetts, Mr. BROWN of Ohio, Mr. BROWNBACK, Mr. BUNNING, Mr. BURR, Mr. BURRIS, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CHAMBLISS, Mr. COBURN, Mr. COCHRAN, Ms. COLLINS, Mr. CONRAD, Mr. CORKER, Mr. CORNYN, Mr. CRAPO, Mr. DEMINT, Mr. DODD, Mr. DORGAN, Mr. DURBIN, Mr. ENSIGN, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mr. GREGG, Mrs. HAGAN, Mr. HATCH, Mrs. HUTCHISON, Mr. INHOFE, Mr. INOUE, Mr. ISAKSON, Mr. JOHANNIS, Mr. JOHNSON, Mr. KAUFMAN, Mr. KERRY, Ms. KLOBUCHAR, Mr. KOHL, Mr. KYL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEMIEUX, Mr. LEVIN, Mr. LIEBERMAN, Mrs. LINCOLN, Mr. LUGAR, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Ms. MURKOWSKI, Mrs. MURRAY, Mr. NELSON of Nebraska, Mr. NELSON of Florida, Mr. PRYOR, Mr. REED, Mr. RISCH, Mr. ROBERTS, Mr. SANDERS, Mr. SCHUMER, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. SNOWE, Mr. SPECTER, Ms. STABENOW, Mr. TESTER, Mr. THUNE, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. VITTER, Mr. VOINOVICH, Mr. WARNER, Mr. WEBB, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN):

S. Res. 487. A resolution honoring the coal miners who perished in the Upper Big Branch Mine—South in Raleigh County, West Virginia, extending the condolences of the United States Senate to the families of the fallen coal miners, and recognizing the valiant efforts of the emergency response workers; considered and agreed to.

ADDITIONAL COSPONSORS

S. 653

At the request of Mr. CARDIN, the name of the Senator from New Jersey

(Mr. MENENDEZ) was added as a cosponsor of S. 653, a bill to require the Secretary of the Treasury to mint coins in commemoration of the bicentennial of the writing of the Star-Spangled Banner, and for other purposes.

S. 752

At the request of Mr. DURBIN, the names of the Senator from Maryland (Mr. CARDIN), the Senator from Delaware (Mr. CARPER) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 752, a bill to reform the financing of Senate elections, and for other purposes.

S. 843

At the request of Mr. BENNET, his name was added as a cosponsor of S. 843, a bill to establish background check procedures for gun shows.

S. 1153

At the request of Mr. SCHUMER, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1153, a bill to amend the Internal Revenue Code of 1986 to extend the exclusion from gross income for employer-provided health coverage for employees' spouses and dependent children to coverage provided to other eligible designated beneficiaries of employees.

S. 1789

At the request of Mr. DURBIN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1789, a bill to restore fairness to Federal cocaine sentencing.

S. 2862

At the request of Ms. SNOWE, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 2862, a bill to amend the Small Business Act to improve the Office of International Trade, and for other purposes.

S. 2882

At the request of Mr. KERRY, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 2882, a bill to amend the Internal Revenue Code of 1986 to modify the rules relating to the treatment of individuals as independent contractors or employees, and for other purposes.

S. 3031

At the request of Mr. LEAHY, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 3031, a bill to authorize Drug Free Communities enhancement grants to address major emerging drug issues or local drug crises.

S. 3102

At the request of Mr. MERKLEY, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 3102, a bill to amend the miscellaneous rural development provisions of the Farm Security and Rural Investment Act of 2002 to authorize the Secretary of Agriculture to make loans to certain entities that will use the funds to make loans to consumers to implement energy efficiency measures involving structural improvements and

investments in cost-effective, commercial off-the-shelf technologies to reduce home energy use.

S. 3111

At the request of Mr. LEAHY, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 3111, a bill to establish the Commission on Freedom of Information Act Processing Delays.

S. 3134

At the request of Mr. SCHUMER, the name of the Senator from Nebraska (Mr. NELSON) was added as a cosponsor of S. 3134, a bill to provide for identification of misaligned currency, require action to correct the misalignment, and for other purposes.

S. 3165

At the request of Ms. LANDRIEU, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 3165, a bill to authorize the Administrator of the Small Business Administration to waive the non-Federal share requirement under certain programs.

S. 3170

At the request of Mr. BOND, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 3170, a bill to provide for preferential duty treatment to certain apparel articles of the Philippines.

S. 3171

At the request of Mrs. LINCOLN, the names of the Senator from Florida (Mr. LEMIEUX), the Senator from Louisiana (Ms. LANDRIEU), the Senator from Vermont (Mr. LEAHY) and the Senator from Pennsylvania (Mr. SPECTER) were added as cosponsors of S. 3171, a bill to amend title 38, United States Code, to provide for the approval of certain programs of education for purposes of the Post-9/11 Educational Assistance Program.

S. 3180

At the request of Mr. LEMIEUX, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 3180, a bill to prohibit the use of funds for the termination of the Constellation Program of the National Aeronautics and Space Administration, and for other purposes.

S. 3184

At the request of Mrs. BOXER, the names of the Senator from Connecticut (Mr. DODD) and the Senator from Indiana (Mr. BAYH) were added as cosponsors of S. 3184, a bill to provide United States assistance for the purpose of eradicating severe forms of trafficking in children in eligible countries through the implementation of Child Protection Compacts, and for other purposes.

S. 3188

At the request of Mrs. SHAHEEN, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 3188, a bill to amend the Internal Revenue Code of 1986 to provide an investment tax credit for biomass heating property.

S. 3195

At the request of Mr. CARDIN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 3195, a bill to prohibit air carriers from charging fees for carry-on baggage and to require disclosure of passenger fees, and for other purposes.

S. 3205

At the request of Mr. SCHUMER, the name of the Senator from Nebraska (Mr. NELSON) was added as a cosponsor of S. 3205, a bill to amend the Internal Revenue Code of 1986 to provide that fees charged for baggage carried into the cabin of an aircraft are subject to the excise tax imposed on transportation of persons by air.

S. CON. RES. 55

At the request of Mr. FEINGOLD, the names of the Senator from Oregon (Mr. WYDEN) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. Con. Res. 55, a concurrent resolution commemorating the 40th anniversary of Earth Day and honoring the founder of Earth Day, the late Senator Gaylord Nelson of the State of Wisconsin.

S. RES. 316

At the request of Mr. MENENDEZ, the names of the Senator from New Jersey (Mr. LAUTENBERG) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. Res. 316, a resolution calling upon the President to ensure that the foreign policy of the United States reflects appropriate understanding and sensitivity concerning issues related to human rights, ethnic cleansing, and genocide documented in the United States record relating to the Armenian Genocide, and for other purposes.

S. RES. 339

At the request of Mr. LEAHY, his name was added as a cosponsor of S. Res. 339, a resolution to express the sense of the Senate in support of permitting the televising of Supreme Court proceedings.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. LEVIN (for himself, Mrs. HUTCHISON, Mr. VITTER, Ms. STABENOW, Mr. SHELBY, Ms. COLLINS, Mr. BROWN of Ohio, and Ms. LANDRIEU):

S. 3213. A bill to ensure that amounts credited to the Harbor Maintenance Trust Fund are used for harbor maintenance; to the Committee on Environment and Public Works.

Mr. LEVIN. Mr. President, today I am introducing the Harbor Maintenance Act, a bill with bipartisan and multi-regional support that would help ensure that funds deposited into the Harbor Maintenance Trust Fund would be used for their intended purposes: to properly maintain and operate our Federal harbors and ports.

The Harbor Maintenance Trust Fund, also known as the HMTF, was created to collect fees in order to pay for the

maintenance and operation costs of Federal harbors and ports. While nearly ¼ of the U.S. gross domestic product flows through these harbors, over half of these important ports are not maintained to their authorized dimensions. This results in less efficient and more polluting transport, as well as an increased risk of vessel groundings and collisions. One of the ways to ensure a robust and sustainable economic recovery includes strengthening our Nation's infrastructure, which includes our navigational infrastructure.

Every year, hundreds of millions of dollars are collected into the HMTF but never spent, even though there are critical navigation needs. For example, the Army Corps of Engineers estimates a backlog of about 15 million cubic yards of dredging needs at commercial federally-authorized Great Lakes harbors and channels. This dredging backlog has resulted in freighters getting stuck in channels, ships having to carry reduced loads, and some shipments simply stopping altogether. Dredging to proper depths is critical not only for Michigan's economy, but for the Nation's economy, as these shipments include commodities that fuel our Nation's industries, products for construction, fuel for heating and cooling homes and businesses, and agricultural products for export.

Similar navigational infrastructure needs exist throughout our country, and the range of cosponsors from different parts of the country demonstrates this bill would help improve the navigational infrastructure across the Nation. This bill also has the support of a broad coalition called the Realize America's Maritime Promise, which is made up of hundreds of port authorities, vessel operators, port communities, public and private terminal operators, pilot associations, dredging companies, shipbuilders, maritime labor unions, manufacturers, bulk cargo owners and shippers, and other companies and associations dependent on fully accessible navigation channels.

Currently, the HMTF has a surplus that exceeds \$5 billion. Beginning in 2003, funds appropriated for harbor and channel maintenance have been significantly below annual HMTF collections. To help ensure these backlogs do not continue to grow, this bill would allow any Member of Congress to make a point of order against an appropriations bill if the total revenue for that fiscal year, as projected in the President's annual budget request, is not fully appropriated for its intended navigational infrastructure purposes. Similar problems with funding backlogs occurred with the Highway Trust Fund and the Airports and Airways Trust Fund. Congress responded by enacting legislation to address these problems. Congress should do the same for the Harbor Maintenance Trust Fund. Our Nation's infrastructure—whether it be roadways, airports, or ports and harbors—should be treated

the same way. Shipping by water is the most efficient means of transporting bulk commodities, and we should make sure our Nation's navigational infrastructure can effectively handle these shipments, rather than allowing these ports and harbors to exist in a state of disrepair.

A sustainable economic recovery depends on strong infrastructure. Passing this bill would help us advance our recovery and improve our economic competitiveness. I urge your support.

By Mr. SPECTER (for himself, Mr. FEINGOLD, and Mr. KAUFMAN):

S. 3214. A bill to prohibit any person from engaging in certain video surveillance except under the same conditions authorized under chapter 119 of title 18, United States Code, or as authorized by the Foreign Intelligence Surveillance Act of 1978; to the Committee on the Judiciary.

Mr. SPECTER. Mr. President, I have sought recognition to introduce the Surreptitious Video Surveillance Act of 2010, on behalf of Senator FEINGOLD, Senator KAUFMAN, and myself.

This is a bill which I submit is necessary to protect our citizens from unwarranted intrusions in their homes. The bill regulates the use of surreptitious video surveillance in private residences where there is a reasonable expectation of privacy.

Earlier this year, in Lower Merion Township, a suburb of Philadelphia, it was discovered that laptops taken home by students could be activated by school officials and thereby see what was going on inside a private residence.

Surprisingly, this kind of surreptitious surveillance is not prohibited under Federal law. The wiretap laws specify it is a violation of law to intercept a telephone conversation or to have a microphone that overhears a private conversation, but if it is visual, there is no prohibition.

This issue has been in the public domain since 1984—more than 25 years ago—when Judge Richard Posner, in the case captioned *U.S. v. Torres*, said this:

Electronic interception, being by nature a continuing rather than one-shot invasion, is even less discriminating than a physical search, because it picks up private conversations (most of which will usually have nothing to do with any illegal activity) over a long period of time. . . . [E]lectronic interception is thought to pose a greater potential threat to personal privacy than physical searches. . . . Television surveillance is identical in its indiscriminate character to wiretapping and bugging.

Judge Posner identified the problem a long time ago. Yet it lay dormant until this incident in Lower Merion Township brought it into the public fore.

On March 29, in my capacity as chairman of the Judiciary Subcommittee on Crime and Drugs, we conducted a hearing in Philadelphia. We had an array of experts very forcefully identify the problem and the need for corrective action.

The New York Times editorialized, on April 2, 2010, in favor of this legislation.

I urge my colleagues to take a look at the bill. I think there is likely to be widespread acceptance that in an era of warrantless wiretaps, when privacy is so much at risk, we ought to fill the gap in the law to cover this kind of electronic surveillance.

Mr. President, I ask unanimous consent that a copy of the New York Times editorial dated April 2, 2010, the text of my full statement and the text of the bill be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times, Apr. 2, 2010]

EDITORIAL: ABOUT THAT WEBCAM

A Pennsylvania town has been roiled by a local high school using cameras in school-issued laptops to spy on students. Almost as shocking is the fact that the federal wiretap law that should prohibit this kind of surveillance does not cover spying done through photography and video in private settings.

Senator Arlen Specter, a Democrat of Pennsylvania, is proposing to amend the federal wiretap statute to prohibit visual spying that is not approved by a court in advance. Congress should move quickly to make this change.

Lower Merion, outside of Philadelphia, gave students at Harriton High School laptops that they could take home to use to do their work. It did not tell the students, however, that the laptops were equipped with special software that allowed them to observe the students through the computers' built-in cameras. The purpose, the school district later explained, was to protect the laptops from theft or damage.

Using this surveillance capability, school officials found images that led them to believe that Blake Robbins, a 15-year-old student, was using illegal drugs. Mr. Robbins said the "pills" he was seen consuming were Mike and Ike candies. His parents filed a lawsuit against the school district, charging that it had illegally spied on their son.

Conducting video surveillance of students in their homes is an enormous invasion of their privacy. If the district was really worried about losing the laptops, it could have used GPS devices to track their whereabouts or other less-intrusive methods. Whatever it did, the school had a responsibility to inform students that if they accepted the laptops, they would also accept monitoring.

The law should also do more. The Wiretap Act prohibits electronic eavesdropping on conversations and intercepting transmitted communications, such as e-mail. It does not cover visual surveillance. That was a mistake when parts of the law were passed in 1986, but it is an even bigger problem today, with the ubiquity of cellphone cameras, and online video services.

The act should be amended to prohibit video and photographic surveillance of people without their consent in their homes, hotels, and any other place in which they have a legitimate expectation of privacy.

FLOOR STATEMENT OF SENATOR ARLEN SPECTER IN SUPPORT OF THE SURREPTITIOUS VIDEO SURVEILLANCE ACT OF 2010

Mr. President, I have sought recognition to introduce the Surreptitious Video Surveillance Act of 2010, a bill needed to protect our citizens from unwarranted intrusions in their homes. This bill regulates the use of surreptitious video surveillance in private

residences where there is a reasonable expectation of privacy.

In February of this year, national and international news stories covered an alleged incident in the Lower Merion School District in Montgomery County, PA. According to a lawsuit filed in Federal court, the Harriton High School administrators in Lower Merion allegedly engaged in surreptitious video surveillance of a student in his bedroom by using a remotely activated webcam on a school laptop. If these allegations are true, the school engaged in a significant invasion of an individual's fundamental right of privacy. Michael and Holly Robbins, parents of the high school student, allege that the school used a webcam, which was part of a theft tracking software program installed in each school-issued laptop, to remotely take photographs of their son in their home. The parents allege that the school district's actions amounted to "spying" and conducting unlawful "surveillance," and they claim that they were not given prior notice that the school could remotely activate the embedded webcam at any time.

This is something that could happen almost anywhere and at any time in our country. Many corporations, government agencies and schools loan laptops to employees and students. And many of these laptops have webcams with the ability to take video or still shots that can be operated remotely.

The alleged webcam spying case raises important and fundamental issues concerning the rights of individuals to privacy in their homes for themselves and for their children, and shows how those rights can conflict with important rights that owners of property have to conduct surveillance to protect their property and to maintain safety.

On Monday, March 29, 2010, I chaired a Subcommittee on Crime and Drugs field hearing in Philadelphia, Pennsylvania. At that hearing, we heard from a host of experts that Title III of the Omnibus Crime Control and Safe Streets Act, known as the Federal Wiretap Act, does not forbid video surveillance. Title III creates criminal and civil liability for secretly recording conversations in a room or on the telephone, as well as interceptions of email communications, without a court order. But since the Wiretap Act was passed in 1968, it has never covered silent visual images. This conclusion is supported by a large body of case law and is also bolstered by Congress' clear legislative history. After studying the matter, I announced that I would introduce legislation to close this gap in coverage. On April 2, 2010, the New York Times editorial page noted I would introduce legislation "to amend the federal wiretap statute to prohibit visual spying that is not approved by a court in advance" and went on to say, "Congress should move quickly to make this change."

Technology is changing fast—faster than our federal laws can keep up. More than 25 years ago, Judge Richard Posner in *United States v. Torres*, 751 F.2d 875, 884–885 (7th Cir. 1984), saw the need for Congress to address video surveillance when he wrote:

Electronic interception, being by nature a continuing rather than one-shot invasion, is even less discriminating than a physical search, because it picks up private conversations (most of which will usually have nothing to do with any illegal activity) over a long period of time . . . [E]lectronic interception is thought to pose a greater potential threat to personal privacy than physical searches . . . Television surveillance is identical in its indiscriminate character to wiretapping and bugging (emphasis in original).

Holding that Title III did not apply to secret television cameras placed by the government in a safe house to observe members of the

FALN terrorist organization build bombs, Judge Posner specifically invited Congress to respond "to the issues discussed in this opinion by amending Title III to bring television surveillance within its scope."

The bill I am introducing today, the Surreptitious Video Surveillance Act of 2010, makes that long overdue correction to the law. The bill strikes the necessary and correct balance of protecting important privacy rights without proscribing the visual surveillance needed to protect our property and safety. It does this simply by amending the Federal Wiretap Act to treat video surveillance the same as an interception of an electronic communication. Video surveillance is defined in the bill to mean the intentional recording of visual images of an individual in an area of a residence that is not readily observable from a public location and in which the individual has a reasonable expectation of privacy.

The bill does not regulate video surveillance where another resident or individual present in the residence consents to the surveillance. Thus, the bill does not regulate cameras in the workplace, does not prohibit the use of cameras in undercover operations using confidential informants, and does not include residential security systems that use video cameras.

Many of us expect to be subject to certain kinds of video surveillance when we leave our homes and go out each day—at the ATM machine, at traffic lights, or in stores for example. We expect this and we do not mind because we understand that such surveillance helps to protect us and our property. What we do not expect, however, is to be under visual surveillance in our homes, in our bedrooms, and most especially, we do not expect it for our children in our homes. Today cameras in computers and in cell phones are ubiquitous, making it more urgent that the Federal Wiretap Act be amended to prohibit video surveillance of people without their consent in their homes. I urge the Senate to make this long overdue correction to the law and pass this bill quickly to protect important privacy rights of all Americans.

S. 3214

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 "Surreptitious Video Surveillance Act of 2010".

SEC. 2. PROHIBITION ON USE OF VIDEO SURVEILLANCE.

(a) IN GENERAL.—Chapter 119 of title 18, United States Code, is amended by adding at the end the following:

"§ 2523. Prohibition on use of video surveillance"

"(a) DEFINITION.—In this section, the term 'video surveillance' means the intentional acquisition, capture, or recording of a visual image or images of any individual if—

"(1) the individual is in an area of a temporary or permanent residence that is not readily observable from a public location;

"(2) the individual has a reasonable expectation of privacy in the area; and

"(3) the visual image or images—

"(A) are made without the consent of—

"(i) an individual present in the area; or

"(ii) a resident of the temporary or permanent residence; and

"(B) are—

"(i) produced using a device, apparatus, or other item that was mailed, shipped, or transported in or affecting interstate or foreign commerce by any means; or

"(ii) transported or transmitted, in or affecting, or using any means or facility of,

interstate or foreign commerce, including by computer.

"(b) PROHIBITION ON VIDEO SURVEILLANCE.—It shall be unlawful for any person to engage in any video surveillance, except—

"(1) as provided in this section; or

"(2) as authorized under the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.).

"(c) TREATMENT AS ELECTRONIC SURVEILLANCE.—

"(1) IN GENERAL.—Subject to paragraph (2)—

"(A) video surveillance shall be considered to be an interception of an electronic communication for the purposes of this chapter; and

"(B) it shall not be unlawful for a person to engage in video surveillance if the video surveillance is conducted in a manner or is of a type authorized under this chapter for the interception of an electronic communication.

"(2) EXCEPTION.—Sections 2511(2)(c), 2511(2)(d), 2512, 2513, and 2518(10)(c) shall not apply to video surveillance.

"(3) PROHIBITION OF USE AS EVIDENCE OF VIDEO SURVEILLANCE.—

"(A) IN GENERAL.—No part of the contents of video surveillance and no evidence derived from video surveillance may be received in evidence in any trial, hearing, or other proceeding in or before any court, grand jury, department, officer, agency, regulatory body, legislative committee, or other authority of the United States, a State, or political subdivision thereof if the disclosure of the video surveillance would be in violation of this chapter.

"(B) MOTION TO SUPPRESS.—

"(i) IN GENERAL.—Any aggrieved person in any trial, hearing, or proceeding described in subparagraph (A) may move to suppress the contents of any video surveillance conducted under this chapter, or any evidence derived from the video surveillance, on the grounds that—

"(I) the video surveillance was unlawfully conducted;

"(II) the order of authorization or approval under which the video surveillance was conducted was insufficient on its face; or

"(III) the video surveillance was not conducted in conformity with the order of authorization or approval.

"(ii) TIMING OF MOTION.—A motion made under clause (i) shall be made before the trial, hearing, or proceeding unless—

"(I) there was no opportunity to make such motion; or

"(II) the aggrieved person described in clause (i) was not aware of the grounds of the motion.

"(iii) REMEDY.—If the motion made under clause (i) is granted, the contents of the video surveillance, or evidence derived from the video surveillance, shall be treated as having been obtained in violation of this chapter.

"(iv) INSPECTION OF EVIDENCE.—The judge, upon filing of a motion under clause (i), may, in the discretion of the judge, make available to the aggrieved person or counsel for the aggrieved person for inspection such portions of the video surveillance or evidence derived from the video surveillance as the judge determines to be in the interests of justice.

"(v) RIGHT TO APPEAL.—

"(I) IN GENERAL.—In addition to any other right to appeal, the United States shall have the right to appeal from an order granting a motion made under clause (i), or the denial of an application for an order of approval, if the United States attorney certifies to the judge or other official granting the motion or denying the application that the appeal is not taken for purposes of delay.

“(II) FILING DEADLINE.—An appeal under subclause (I) shall—

“(aa) be taken within 30 days after the date the order was entered; and

“(bb) be diligently prosecuted.”.

(b) CHAPTER ANALYSIS.—The table of sections for chapter 119 of title 18, United States Code, is amended by adding at the end the following:

“2523. Prohibition on use of video surveillance.”.

By Mr. BINGAMAN (for himself, Mr. SCHUMER, Mr. KERRY, Mr. MENENDEZ, Mr. AKAKA, Mr. BROWN of Ohio, Mr. DODD, Mr. DURBIN, Mr. LIEBERMAN, Mr. MERKLEY, Mr. PRYOR, and Mr. UDALL of New Mexico):

S. 3215. A bill to amend the Internal Revenue Code of 1986 to provide taxpayer protection and assistance, and for other purposes; to the Committee on Finance.

Mr. BINGAMAN. Mr. President, on this annual Tax Day, I rise to introduce the Taxpayer Protection and Assistance Act of 2007, a robust package of reforms aimed at protecting the rights of all American taxpayers. I am pleased that my colleagues on the Finance Committee, Senators SCHUMER, KERRY, and MENENDEZ, as well as Senators AKAKA, BROWN of Ohio, DODD, DURBIN, LIEBERMAN, MERKLEY, PRYOR, and UDALL of New Mexico, are joining me in introducing this bill.

This act consists of numerous well-vetted provisions, which will ensure our nation's taxpayers are better able to prepare and file their tax returns each year in a fashion that is fair, reasonable, and affordable.

First, the act clarifies taxpayers' rights and responsibilities by requiring Treasury to publish an easy-to-understand Taxpayer Bill of Rights, enumerating taxpayers' rights and obligation, and corresponding Internal Revenue Code citations. As the National Taxpayer Advocate has explained: “The [Internal Revenue] Code contains no comprehensive Taxpayer Bill of Rights that explicitly and transparently sets out taxpayer rights and obligations. Taxpayers do have rights, but they are scattered throughout the [Internal Revenue] Code and the Internal Revenue Manual and are neither easily accessible nor written in plain language that most taxpayers can understand.” The act would rectify these shortcomings, without conferring any rights or obligations not already provided for under law.

Second, the act supports programs that assist low-income taxpayers. It authorizes a \$35 million grant program for Volunteer Income Tax Assistance, VITA, programs. VITA programs across the country offer free tax assistance to low- to moderate-income individuals who cannot afford professional assistance. More than 75,000 VITA volunteers prepare basic tax returns for these taxpayers; typically VITA programs focus on at least one specific underserved group with special needs—such as persons with disabilities, non-

English speaking persons, Native Americans, rural taxpayers, and the elderly. During the 2009 filing season, VITA programs prepared more than 1.2 million tax returns and brought back over \$1.6 billion in tax refunds to working families.

I have seen firsthand the impact that free tax-preparation clinics can have on taxpayers and their communities. In fact, New Mexico is fortunate to have one of the nation's leading programs. Tax Help New Mexico began 35 years ago at Central New Mexico Community College, CNM, as a practical means of giving accounting students work experience in tax preparation while serving a community need. But while 70 percent of New Mexicans are eligible for Tax Help New Mexico's services, only 6.5 percent are able to take advantage. To enable community VITA programs like Tax Help New Mexico to reach more underserved low-income taxpayers, the act authorizes a \$35 million IRS grant program.

Likewise, the act would strengthen Low-Income Taxpayer Clinics. These clinics, typically operated by community organizations and law schools, provide representation to low-income taxpayers in disputes with the IRS. The act authorizes the Treasury Secretary to refer taxpayers to these clinics. It also increases to \$20 million annually the authorization for LITC grant programs. This will provide a substantial boost to clinics that serve this vital function, such as that which the University of New Mexico Law School operates for taxpayers in my state.

Third, the act enhances the regulation of paid tax-return preparers. Nearly all professions—from beauticians to mortuaries to opticians—are regulated at the state level. But with only a handful of exceptions, states do not regulate tax return preparers. Nor does the federal government currently regulate unenrolled tax return preparers, i.e., return preparers who are not CPAs, attorneys, enrolled agents, or enrolled actuaries—all already regulated under IRS Circular 230. A significant percentage of unenrolled preparers are well-trained and maintain high ethical standards. But untrained and unscrupulous tax return preparers can inflict serious harm on taxpayers and significantly undermine tax compliance.

For years, taxpayers, tax professionals, and the National Taxpayer Advocate have been calling for federal regulation of unenrolled preparers. In early 2010, the IRS began taking steps to exercise oversight over these unenrolled preparers. I applaud the IRS's initiative. But it is still unclear that the IRS's program will be sufficiently comprehensive. Moreover, many see a benefit in clarifying the scope of the IRS's regulatory authority.

The act responds to these concerns by codifying a regulatory system for unenrolled preparers. In order for a tax

preparer to become registered and authorized by Treasury, the act requires preparers to pass a basic background check and an examination of competency and ethics standards. To remain in good standing, preparers will be required to satisfy continuing education requirements or be reexamined every three years on changes in tax law and common preparation mistakes. The act requires Treasury to maintain and publish for taxpayers a comprehensive list of all authorized tax return preparers, including Circular 230 preparers.

Fourth, the act creates an oversight system for tax refund delivery products. Refund Anticipation Loans, RALs, are high-cost bank loans secured by a taxpayer's expected refund—loans that typically last 7 to 14 days, until the actual IRS refund arrives and is used to repay the loan. RALs are often aggressively marketed by paid income-tax preparers, which advertise “Instant Refunds” or “Quick Cash,” sometimes disguising that they are selling advance loans on anticipated tax refunds. According to the National Consumer Law Center: “Tax preparers and their bank partners made approximately 8.7 million RALs during the 2007 tax-filing season. . . .” In my state of New Mexico, 25 percent of taxpayers eligible for the Earned Income Tax Credit received a RAL in 2005.

RALs might offer quick cash, but they are not a good deal for taxpayers. As the National Consumer Law Center exposed in a 2009 report, the typical RAL of about \$3,000 carries an annual percentage rate, APR, from 77 percent to 140 percent. We know that our vulnerable communities are particularly susceptible to RALs. In fact, a recent study by the First Nations Development Institute and Center for Responsible Lending found that RALs drained over \$9.1 million from Native American communities in 2005.

I am very troubled by the prevalence of RALs. And to begin addressing problems associated with them, the act requires Treasury to establish a registration program for those involved in the process of facilitating a tax refund delivery product, RDP, including RALs. Additionally, RDP facilitators will be required to disclose in writing and in an easily understandable format the taxpayer's options for receiving tax refunds, listed from least expensive to most expensive, the RDP's loan terms and fee schedule, and any other costs that the taxpayer may incur in filing a tax return. Moreover, the Act would prohibit Treasury from issuing a Refund Indicator, a score on which RDP facilitators rely before issuing a RDP, unless Treasury first determines that the taxpayer's refund would not be prevented by debts the taxpayer owes on student loans, child support, or by other provisions in the Tax Code. This additional screen will minimize the likelihood that a taxpayer will be issued a loan based on a refund claim that will not ultimately materialize

and which the taxpayer would nonetheless be required to repay.

Fifth, the act requires additional protections before the IRS files a federal tax lien. The IRS has a number of enforcement tools at its disposal to ensure tax compliance, but use of these tools must be balanced with the need to ensure taxpayers do not suffer unnecessary long-term harm as a result. One such tool is the filing of a Notice of Federal Tax Lien, NFTL, when a taxpayer owes back taxes. But as the National Taxpayer Advocate explains in her 2009 Report to Congress: “[The filing of a tax lien can significantly harm the taxpayer’s credit and affect his or her ability to obtain financing, find or retain a job, secure affordable housing or insurance, and ultimately pay the outstanding tax debt. For these reasons, the National Taxpayer Advocate believes that the IRS should not automatically file NFTLs but instead should carefully consider and balance these competing interests when determining whether a lien filing is appropriate.” In my state alone, the IRS filed nearly 5,000 liens against taxpayers last year. The act would require the IRS to make individualized determinations before filing an NFTL, and in doing so to consider several enumerated factors, including the amount due, the taxpayer’s compliance history, and any extenuating circumstances.

Sixth, the act establishes a demonstration program to provide accounts to those who currently lack bank accounts. IRS data show that of the 60 million Federal tax refunds that were issued via paper checks in 2005, almost half went to households earning \$30,000 or less. These households are most likely to lack access to reasonably-priced financial services—and thus most likely to pay a disproportionate amount of their income to conduct routine financial transactions. Yet the issuance of a refund check presents an important opportunity to bring these low-income taxpayers into the financial mainstream. The act authorizes Treasury to award eligible entities demonstration project grants so that they can establish accounts for individuals who currently lack bank accounts. The act also requires a study on the feasibility of delivering tax refunds on debit, prepaid, and other electronic cards.

Finally, the act requires the IRS to study processing information returns and the effectiveness of collection alternatives. Currently, the IRS processes income tax returns before it processes most information returns, such as W-2s and 1099s. From the taxpayer’s perspective, this leads to millions of cases where taxpayers may inadvertently make overclaims that the IRS does not identify until months later, exposing the taxpayer not only to additional tax liability, but to penalties and interest. This sequence also provides opportunities for fraud and requires the IRS to devote resources that should have not been paid and that it

often cannot recover. The act also directs Treasury to conduct a study to identify and recommend legislative and administrative changes that would enable the IRS to receive and process information reporting documents before it processes tax returns. This should bring us closer to the goal of voluntary pre-populated returns, which I understand are already available in most OECD countries.

I have long maintained that our tax system depends on taxpayers being able to receive the best advice and assistance possible. We have a responsibility to our nation’s taxpayers to make sure that they do receive such advice and assistance. This bill goes a long way toward that goal.

I would be remiss if I did not acknowledge that this bill is the product of considerable collaboration. It draws on many recommendations of our National Taxpayer Advocate, Nina Olson. It also builds on input we have received from national and local taxpayer advocacy organizations, among them the Center for Economic Progress, Tax Help New Mexico, and the Maryland CASH Campaign. I am grateful for these stakeholders’ participation.

These are long overdue reforms; I hope that the Senate will consider them in this session.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3215

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

SECTION 1. SHORT TITLE; ETC.

(a) SHORT TITLE.—This Act may be cited as the “Taxpayer Bill of Rights Act of 2010”.

(b) AMENDMENT OF 1986 CODE.—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 Internal Revenue Code of 1986.

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

Sec. 1. Short title; etc.

TITLE I—TAXPAYER RIGHTS AND OBLIGATIONS

Sec. 101. Statement of taxpayer rights and obligations.

TITLE II—PREPARATION OF TAX RETURNS

Sec. 201. Programs for the benefit of low-income taxpayers.

Sec. 202. Regulation of Federal income tax return preparers.

Sec. 203. Refund delivery products.

Sec. 204. Preparer penalties with respect to preparation of returns and other submissions.

Sec. 205. Clarification of enrolled agent credentials.

TITLE III—IMPROVING TAXPAYER SERVICES

Sec. 301. Individualized lien determination required before filing notice of lien.

Sec. 302. Ban on audit insurance.

Sec. 303. Public awareness.

Sec. 304. Clarification of taxpayer assistance order authority.

Sec. 305. Taxpayer advocate directives.

Sec. 306. Improved services for taxpayers.

Sec. 307. Taxpayer access to financial institutions.

Sec. 308. Additional studies.

TITLE I—TAXPAYER RIGHTS AND OBLIGATIONS

SEC. 101. STATEMENT OF TAXPAYER RIGHTS AND OBLIGATIONS.

(a) IN GENERAL.—Chapter 77 (relating to miscellaneous provisions) is amended by adding at the end the following new section:

“SEC. 7529. STATEMENT OF TAXPAYER RIGHTS AND OBLIGATIONS.

“(a) IN GENERAL.—The Secretary, in consultation with the National Taxpayer Advocate, shall publish a summary statement of rights and obligations arising under this title. Such statement shall provide citations to the main provisions of this title which provide for the right or obligation (as the case may be). This statement of rights and obligations does not create or confer any rights or obligations not otherwise provided for under this title.

“(b) STATEMENT OF RIGHTS AND OBLIGATIONS.—The statement of rights and obligations is as follows:

“(1) TAXPAYER RIGHTS.—

“(A) Right to be informed (including adequate legal and procedural guidance and information about taxpayer rights).

“(B) Right to be assisted.

“(C) Right to be heard.

“(D) Right to pay no more than the correct amount of tax.

“(E) Right of appeal (administrative and judicial).

“(F) Right to certainty (including guidance, periods of limitation, no second exam, and closing agreements).

“(G) Right to privacy (including due process considerations, least intrusive enforcement action, and search and seizure protections).

“(H) Right to confidentiality.

“(I) Right to appoint a representative in matters before the Internal Revenue Service.

“(J) Right to fair and just tax system (offer in compromise, abatement, assistance from the Office of the Taxpayer Advocate under section 7803(c), apology, and other compensation payments).

“(2) TAXPAYER OBLIGATIONS.—

“(A) Obligation to be honest.

“(B) Obligation to be cooperative.

“(C) Obligation to provide accurate information and documents on time.

“(D) Obligation to keep records.

“(E) Obligation to pay taxes on time.”.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 77 is amended by adding at the end the following new item:

“Sec. 7529. Statement of taxpayer rights and obligations.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect 180 days after the date of the enactment of this Act.

TITLE II—PREPARATION OF TAX RETURNS

SEC. 201. PROGRAMS FOR THE BENEFIT OF LOW-INCOME TAXPAYERS.

(a) VOLUNTEER INCOME TAX ASSISTANCE PLUS.—Chapter 77 (relating to miscellaneous provisions) is amended by inserting after section 7526 the following new section:

“SEC. 7526A. VOLUNTEER INCOME TAX ASSISTANCE PLUS.

“(a) IN GENERAL.—The Secretary may, subject to the availability of appropriated funds, make grants to provide matching funds for the development, expansion, or

continuation of qualified return preparation programs.

“(b) DEFINITIONS.—For purposes of this section—

“(1) QUALIFIED RETURN PREPARATION PROGRAM.—

“(A) IN GENERAL.—The term ‘qualified return preparation program’ means a program—

“(i) which does not charge taxpayers for its return preparation services,

“(ii) which operates programs which assist low-income taxpayers, including those programs that serve taxpayers for whom English is a second language, in preparing and filing their Federal income tax returns, including schedules reporting sole proprietorship or farm income, and

“(iii) in which all of the volunteers who assist in the preparation of Federal income tax returns meet the training requirements prescribed by the Secretary.

“(B) ASSISTANCE TO LOW-INCOME TAXPAYERS.—For purposes of subparagraph (A), a program is treated as assisting low-income taxpayers if at least 90 percent of the taxpayers assisted by the program have incomes which do not exceed 250 percent of the poverty level, as determined in accordance with criteria established by the Director of the Office of Management and Budget.

“(2) PROGRAM.—The term ‘program’ includes—

“(A) a program at an institution of higher education which—

“(i) is described in section 102 (other than subsection (a)(1)(C) thereof) of the Higher Education Act of 1965 (20 U.S.C. 1088), as in effect on the date of the enactment of this section, and which has not been disqualified from participating in a program under title IV of such Act, and

“(ii) satisfies the requirements of paragraph (1) through student assistance of taxpayers in return preparation and filing,

“(B) an organization described in section 501(c) and exempt from tax under section 501(a) which satisfies the requirements of paragraph (1);

“(C) a regional, State or local coalition (with one lead organization, which meets the eligibility requirements, acting as the applicant organization);

“(D) a county or municipal government agency;

“(E) an Indian tribe, as defined in section 4(12) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103(12), and includes any tribally designated housing entity (as defined in section 4(21) of such Act (25 U.S.C. 4103(21)), tribal subsidiary, subdivision, or other wholly owned tribal entity;

“(F) a section 501(c)(5) organization;

“(G) a State government agency if no other eligible organization is available to assist the targeted population or community;

“(H) a Cooperative Extension Service office if no other eligible organization is available to assist the targeted population or community; and

“(I) a nonprofit Community Development Financial Institution (CDFI) and federally- and State-charted credit union that qualifies for a tax exemption under sections 501(c)(1) and 501(c)(14), respectively.

“(c) SPECIAL RULES AND LIMITATIONS.—

“(1) AGGREGATE LIMITATION.—Unless otherwise provided by specific appropriation, the Secretary shall not allocate more than \$35,000,000 per year (exclusive of costs of administering the program) to grants under this section.

“(2) USE OF GRANTS FOR OVERHEAD EXPENSES PROHIBITED.—No grant made under this section may be used for overhead expenses that are not directly related to any

program or that are incurred by any institution sponsoring such program.

“(3) OTHER APPLICABLE RULES.—Rules similar to the rules under paragraphs (2) through (6) of section 7526(c) shall apply with respect to the awarding of grants to qualified return preparation programs.

“(4) PROMOTION OF PROGRAMS.—The Secretary is authorized to promote the benefits of and encourage the use of qualified VITA Plus through the use of mass communications, referrals, and other means.”

(b) LOW-INCOME TAXPAYER CLINICS.—

(1) INCREASE IN AUTHORIZED GRANTS.—Paragraph (1) of section 7526(c) (relating to aggregate limitation) is amended by striking “\$6,000,000” and inserting “\$20,000,000”.

(2) USE OF GRANTS FOR OVERHEAD EXPENSES PROHIBITED.—

(A) IN GENERAL.—Section 7526(c) (relating to special rules and limitations) is amended by adding at the end the following new paragraph:

“(6) USE OF GRANTS FOR OVERHEAD EXPENSES PROHIBITED.—No grant made under this section may be used for the overhead expenses that are not directly related to the clinic or that are of any institution sponsoring such clinic.”

(B) CONFORMING AMENDMENTS.—Section 7526(c)(5) is amended—

(i) by inserting “qualified” before “low-income”, and

(ii) by striking the last sentence.

(3) PROMOTION OF CLINICS.—Subsection (c) of section 7526 (relating to special rules and limitations), as amended by paragraph (2), is amended by adding at the end the following new paragraph:

“(7) PROMOTION OF CLINICS.—The Secretary is authorized to promote the benefits of and encourage the use of qualified low-income taxpayer clinics through the use of mass communications, referrals, and other means.”

(4) IRS REFERRALS TO CLINICS.—Subsection (c) of section 7526 (relating to special rules and limitations), as amended by the preceding provisions of this subsection, is amended by adding at the end the following new paragraph:

“(8) IRS REFERRALS.—The Secretary may refer taxpayers to qualified low-income taxpayer clinics receiving funding under this section.”

(5) NOTICE OF AVAILABILITY OF CLINICS IN NOTICE OF DEFICIENCY.—Subsection (a) of section 6212 (relating to general rule for notice of deficiency) is amended by inserting “, as well as notice regarding the availability of low-income taxpayer clinics and information about how to contact them” before the period at the end.

(6) NOTICE OF AVAILABILITY OF CLINICS IN NOTICE OF HEARING UPON FILING OF NOTICE OF LIEN.—Subsection (a) of section 6320 (relating to requirement of notice) is amended by adding at the end the following new sentence: “Such notice shall include a notice to the taxpayer of the availability of low-income taxpayer clinics and information about how to contact them.”

(7) NOTICE OF AVAILABILITY OF CLINICS IN NOTICE AND OPPORTUNITY OF HEARING BEFORE LEVY.—Paragraph (3) of section 6330(a) is amended by adding at the end the following flush sentence:

“Such notice shall include a notice to the taxpayer of the availability of low-income taxpayer clinics and information about how to contact them.”

(c) CLERICAL AMENDMENT.—The table of sections for chapter 77 is amended by inserting after the item relating to section 7526 the following new item:

“Sec. 7526A. Volunteer income tax assistance plus.”

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

SEC. 202. REGULATION OF FEDERAL INCOME TAX RETURN PREPARERS.

(a) IN GENERAL.—Section 330(a)(1) of title 31, United States Code, is amended by inserting “(including tax return preparers of Federal tax returns, documents, and other submissions)” after “representatives”.

(b) PROMULGATION OF REGULATIONS.—The Secretary of the Treasury shall prescribe regulations under section 330 of title 31, United States Code, to regulate any tax return preparers not otherwise regulated by the Secretary.

(c) REQUIREMENTS.—Such regulations shall provide guidance on the following:

(1) EXAMINATION.—

(A) IN GENERAL.—In promulgating the regulations under paragraph (1), the Secretary shall approve and oversee eligibility examinations.

(B) 2 EXAMINATIONS.—One such examination shall be designed to test technical knowledge and competency to prepare individual returns, and the other examination shall be designed to test technical knowledge and competency to prepare business income tax returns.

(C) EITC.—The examination relating to individual returns shall test knowledge and competency regarding properly claiming the earned income tax credit under section 32 of the Internal Revenue Code of 1986.

(D) ETHICS.—Both examinations under subparagraph (B) shall test knowledge regarding such ethical standards for the preparation of such returns as determined appropriate by the Secretary.

(E) GRANDFATHER.—The Secretary is authorized to accept an individual as meeting the eligibility examination requirement of this section if, in lieu of the eligibility examination under this section, the individual passed a State licensing or State registration program eligibility examination that the Secretary determines is comparable to either of the eligibility examinations described in subparagraph (B) if such exam is administered within 5 years after the date of the issuance of the regulations under this section.

(2) SUITABILITY STANDARDS.—The Secretary shall provide suitability standards for practicing as a tax return preparer, including tax compliance with the requirements of the Internal Revenue Code of 1986.

(3) CONTINUING ELIGIBILITY.—

(A) IN GENERAL.—The regulations under paragraph (1) shall require a renewal of eligibility every 3 years and shall set forth the manner in which a tax return preparer must renew such eligibility.

(B) CONTINUING PROFESSIONAL EDUCATION REQUIREMENTS.—As part of the renewal of eligibility, such regulations shall require that each such tax return preparer show evidence of completion of such continuing education or testing requirements as specified by the Secretary.

(C) NONMONETARY SANCTIONS.—

(i) The regulations under this section shall provide for the denial, suspension or termination of such eligibility in the event of any failure to comply with the requirements promulgated hereunder.

(ii) Under such regulations, the Secretary shall establish procedures for the appeal of any determination under this paragraph.

(d) PENALTY FOR UNAUTHORIZED PREPARATION OF RETURNS.—

(1) IN GENERAL.—In promulgating the regulations pursuant to subsection (b), the Secretary shall impose a penalty of \$1,000 for each Federal tax return, document, or other submission prepared by a tax return preparer

who is not in compliance with the regulations promulgated under this section or who is suspended or disbarred from practice before the Department of the Treasury under such regulations. Such penalty shall be in addition to any other penalty which may be imposed.

(2) EXCEPTION.—No penalty may be imposed under paragraph (1) with respect to any failure if it is shown that such failure is due to reasonable cause.

(e) DEFINITIONS.—For purposes of this section—

(1) TAX RETURN PREPARER.—The term “tax return preparer” has the meaning given by section 7701(a)(36) of the Internal Revenue Code of 1986, and includes any person requiring the purchase of services, a financial product or goods in lieu of or in addition to direct monetary payment.

(2) SECRETARY.—The terms “Secretary of the Treasury” and “Secretary” mean the Secretary of the Treasury or the delegate of the Secretary.

(f) PUBLIC AWARENESS CAMPAIGN.—The Secretary shall conduct a public information and consumer education campaign, utilizing paid advertising—

(1) to encourage taxpayers to use for Federal tax matters only professionals who establish their competency under the regulations promulgated under section 330 of title 31, United States Code, and

(2) to inform the public of the requirements that any compensated preparer of tax returns, documents, and submissions subject to the requirements under the regulations promulgated under such section must sign the return, document, or submission prepared for a fee and display notice of such preparer’s compliance under such regulations.

(g) EFFECTIVE DATES.—

(1) IN GENERAL.—The amendment made by this section shall take effect on the date of the enactment of the Act.

(2) REGULATIONS.—The regulations required by section 330(d) of title 31, United States Code, shall be prescribed not later than 2 years after the date of the enactment of this Act.

(3) FULL IMPLEMENTATION.—The Secretary, taking into consideration the complexity and magnitude of the requirements set forth under this Act, may delay full implementation of the regulations promulgated herein not later than the fifth filing season after the enactment of this Act.

SEC. 203. REFUND DELIVERY PRODUCTS.

(a) IN GENERAL.—Chapter 77 (relating to miscellaneous provisions), as amended by section 101, is amended by adding at the end the following new section:

“SEC. 7530. REFUND DELIVERY PRODUCTS.

“(a) REGISTRATION.—

“(1) IN GENERAL.—The Secretary shall by regulation require each refund delivery product facilitator to register annually with the Secretary.

“(2) REGISTRATION REQUIREMENTS.—A registration shall under paragraph (1) shall include—

“(A) the name, address, and TIN of the refund delivery product facilitator, and

“(B) the fee schedule of the facilitator for the year.

“(3) DISPLAY OF REGISTRATION CERTIFICATE.—The certificate of registration under paragraph (1) shall be displayed in the facility of the refund delivery product facilitator in the manner required by the Secretary.

“(b) DISCLOSURE REQUIREMENTS.—

“(1) IN GENERAL.—Each refund delivery product facilitator registered with the Secretary shall be subject to the requirements of paragraphs (2) through (5).

“(2) TAXPAYER EDUCATION.—The requirements of this paragraph are that the refund

delivery product facilitator makes available to consumers an informational pamphlet that—

“(A) sets forth options available for receiving tax refunds, presented from least expensive to most expensive, and

“(B) discusses short-term credit alternatives to utilizing refund delivery products.

“(3) NATURE OF THE TRANSACTION.—The requirements of this paragraph are that, at the time of application for the refund delivery product, the refund delivery product facilitator specifically state in writing—

“(A) in the case of a refund delivery product which is a refund loan—

“(i) that the applicant is applying for a loan based on the applicant’s anticipated income tax refund,

“(ii) the expected time within which the loan will be paid to the applicant if such loan is approved, and

“(iii) that there is no guarantee that a refund will be paid in full or received within a specified time period, and that the applicant is responsible for the repayment of the loan even if the refund is not paid in full or has been delayed,

“(B) the time within which income tax refunds are typically paid based upon the different filing options available to the applicant, and

“(C) that the applicant may file an electronic return without applying for a refund delivery product and the fee for filing such an electronic return.

“(4) FEES, INTEREST AND AMOUNTS RECEIVED.—The requirements of this paragraph are that, at the time of application for the refund delivery product, the refund delivery product facilitator discloses to the applicant all amounts to be received in connection with a refund delivery product. Such disclosure shall include—

“(A) a copy of the fee schedule of the refund delivery product facilitator,

“(B) in the case of a refund delivery product which is a refund loan—

“(i) the typical fees and interest rates (using annual percentage rates as defined by section 107 of the Truth in Lending Act (15 U.S.C. 1606)) for several typical amounts of such loans and of other types of consumer credit, and

“(ii) that the loan may have substantial fees and interest charges that may exceed those of other sources of credit, and the applicant should carefully consider—

“(I) whether such a loan is appropriate for the applicant, and

“(II) other sources of credit,

“(C) typical fees and interest charges if a refund is not paid or delayed,

“(D) the amount of a fee (if any) that will be charged if the refund delivery product is not approved, and

“(E) administrative costs and any other amounts.

“(5) OTHER INFORMATION.—The requirements of this paragraph are that the refund delivery product facilitator discloses any other information required to be disclosed by the Secretary.

“(6) DISCLOSURE REQUIREMENT.—A disclosure under any of the preceding paragraphs of this subsection shall not be treated as meeting the requirements of the respective paragraph unless the disclosure is written in a manner calculated to be understood by the average consumer of refund delivery products and provides sufficient information (as determined in accordance with regulations prescribed by the Secretary) to allow the consumer to understand such options and credit alternatives.

“(c) PENALTY.—

“(1) IN GENERAL.—There is hereby imposed a penalty on any refund delivery product facilitator who fails to register with the Sec-

retary pursuant to subsection (a) or fails to meet a disclosure requirement under subsection (b).

“(2) AMOUNT OF PENALTY.—The amount of the penalty imposed by paragraph (1) shall be the greater of—

“(A) \$1,000, and

“(B) three times the amount of the refund loan, if applicable, and refund delivery product facilitator-determined fees charged with respect to each refund delivery product provided by the refund delivery product facilitator during the period in which the failure described in paragraph (1) occurred.

“(3) WAIVER BY SECRETARY.—In the case of a failure which is due to reasonable cause and not to willful neglect, the Secretary may waive part or all of the penalty imposed by paragraph (1) to the extent that the payment of such penalty would be excessive or otherwise inequitable relative to the failure involved.

“(d) CONDUCT.—

“(1) RULES OF CONDUCT.—The Secretary shall prescribe rules of conduct for refund delivery product facilitators which are similar to the rules applicable to federally authorized tax practitioners (as defined by section 7525(a)(3)(A)) under part 10 of title 31, Code of Federal Regulations.

“(2) LIMITATION ON APPROVAL AS REFUND DELIVERY PRODUCT FACILITATOR.—For such period as the Secretary (in his discretion) determines reasonable, the Secretary may not register any person as a refund delivery product facilitator under subsection (a) who the Secretary determines has engaged in any conduct that would warrant disciplinary action under the rules of conduct prescribed under paragraph (1) or under part 10 of title 31, Code of Federal Regulations.

“(e) OTHER LIMITATIONS RELATING TO REFUND DELIVERY PRODUCTS.—In any case in which a taxpayer has consented to the release of the taxpayer’s refund indicator to a refund delivery product facilitator, the Secretary may only provide information related to the refund indicator to a refund delivery product facilitator who is registered under subsection (a). For purposes of the preceding sentence, the term ‘refund indicator’ means a notification provided through a tax return’s acknowledgment file regarding whether a refund will be paid. The Secretary may issue a refund indicator only after the Secretary determines that the taxpayer’s refund would not be prevented by any provision of this title, including any provision relating to refund offset to repay debts for delinquent Federal or State taxes, student loans, child support, or other Federal agency debt, whether the taxpayer is claiming ineligible children for purposes of certain tax benefits, and whether the refund will be held pending a fraud investigation.

“(f) DEFINITIONS.—For purposes of this section—

“(1) REFUND DELIVERY PRODUCT FACILITATOR.—

“(A) IN GENERAL.—The term ‘refund delivery product facilitator’ includes any electronic filing service provider who—

“(i) solicits for, processes, receives, or accepts delivery of an application for a refund delivery product, or

“(ii) facilitates the making of a refund delivery product in any other manner.

“(B) ELECTRONIC FILING SERVICE PROVIDER.—The term ‘electronic filing service provider’ includes any person who is an electronic return originator, intermediate service provider, or transmitter.

“(C) ELECTRONIC RETURN ORIGINATOR.—The term ‘electronic return originator’ includes a person who originates the electronic submission of income tax returns for another person.

“(D) INTERMEDIATE SERVICE PROVIDER.—The term ‘intermediate service provider’ includes a person who assists with processing return information between an electronic return originator (or the taxpayer in the case of online filing) and a transmitter.

“(E) TRANSMITTER.—The term ‘transmitter’ includes a person who sends the electronic return data directly to the Internal Revenue Service.

“(2) REFUND DELIVERY PRODUCT.—The term ‘refund delivery product’ includes a federal loan and any other product sold to a taxpayer for a fee or any other thing of value for the purpose of receiving the taxpayer’s anticipated federal tax refund.

“(3) REFUND LOAN.—The term ‘refund loan’ includes any loan of money or any other thing of value to a taxpayer in connection with the taxpayer’s anticipated receipt of a Federal tax refund. Such term includes a loan secured by the tax refund or an arrangement to repay a loan from the tax refund.

“(g) REGULATIONS.—

“(1) IN GENERAL.—The Secretary may prescribe such regulations as necessary to carry out this subchapter.

“(2) BURDEN OF REGISTRATION.—In promulgating such regulations, the Secretary shall minimize the burden and cost on the registrant.”.

(b) PUBLIC AWARENESS CAMPAIGN.—The Secretary of the Treasury shall conduct a public information and consumer education campaign, utilizing paid advertising, to educate the public on making sound financial decisions with respect to refund delivery products (as defined by section 7530 of the Internal Revenue Code of 1986), including—

(1) the need to compare the rates and fees of refund loans with the rates and fees of conventional loans,

(2) the need to compare the amount of money received under a refund delivery product after taking into consideration such costs and fees with the total amount of the refund, and

(3) where and how taxpayers may lodge complaints concerning refund delivery product facilitators.

(c) CLERICAL AMENDMENT.—The table of sections for chapter 77 is amended by adding at the end the following new item:

“Sec. 7530. Refund delivery products.”.

(d) EFFECTIVE DATES.—

(1) IN GENERAL.—The amendments made by this section shall take effect on the date of the enactment of the Act.

(2) REGULATIONS.—The regulations required by section 7530(g) of the Internal Revenue Code of 1986 shall be prescribed not later than 2 years after the date of the enactment of this Act.

(3) FULL IMPLEMENTATION.—The Secretary of the Treasury, taking into consideration the complexity and magnitude of the requirements set forth under this Act, may delay full implementation of the regulations promulgated under such section not later than 5 years after the enactment of this Act.

SEC. 204. PREPARER PENALTIES WITH RESPECT TO PREPARATION OF RETURNS AND OTHER SUBMISSIONS.

(a) INCLUSION OF OTHER SUBMISSIONS IN PENALTY PROVISIONS.—

(1) UNDERSTATEMENT OF TAXPAYER’S LIABILITY.—

(A) IN GENERAL.—Section 6694 (relating to understatement of taxpayer’s liability by tax return preparer) is amended by striking “return or claim of refund” each place it appears and inserting “return, claim of refund, or other submission”.

(B) CONFORMING AMENDMENTS.—Section 6694, as amended by paragraph (1), is amended by striking “return or claim” each place it appears and inserting “return, claim, or other submission”.

(2) OTHER ASSESSABLE PENALTIES.—

(A) IN GENERAL.—Section 6695 (relating to other assessable penalties with respect to the preparation of tax returns for other persons) is amended by striking “return or claim of refund” each place it appears and inserting “return, claim of refund, or other submission”.

(B) CONFORMING AMENDMENTS.—Section 6695, as amended by paragraph (1), is amended by striking “return or claim” each place it appears and inserting “return, claim, or other submission”.

(b) INCREASE IN CERTAIN OTHER ASSESSABLE PENALTY AMOUNTS.—

(1) IN GENERAL.—Subsections (a), (b), and (c) of section 6695 (relating to other assessable penalties with respect to the preparation of income tax returns for other persons) are each amended by striking “\$50” and inserting “\$1,000”.

(2) REMOVAL OF ANNUAL LIMITATION.—Subsections (a), (b), and (c) of section 6695 are each amended by striking the last sentence thereof.

(c) REVIEW BY THE TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION.—Subparagraph (A) of section 7803(d)(2) is amended by striking “and” at the end of clause (iii), by striking the period at the end of clause (iv) and inserting “, and”, and by adding at the end the following new clause:

“(v) a summary of the penalties assessed and collected during the reporting period under sections 6694 and 6695 and under the regulations promulgated under section 330 of title 31, United States Code, and a review of the procedures by which violations are identified and penalties are assessed under those sections.”.

(d) ADDITIONAL CERTIFICATION ON DOCUMENTS OTHER THAN RETURNS.—

(1) IDENTIFYING NUMBER REQUIRED FOR ALL SUBMISSIONS TO THE IRS BY TAX RETURN PREPARERS.—The first sentence of paragraph (4) of section 6109(a) is amended by striking “return or claim for refund” and inserting “return, claim for refund, or other document”.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply to documents filed after the date of the enactment of this Act.

(e) COORDINATION WITH SECTION 6060(a).—The Secretary of the Treasury shall coordinate the requirements under the regulations promulgated under section 330 of title 31, United States Code, with the return requirements of section 6060 of the Internal Revenue Code of 1986.

(f) EFFECTIVE DATE.—The regulations required by this section shall be prescribed not later than one year after the date of the enactment of this Act.

SEC. 205. CLARIFICATION OF ENROLLED AGENT CREDENTIALS.

Section 330 of title 31, United States Code, as amended by section 202, is amended—

(1) by redesignating subsection (e) as subsection (f), and

(2) by inserting after subsection (d) the following new subsection:

“(e) Any enrolled agents properly licensed to practice as required under rules promulgated under subsection (a) shall be allowed to use the credentials or designation as ‘enrolled agent’, ‘EA’, or ‘E.A.’.”.

TITLE III—IMPROVING TAXPAYER SERVICES

SEC. 301. INDIVIDUALIZED LIEN DETERMINATION REQUIRED BEFORE FILING NOTICE OF LIEN.

(a) IN GENERAL.—Section 6323 is amended by adding at the end the following new subsection:

“(k) LIEN DETERMINATION BEFORE FILING.—“(1) IN GENERAL.—The Secretary shall not file a notice of lien before making an individualized lien determination.

“(2) LIEN DETERMINATION.—In making an individualized lien determination with respect to a taxpayer, the Secretary shall consider factors, including—

“(A) the amount due,

“(B) the lien filing fee,

“(C) the value of the taxpayer’s equity in the property or right to property,

“(D) the taxpayer’s tax compliance history,

“(E) extenuating circumstances, if any, that explain the delinquency, and

“(F) the effect of the filing on the taxpayer’s ability to obtain financing, generate future income, and pay current and future tax liabilities.

“(3) SUPERVISORY REVIEW.—In any case in which—

“(A) collecting a liability through a lien imposed under section 6321 would create an economic hardship (within the meaning of section 6343(a)(1)(D)), or

“(B) the taxpayer does not have significant equity in property or right to property,

the Secretary shall not file a notice of lien unless the supervisor of the employee making the lien determination referenced in paragraph (2) also determines that the filing is necessary.

“(4) WITHDRAWAL OF LIEN.—A lien filed in violation of this subsection shall be withdrawn under subsection (j).”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to liens filed after the date of the enactment of this Act.

SEC. 302. BAN ON AUDIT INSURANCE.

Section 330 of title 31, United States Code, as amended by sections 202 and 205, is amended by adding at the end the following new subsection:

“(g) BAN ON AUDIT INSURANCE.—No person admitted to practice before the Department of the Treasury may directly or indirectly offer or provide insurance or other form of indemnification or reimbursement to cover a taxpayers’ assessment of federal tax, penalties, or interest.”.

SEC. 303. PUBLIC AWARENESS.

(a) IN GENERAL.—Section 6103(k) (relating to disclosure of certain returns and return information for tax administration purposes) is amended by adding at the end the following new paragraph:

“(10) DISCLOSURE OF RECOGNIZED, CERTIFIED, OR REGISTERED PERSONS; REVOCATION OF REGISTRATION.—The Secretary shall furnish to the public—

“(A) the identity of any person who—

“(i) is an enrolled agent or is an attorney or certified public accountant who either has a power of attorney on file with the Internal Revenue Service or notifies the Internal Revenue Service of their status as a preparer of Federal tax returns,

“(ii) is certified under section 330(d) of title 31, United States Code, as a tax return preparer, or

“(iii) is registered as a refund delivery product facilitator pursuant to section 7530, and

“(B) information as to whether or not any person who is otherwise suspended or disbarred is no longer so recognized, certified, or registered (as the case may be).”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect not later than two years after the date of enactment of this Act.

SEC. 304. CLARIFICATION OF TAXPAYER ASSISTANCE ORDER AUTHORITY.

(a) IN GENERAL.—Paragraph (2) of section 7811(b) is amended—

(1) by redesignating subparagraphs (C) and (D) as subparagraphs (D) and (E), respectively, and

(2) by inserting after subparagraph (B) the following new subparagraph:

“(C) chapter 74 (relating to closing agreements and compromises).”

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to orders issued after the date of the enactment of this Act.

SEC. 305. TAXPAYER ADVOCATE DIRECTIVES.

(a) IN GENERAL.—Subchapter A of chapter 80 is amended by inserting after section 7811 the following new section:

“SEC. 7811A. TAXPAYER ADVOCATE DIRECTIVES.

“(a) AUTHORITY TO ISSUE.—The National Taxpayer Advocate may issue a Taxpayer Advocate Directive to mandate administrative or procedural changes to improve the operation of a functional process or to grant relief to groups of taxpayers (or all taxpayers) if its implementation will protect the rights of taxpayers, prevent undue burden, ensure equitable treatment, or provide an essential service to taxpayers. A Taxpayer Advocate Directive may only be issued by the National Taxpayer Advocate. The terms of a Taxpayer Advocate Directive may require the Commissioner to implement it within a specified period of time.

“(b) AUTHORITY TO MODIFY OR RESCIND.—Any Taxpayer Advocate Directive may be modified or rescinded—

“(1) only by the National Taxpayer Advocate, the Commissioner of Internal Revenue, or the Deputy Commissioner of Internal Revenue, and

“(2) only if a written explanation of the reasons for the modification or rescission is provided to the National Taxpayer Advocate.”

(b) ANNUAL REPORT.—

(1) IN GENERAL.—Clause (ii) of section 7803(c)(2)(B) is amended by redesignating subclauses (II) through (XI) as subclauses (IV) through (XII), respectively, and by inserting after subclause (II) the following new subclause:

“(III) contain Taxpayer Advocate Directives issued under section 7811A;”

(2) CONFORMING AMENDMENTS.—Clause (ii) of section 7803(c)(2)(B), as amended by paragraph (1), is amended—

(A) by striking “subclauses (I), (II), and (III)” in subclauses (V), (VI), and (VII) thereof and inserting “subclauses (I), (II), (III), and (IV)”, and

(B) in subclause (VIII)—

(i) by inserting “or Taxpayer Advocate Directive” after “Taxpayer Assistance Order”, and

(ii) by inserting “or 7811A(a)” after “section 7811(b)”.

(c) CLERICAL AMENDMENT.—The table of sections for subchapter A of chapter 80 is amended by inserting after the item relating to section 7811 the following new item:

“Sec. 7811A. Taxpayer advocate directives.”

SEC. 306. IMPROVED SERVICES FOR TAXPAYERS.

(a) IN GENERAL.—It is the sense of Congress that the Internal Revenue Service should within 2 years—

(1) reduce the time between receipt of an electronically filed return and issuance of a refund,

(2) expand assistance to low-income taxpayers,

(3) allocate resources to assist low-income taxpayers in establishing accounts at financial institutions that receive direct deposits from the United States Treasury,

(4) deliver tax refunds on debit cards, prepaid cards, and other electronic means to assist individuals that do not have access to financial accounts or institutions,

(5) establish a pilot program for satellite walk-in centers to be located in rural underserved communities without easy access to Internal Revenue Service Taxpayer Assistance Centers by using office facilities currently occupied by the Federal government,

including United States Postal Service and Social Security Administration facilities; such satellite walk-in centers should have the capability to provide video-conferencing services and scanning or other digitizing functions to deliver, in an interactive manner, all service and compliance functions currently available in Internal Revenue Service Taxpayer Assistance Centers, and

(6) establish a pilot program for mobile tax return preparation offices.

(b) LOCATION OF SERVICE.—

(1) IN GENERAL.—The mobile tax return filing offices should be located in communities that the Secretary determines have a high incidence of taxpayers claiming the earned income tax credit, particularly in locations with few community volunteer tax preparation clinics.

(2) INDIAN RESERVATION.—At least one mobile tax return filing office should be on or near an Indian reservation (as defined in section 168(j)(6) of the Internal Revenue Code of 1986).

SEC. 307. TAXPAYER ACCESS TO FINANCIAL INSTITUTIONS.

(a) ESTABLISHMENT OF PROGRAM.—The Secretary of the Treasury may award demonstration project grants (including multiyear awards) to eligible entities to provide accounts to individuals who currently do not have an account with a financial institution. The account would be held in a federally insured depository institution.

(b) PRIORITY.—Priority shall be given to demonstration project proposals that provide accounts at low or no cost and—

(1) that utilize new technologies such as the prepaid product to expand access to financial services, in particular for persons without bank accounts, with low access to financial services, or low utilization of mainstream financial services,

(2) that promote the development of new financial products and services that are adequate to improve access to wealth building financial services, which help integrate more Americans into the financial mainstream,

(3) that promote education for these persons and depository institutions concerning the availability and use of financial services for and by such persons, and

(4) that include other such activities and projects as the Secretary may determine are consistent with the purpose of this section.

(c) ELIGIBLE ENTITIES.—

(1) IN GENERAL.—An entity is eligible to receive a grant under this section if such an entity is—

(A) an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code,

(B) a federally insured depository institution,

(C) an agency of a State or local government,

(D) a community development financial institution,

(E) an Indian tribal organization,

(F) an Alaska Native Corporation,

(G) a Native Hawaiian organization,

(H) an organization described in 501(c)(5), and exempt from tax under section 501(a), of such Code,

(I) a nonbank financial service provider, or

(J) a partnership comprised of 1 or more of the entities described in the preceding subparagraphs.

(2) DEFINITIONS.—For purposes of this section—

(A) FEDERALLY INSURED DEPOSITORY INSTITUTION.—The term “federally insured depository institution” means any insured depository institution (as defined in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813)) and any insured credit union (as de-

ined in section 101 of the Federal Credit Union Act (12 U.S.C. 1752)).

(B) COMMUNITY DEVELOPMENT FINANCIAL INSTITUTION.—The term “community development financial institution” means any organization that has been certified as such pursuant to section 1805.201 of title 12, Code of Federal Regulations.

(C) ALASKA NATIVE CORPORATION.—The term “Alaska Native Corporation” has the same meaning as the term “Native Corporation” under section 3(m) of the Alaska Native Claims Settlement Act (43 U.S.C. 1602(m)).

(D) NATIVE HAWAIIAN ORGANIZATION.—The term “Native Hawaiian organization” means any organization that—

(i) serves and represents the interests of Native Hawaiians, and

(ii) has as a primary and stated purpose the provision of services to Native Hawaiians.

(E) LABOR ORGANIZATION.—The term “labor organization” means an organization—

(i) in which employees participate,

(ii) which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work, and

(iii) which is described in section 501(c)(5) of the Internal Revenue Code of 1986.

(F) NONBANK FINANCIAL SERVICE PROVIDER.—The term “nonbank financial service provider” means an entity that engages in financial services activities, as authorized under the Federal Reserve Board, 12 Code of Federal Regulations Part 225, Regulation Y.

(d) APPLICATION.—An eligible entity shall submit an application to the Secretary of the Treasury in such form and containing such information as the Secretary may require.

(e) EVALUATION AND REPORT.—For each fiscal year in which a grant is awarded under this section, the Secretary of the Treasury shall submit a report to Congress containing a description of the activities funded, amounts distributed, and measurable results, as appropriate and available.

(f) POWER AND AUTHORITY OF THE SECRETARY.—

(1) ASSISTANCE.—Subject to appropriations, the Secretary of the Treasury may provide financial and technical assistance to awardees for expanding the distribution of financial services, including through financial services electronic networks.

(2) RESEARCH AND DEVELOPMENT.—The Secretary of the Treasury may conduct or support such research and development as the Secretary considers appropriate in order to further the purpose of this section, including the collection of information about access to financial services.

(3) REGULATIONS.—The Secretary of the Treasury is authorized to promulgate regulations to implement and administer the program under this section.

(g) STUDY ON DELIVERY OF TAX REFUNDS.—

(1) IN GENERAL.—The Secretary of the Treasury, in consultation with the National Taxpayer Advocate, shall conduct a study on the feasibility of delivering tax refunds on debit cards, prepaid cards, and other electronic means to assist individuals that do not have access to financial accounts or institutions.

(2) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary of the Treasury shall submit a report to Congress containing the results of the study conducted under paragraph (1).

SEC. 308. ADDITIONAL STUDIES.

(a) STUDY ON ACCELERATED PROCESSING OF INFORMATION RETURNS.—

(1) FINDINGS.—Congress finds the following:

(A) Under current procedures, the Internal Revenue Service processes income tax returns before it processes most information returns, including Forms W-2, which report wages and tax withholding, and Forms 1099, which report interest, dividends, and other payments.

(B) The sequence described in subparagraph (A) makes little logical sense.

(C) From a taxpayer perspective, the sequence leads to millions of cases where taxpayers inadvertently make overclaims that the Internal Revenue Service does not identify until months later, exposing the taxpayer not only to a tax liability but to penalties and interest charges as well.

(D) From the Federal Government's perspective, this sequence creates opportunities for fraud and requires the Internal Revenue Service to devote resources to recovering refunds that should not have been paid and that it often cannot recover.

(2) STUDY.—The Secretary of the Treasury, in consultation with the National Taxpayer Advocate, shall conduct a study to identify and recommend legislative and administrative changes that would enable the Internal Revenue Service to receive and process information reporting documents before it processes tax returns. In conducting the study, the Secretary shall consider, among other factors, the issues identified in the National Taxpayer Advocate's 2009 Annual Report to Congress.

(3) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary of the Treasury shall submit a report to Congress describing the results of the study conducted under paragraph (2).

(b) STUDY ON THE EFFECTIVENESS OF COLLECTION ALTERNATIVES.—

(1) IN GENERAL.—The Secretary of the Treasury, in consultation with the National Taxpayer Advocate, shall conduct a study to assess the effectiveness of collection alternatives, especially offers in compromise, on long-term tax compliance. Such a study shall analyze a group of taxpayers who applied for offers in compromise 5 or more years ago and compare the amount of revenue collected from the taxpayers whose offers were accepted with the amount of revenue collected from the taxpayers whose offers were rejected, and compare, among the taxpayers whose offers were rejected, the amount they offered with the amounts collected.

(2) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary of the Treasury shall submit a report to Congress containing the results of the study conducted under paragraph (1).

By Mr. GRASSLEY:

S. 3216. A bill to amend title XVIII of the Social Security Act to ensure Medicare beneficiary access to physicians, to ensure equitable reimbursement under the Medicare program for all rural States, and to eliminate sweetheart deals for frontier States; to the Committee on Finance.

Mr. GRASSLEY. Mr. President, Medicare's payment system for physicians is flawed in many ways. One of those flaws has for many years given unfairly low payments to high quality areas like my own home state of Iowa and many other rural States. The new health care reform law makes some much-needed changes in that regard.

The legislation I am introducing today makes additional improvements in addressing unfair geographic disparities in payment. It is intended to

provide more equitable rural health payments and improve rural access to care for all rural states.

As many of you know, Medicare payment varies from one area to another based on the geographic adjustments known as the Geographic Practice Cost Indices or GPCIs. These geographic adjustments are intended to equalize physician payment by reflecting differences in physician's practice costs.

But they do not accurately represent those costs in Iowa or other rural states. They have been a dismal failure in fact. They discourage physicians from practicing in rural areas like New Mexico, Arkansas, Missouri, and Iowa because they create such unfairly low Medicare rates.

I introduced legislation in the last Congress, and again last year, to correct these unwarranted payment disparities. Last fall, I offered an amendment in the Senate Finance Committee mark up of health reform legislation to reform the inequitable formula that has caused these unduly low payments.

My amendment provided more equity and accuracy in calculating this adjustment, and it provided a national solution to the problem. It was accepted unanimously by the Senate Finance Committee, and it was included in the Senate health reform bill, the Patient Protection and Affordable Care Act, that was signed into law.

But, unfortunately, the rural equity that would be achieved by that amendment has been endangered by another sweetheart deal that was added to the Senate health care reform bill that is now the law.

This special deal was added behind closed doors, that is, the closed doors of the majority leader. This special deal addresses geographic disparities but it helps just five states at the expense of the other 45 states.

It was included in the Senate health reform bill for two Democratic Senators from so-called "frontier states." It's what I call the "Frontier Freeloader."

The Frontier Freeloader provision improves Medicare reimbursement in so-called frontier states by establishing floors for the hospital wage index and the physician practice expense GPCI.

A frontier state is defined as one with 50 percent or more frontier counties, defined as counties with a population per square mile of less than six.

The Frontier Freeloader deal ensures that higher payments go to just five states—North Dakota, South Dakota, Montana, Wyoming and Utah—at the expense of every other state.

It is another example of how the deals made behind closed doors to garner votes led to bad policies, like the Cornhusker Kickback, the Louisiana Purchase, and the Florida Gator-aid.

Now we have the Frontier Freeloader deal that became law when the President signed the health care reform bill.

Iowa provides some of the highest quality care in the country but it does not meet the definition of a frontier

state. Certainly Iowa should have been helped since Medicare reimbursement for hospitals and physicians is lower in Iowa than in most of these so-called "frontier" states.

Medicare also pays much lower rates in other rural states, like Arkansas and New Mexico, but they don't benefit from the Frontier Freeloader because they don't meet the definition of a frontier state.

The Frontier Freeloader is even more egregious because Iowa—and other States like Arkansas and New Mexico that don't benefit—are paying for it! So, taxpayers in your state and mine—all the other 45 states—will kick in to pay the bill for these five states. And that's just the cost for the next few years.

This sweetheart deal is not time-limited. The Frontier Freeloader that benefits these five states continues forever while taxpayers in your State and mine—the other 45—continue to pay the bills.

The bill I am introducing today would repeal the Frontier Freeloader sweetheart deal.

We should improve physician payments for all rural states, not just a select few. It is unfair to improve hospital payments for just a few states. This bill would eliminate those special payment deals for just 5 States.

It would also improve physician payments for all rural states during the transition to more accurate data.

The new health care reform law requires the Secretary of Health and Human Services to limit the impact of the current unfair adjustments to ½ of the current adjustment in 2010 and 2011. This bill would use some of the funds saved by repealing the frontier states deal to increase physician payments more in rural states next year.

That would mean higher payments for all rural States, not higher payments for just a few States.

Finally, the bill makes it clear that a side agreement reportedly made between House members and the Secretary of Health and Human Services for an Institute of Medicine study cannot interfere with the legislative changes to the geographic adjustment for physician practice expense that are now law.

My amendment in the Senate bill that became law improves the data that the government uses to calculate geographic physician practice costs.

The House health care reform bill called for a study by the Institute of Medicine to make recommendations on geographic disparities.

It is unclear what agreement was made between Secretary Sebelius and the House, since it was another backroom deal. It is also unclear what advantage it holds for rural health care equity for beneficiaries and physicians.

My amendment that is now the law requires Medicare officials to use accurate data.

The legislation that I am introducing today would ensure that the agreement

House members made with Secretary Sebelius—that somehow accompanies the House health-care reconciliation bill—cannot undo the actual legislative fix in the Senate health care bill that is now law.

If the Institute of Medicine comes up with different data or makes recommendations that are not consistent with the requirements for the geographic adjustments that are now law, we could be back where we started, or even worse off. So this legislation would ensure that HHS follows the legislative improvements just enacted to require more accurate data for calculating these geographic adjustments.

To summarize, the bill does three main things:

First, it eliminates the unfair \$2 billion Frontier Freeloader carve-out for 5 States that ends up harming all the other rural States. As I said earlier, that extra spending would continue forever if the Frontier Freeloader is allowed to take effect.

Second, the bill helps provide greater rural health care access and payment equity in a way that is fair to all taxpayers and states.

It would provide additional payments for physicians in all rural States during the transition.

Finally, the bill would ensure that Medicare officials use accurate data to calculate geographic adjustments as now required by the new health care reform law.

This legislation helps ensure that seniors in all of rural America continue to have access to needed health care.

It ensures rural health care equity nationwide.

By Mr. CONRAD (for himself and Mr. SESSIONS):

S. 3218. A bill to amend the Controlled Substances Act to clarify that persons who enter into a conspiracy within the United States to possess or traffic illegal controlled substances outside the United States, or engage in conduct within the United States to aid or abet drug trafficking outside the United States, may be criminally prosecuted in the United States, and for other purposes; to the Committee on the Judiciary.

Mr. CONRAD. Mr. President, the trafficking and use of illegal drugs is an ongoing challenge in our Nation. It is incumbent upon the Government to seek to prevent the flow of drugs into the country, and limit the availability of drugs on our streets and in our communities. It is for that purpose that I introduce the Drug Trafficking Safe Harbor Elimination Act of 2010 with Senator SESSIONS.

This bill will close a loophole that could allow drug traffickers, under certain circumstances, to operate with impunity in the United States. In *United States v. Lopez-Vanegas*, the Eleventh Circuit Court of Appeals held that where the object of a conspiracy is to possess controlled substances outside the United States with the intent

to distribute outside the United States, there is no violation of U.S. law, even if the conspiracy, including meetings, negotiations, and arrangements to execute the drug transaction, occurs on U.S. soil.

Although a particular conspiracy may not be intended to bring illegal drugs into the U.S., the same traffickers could very well act to bring drugs across our own borders as their next crime. If we have a chance to prosecute such criminals, we should do so.

In the *Lopez-Vanegas* case, the court stated that the statute relied upon by Federal prosecutors could not be extended to conspiracies to act outside of the U.S. because Congress had not expressed its intention for the statute to be applied in such a manner. This legislation provides Congress an opportunity to clarify its position.

While the binding effect of the *Lopez-Vanegas* case is now limited to the Eleventh Circuit, it may influence other federal jurisdictions to issue similar decisions. A wide-scale adoption of the reasoning in this case could establish the United States as a safe haven for international drug cartels, damage our relationships with the law enforcement authorities of other nations, and hinder global coordination to combat drug trafficking. Further, the profits and operational capacities generated by extraterritorial drug transactions could very well bolster the ability of drug cartels to distribute drugs in the United States in the future. For these reasons, it is important to close this loophole and give law enforcement the ability to prosecute all drug trafficking conspiracies conducted in the United States.

By Mr. DURBIN (for himself, Mr. FRANKEN, and Mr. WHITEHOUSE):

S. 3219. A bill to amend title 11, United States Code, with respect to certain exceptions to discharge in bankruptcy; to the Committee on the Judiciary.

Mr. DURBIN. Mr. President, three weeks ago, the Senate passed significant student loan reform. It turns out that for the past several decades, we have been paying banks \$6 billion per year to be the middle men in our student loan system. The bill we passed puts a stop to that. Instead of lining the pockets of bankers like Al Lord at Sallie Mae, we will originate all Federal student loans through the Direct Loan Program and we will invest the savings, \$68 billion, in education priorities. We put \$36 billion into Pell Grants to increase the grant size and tie it to inflation. We also capped monthly student loan payments at 10 percent of discretionary income to help ease repayment for students in public service careers. We invested in historically black colleges and universities, minority serving institutions, community colleges, and state-based college access programs that help students succeed in college. These reforms are

essential in helping students afford a college education.

Today, along with Senator FRANKEN and Senator WHITEHOUSE, I am introducing a bill that will take an additional step in restoring fairness in student lending by treating privately issued student loans in bankruptcy the same way other types of private debt are treated. Our bill, the Fairness for Struggling Students Act, will allow borrowers of private student loans to discharge those loans in bankruptcy. Representatives COHEN and DAVIS are introducing a similar bill in the House.

Federally issued or guaranteed student loans have been protected during personal bankruptcy since 1978. This is a good law that protects Federal investments in higher education. In 2005, a provision was added to law to protect the investments of private lenders that extend private credit—not federally guaranteed student loans—to students. With the 2005 protections in place, there is virtually no risk to lenders making high-cost private loans to students at schools with low graduation rates and even lower job placement rates. So the industry has boomed over the past decade. Private student loan volume last year was \$11 billion.

But there is plenty of risk for student borrowers. The interest rates and fees on private loans can be as onerous as credit cards. There are reports of private loans with variable interest rates reaching 18 percent. Unlike Federal student loans, the Government does not impose loan limits on private loans and does not regulate the terms or cost of these loans. Some students who take out these loans find themselves trapped under an enormous amount of debt that they cannot escape.

Today, I am pleased to introduce a bill that will give students who find themselves in dire financial straits a chance at a new beginning. My bill restores the bankruptcy law, as it pertains to private student loans, back to where it was before the law was amended in 2005. Under this legislation, privately issued student loans will once again be dischargeable in bankruptcy. My bill also clarifies that the remaining protections are specific to loans that were issued by or are guaranteed by State and Federal Government.

Three weeks ago we ended the ability of lenders and banks to make risk-free federal loans to students. It is time to also end the risk-free nature of private student loans and restore fairness for student borrowers.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3219

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 “Fairness for Struggling Students Act of 2010”.

SEC. 2. EXCEPTIONS TO DISCHARGE.

Section 523(a)(8) of title 11, United States Code, is amended by striking “dependents, for” and all that follows through the end of subparagraph (B) and inserting “dependents, for an educational benefit overpayment or loan made, insured, or guaranteed by a governmental unit or made under any program funded in whole or in part by a governmental unit or an obligation to repay funds received from a governmental unit as an educational benefit, scholarship, or stipend;”.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 483—CONGRATULATING THE REPUBLIC OF SERBIA’S APPLICATION FOR EUROPEAN UNION MEMBERSHIP AND RECOGNIZING SERBIA’S ACTIVE EFFORTS TO INTEGRATE INTO EUROPE AND THE GLOBAL COMMUNITY

Mr. VOINOVICH (for himself, Mr. KERRY, Mr. LUGAR, Mrs. SHAHEEN, and Mr. CARDIN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 483

Whereas the United States has been a strong supporter of the European Union (EU);

Whereas the year 2010 marks a full decade of efforts of the Government of Serbia to reintegrate into Europe and the global community;

Whereas, on November 30, 2009, the EU decided that the citizens of “Serbia will be able to travel without visa to the Schengen area” permitting the greater integration of Serbia into Europe;

Whereas a democratically elected Government of Serbia has committed to resolving regional disagreements through diplomacy and the tenets of international law;

Whereas, on April 29, 2008, the EU and Serbia signed a Stabilization and Association Agreement, which considered “the EU’s readiness to integrate Serbia to the fullest extent into the political and economic mainstream of Europe and its status as a potential candidate for EU membership”;

Whereas, on June 21, 2003, the EU stated in the Summit Declaration of the EU-Western Balkans summit at Thessaloniki that “the future of the Balkans is within the EU” and that the countries of the Western Balkans’ “rapprochement with the EU will go hand in hand with the development of regional co-operation”;

Whereas the United States Government has supported the diplomatic efforts of the Government of Serbia to reintegrate into the global community, including a visit by Vice President Joseph Biden in May 2009; and

Whereas the United States Government has long viewed the EU as a source of stabilization, security, and prosperity for all of Europe and the world: Now, therefore, be it

Resolved, That the Senate—

(1) applauds the people of Serbia for furthering their commitment to democracy, free markets, tolerance, nondiscrimination, and the rule of law;

(2) urges the European Council to adopt in a timely manner a clear position on Serbia’s qualifications as a candidate country;

(3) welcomes the decision of the democratically elected Government of Serbia to join the NATO Partnership for Peace Program in 2006;

(4) recognizes the cooperation of the Government of Serbia with the United States

Government on issues such as democratization, anti-drug trafficking, anti-terrorism, human rights, regional cooperation, and trade;

(5) strongly urges the Government of Serbia to intensify efforts to capture and transfer at-large indictees Goran Hadzic and Ratko Mladic to the International Criminal Tribunal for the former Yugoslavia and otherwise to fully cooperate with the Tribunal; and

(6) encourages the European Union to also remain actively engaged with all countries in the Western Balkans regarding their aspirations for European integration.

SENATE RESOLUTION 484—DESIGNATING THE WEEK OF MAY 16 THROUGH MAY 22, 2010, AS “NATIONAL PUBLIC WORKS WEEK”

Mrs. BOXER (for herself and Mr. INHOFE) submitted the following resolution; which was considered and agreed to:

S. RES. 484

Whereas public works infrastructure, facilities, and services are of vital importance to the health, safety, and well-being of the people of the United States;

Whereas the public works infrastructure, facilities, and services could not be provided without the dedicated efforts of public works professionals, including engineers and administrators, who represent State and local governments throughout the United States;

Whereas public works professionals design, build, operate, and maintain the transportation systems, water infrastructure, sewage and refuse disposal systems, public buildings, and other structures and facilities that are vital to the people and communities of the United States;

Whereas understanding the role that public infrastructure plays in protecting the environment, improving public health and safety, contributing to economic vitality, and enhancing the quality of life of every community of the United States is in the interest of the people of the United States; and

Whereas 2010 marks the 50th anniversary of “National Public Works Week”: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of May 16 through May 22, 2010, as “National Public Works Week”;

(2) recognizes and celebrates the important contributions that public works professionals make every day to improve—

(A) the public infrastructure of the United States; and

(B) the communities that public works professionals serve; and

(3) urges individuals and communities throughout the United States to join with representatives of the Federal Government and the American Public Works Association in activities and ceremonies that are designed—

(A) to pay tribute to the public works professionals of the United States; and

(B) to recognize the substantial contributions that public works professionals make to the United States.

SENATE RESOLUTION 485—DESIGNATING APRIL 2010 AS “FINANCIAL LITERACY MONTH”

Mr. AKAKA (for himself and Mr. ENZI) submitted the following resolution; which was considered and agreed to:

S. RES. 485

Whereas according to the Federal Deposit Insurance Corporation, at least 25.6 percent of households in the United States, or close to 30,000,000 households with approximately 60,000,000 adults, are unbanked or underbanked and, subsequently, have missed opportunities for savings, lending, and basic financial services;

Whereas according to the 2009 Consumer Financial Literacy Survey Final Report of the National Foundation for Credit Counseling, 41 percent of adults in the United States, or more than 92,000,000 adults living in the United States, gave themselves a grade of C, D, or F on their knowledge of personal finance;

Whereas according to the National Bankruptcy Research Center, the number of personal bankruptcy filings reached 1,410,000 in 2009, a 32 percent increase from 2008 and the highest number since 2005;

Whereas the 2009 Retirement Confidence Survey conducted by the Employee Benefit Research Institute found that the percentage of workers who were “very confident” about having enough money for a comfortable retirement decreased sharply, from 27 percent in 2007 to 18 percent in 2008 to 13 percent in 2009, the lowest since the question was first asked in the survey in 1993, and representing a 50 percent decline in worker confidence since 2007;

Whereas according to a 2009 “Flow of Funds” report by the Federal Reserve, household debt stood at \$13,600,000,000,000;

Whereas according to the Department of Labor, only 43 percent of people in the United States have calculated how much they need to save for retirement;

Whereas according to the 2009 Consumer Financial Literacy Survey Final Report of the National Foundation for Credit Counseling, 26 percent, or more than 58,000,000 adults, admit to not paying all of their bills on time;

Whereas according to the 2009 Consumer Financial Literacy Survey Final Report of the National Foundation for Credit Counseling, 1/3 of adults in the United States, approximately 72,000,000 adults, report that they have no savings and only 23 percent of adults in the United States are now saving more than they did a year ago because of the current economic climate;

Whereas according to the 2009 Consumer Financial Literacy Survey Final Report of the National Foundation for Credit Counseling, less than 1/2 of adults keep close track of their spending, and nearly 16,000,000 adults do not know how much they spend on food, housing, and entertainment, and do not monitor their overall spending;

Whereas the number of adults keeping close track of their spending has not improved since 2007;

Whereas according to the sixth Survey of the States 2009: Economic, Personal Finance, and Entrepreneurship Education in Our Nation’s Schools, conducted by the Council for Economic Education, only 21 States require students to take an economics course as a high school graduation requirement, and only 19 States require the testing of student knowledge in economics;

Whereas according to the sixth Survey of the States 2009: Economic, Personal Finance, and Entrepreneurship Education in Our Nation’s Schools, conducted by the Council for Economic Education, only 13 States require students to take a personal finance course either independently or as part of an economics course as a high school graduation requirement;

Whereas expanding access to the mainstream financial system will provide individuals with less expensive and more secure options for managing finances and building wealth;

Whereas quality personal financial education is essential to ensure that individuals are prepared to manage money, credit, and debt, and to become responsible workers, heads of households, investors, entrepreneurs, business leaders, and citizens;

Whereas increased financial literacy empowers individuals to make wise financial decisions and reduces the confusion caused by an increasingly complex economy;

Whereas a greater understanding of, and familiarity with, financial markets and institutions will lead to increased economic activity and growth;

Whereas, in 2003, Congress found it important to coordinate Federal financial literacy efforts and formulate a national strategy; and

Whereas, in light of that finding, Congress passed the Financial Literacy and Education Improvement Act of 2003 (Public Law 108-159; 117 Stat. 2003) establishing the Financial Literacy and Education Commission and designating the Office of Financial Education of the Department of the Treasury to provide support for the Commission: Now, therefore, be it

Resolved, That the Senate—

(1) designates April 2010 as “Financial Literacy Month” to raise public awareness about—

(A) the importance of personal financial education in the United States; and

(B) the serious consequences that may result from a lack of understanding about personal finances; and

(2) calls on the Federal Government, States, localities, schools, nonprofit organizations, businesses, and the people of the United States to observe the month with appropriate programs and activities.

SENATE RESOLUTION 486—SUPPORTING THE MISSION AND GOALS OF THE 2010 NATIONAL CRIME VICTIMS’ RIGHTS WEEK TO INCREASE PUBLIC AWARENESS OF THE RIGHTS, NEEDS, AND CONCERNS OF VICTIMS AND SURVIVORS OF CRIME IN THE UNITED STATES, NO MATTER THE COUNTRY OF ORIGIN OR CREED OF THE VICTIM, AND TO COMMEMORATE THE NATIONAL CRIME VICTIMS’ RIGHTS WEEK THEME REFERRED TO AS “CRIME VICTIMS’ RIGHTS: FAIRNESS, DIGNITY, RESPECT.”

Mr. SCHUMER (for himself and Mr. SESSIONS) submitted the following resolution; which was considered and agreed to:

S. RES. 486

Whereas more than 25,000,000 individuals in the United States are victims of crime each year, including more than 6,000,000 individuals who are victims of violent crime;

Whereas a just society acknowledges the impact of crime on individuals, families, neighborhoods, and communities by ensuring that rights, resources, and services are available to help rebuild the lives of the victims;

Whereas, although the United States has steadily expanded rights, protections, and services for victims of crime, too many victims are still not able to realize the hope and promise of the expanded rights, protections, and services;

Whereas, despite impressive accomplishments realized during the past 40 years in crime victims’ rights and services, there remain many challenges to ensuring that all victims are—

(1) treated with fairness, dignity, and respect;

(2) offered support and services regardless of whether the victims report the crimes committed against them to law enforcement; and

(3) recognized as key participants in the systems of justice in the United States when the crimes are reported;

Whereas the systems of justice in the United States should ensure that services are available for all victims of crime, including victims from underserved communities of the United States;

Whereas observing the rights of victims and treating victims with fairness, dignity, and respect serve the public interest by—

(1) engaging victims in the justice system;

(2) inspiring respect for public authorities; and

(3) promoting confidence in public safety;

Whereas individuals in the United States recognize that homes, neighborhoods, and communities are made safer and stronger by identifying and meeting the needs of crime victims and ensuring justice for all;

Whereas treating victims of crime with fairness, dignity, and respect, as encouraged and expressed through the 2010 National Crime Victims’ Rights Week theme referred to as “Crime Victims’ Rights: Fairness, Dignity, Respect.”—

(1) costs nothing more than taking time to identify the needs and concerns of victims; and

(2) requires effective collaboration among justice systems to meet the needs and concerns of victims; and

Whereas the 2010 National Crime Victims’ Rights Week, which is observed during the week of April 18 through April 24, 2010, provides an opportunity for the systems of justice in the United States to strive to reach the goal of justice for all by ensuring that victims are afforded legal rights and provided with assistance to face the financial, physical, spiritual, psychological, and social impact of crime: Now, therefore, be it

Resolved, That the Senate—

(1) supports the mission and goals of the 2010 National Crime Victims’ Rights Week to increase public awareness of—

(A) the impact on victims and survivors of crime; and

(B) the constitutional and statutory rights and needs of victims and survivors of crime; and

(2) recognizes that fairness, dignity, and respect comprise the very foundation of the manner in which victims and survivors of crime should be treated.

SENATE RESOLUTION 487—HONORING THE COAL MINERS WHO PERISHED IN THE UPPER BIG BRANCH MINE-SOUTH IN RALEIGH COUNTY, WEST VIRGINIA, EXTENDING THE CONDOLENCES OF THE UNITED STATES SENATE TO THE FAMILIES OF THE FALLEN COAL MINERS, AND RECOGNIZING THE VALIANT EFFORTS OF THE EMERGENCY RESPONSE WORKERS

Mr. BYRD (for himself, Mr. ROCKEFELLER, Mr. HARKIN, Mr. ENZI, Mr. REID, Mr. MCCONNELL, Mr. AKAKA, Mr. ALEXANDER, Mr. BARRASSO, Mr. BAUCUS, Mr. BAYH, Mr. BEGICH, Mr. BEN-

NET, Mr. BENNETT, Mr. BINGAMAN, Mr. BOND, Mrs. BOXER, Mr. BROWN of Massachusetts, Mr. BROWN of Ohio, Mr. BROWNBACK, Mr. BUNNING, Mr. BURR, Mr. BURRIS, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CHAMBLISS, Mr. COBURN, Mr. COCHRAN, Ms. COLLINS, Mr. CONRAD, Mr. CORKER, Mr. CORNYN, Mr. CRAPO, Mr. DEMINT, Mr. DODD, Mr. DORGAN, Mr. DURBIN, Mr. ENSIGN, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mr. GREGG, Mrs. HAGAN, Mr. HATCH, Mrs. HUTCHISON, Mr. INHOFE, Mr. INOUE, Mr. ISAKSON, Mr. JOHANNIS, Mr. JOHNSON, Mr. KAUFMAN, Mr. KERRY, Ms. KLOBUCHAR, Mr. KOHL, Mr. KYL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEMIEUX, Mr. LEVIN, Mr. LIEBERMAN, Mrs. LINCOLN, Mr. LUGAR, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Ms. MURKOWSKI, Mrs. MURRAY, Mr. NELSON of Nebraska, Mr. NELSON of Florida, Mr. PRYOR, Mr. REED, Mr. RISCH, Mr. ROBERTS, Mr. SANDERS, Mr. SCHUMER, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. SNOWE, Mr. SPECTER, Ms. STABENOW, Mr. TESTER, Mr. THUNE, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. VITTER, Mr. VOINOVICH, Mr. WARNER, Mr. WEBB, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN) submitted the following resolution; which was considered and agreed to:

S. RES. 487

Whereas coal mining is a time-honored profession;

Whereas coal miners and the families of coal miners have shaped the rich history and culture of the State of West Virginia and the United States;

Whereas the United States is greatly indebted to coal miners for the difficult and dangerous work performed by coal miners to provide the fuel necessary to keep the United States strong and secure;

Whereas the United States has long recognized the importance of health and safety protections for coal miners laboring in extreme and dangerous conditions;

Whereas accidents in coal mines have repeatedly taken the lives of coal miners;

Whereas, following an explosion on April 5, 2010, 29 coal miners from the State of West Virginia tragically perished in the Upper Big Branch Mine-South;

Whereas the explosion at the Upper Big Branch Mine-South was the worst coal mining disaster in the United States during the 40 years prior to the date of the agreement to this resolution;

Whereas Federal, State, and local rescue crews worked tirelessly in a courageous rescue and recovery effort after the explosion;

Whereas the families of the fallen coal miners have suffered an immeasurable loss; and

Whereas residents of Raleigh County and the State of West Virginia came together to support the families of the fallen coal miners: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the ultimate sacrifice made by the 29 coal miners lost at the Upper Big Branch Mine-South in Raleigh County, West Virginia;

(2) extends the deepest condolences of the United States Senate to the families of the fallen coal miners;

(3) honors the survivors of the tragedy;

(4) recognizes all coal miners for—
 (A) enduring the immeasurable loss of co-workers; and
 (B) maintaining courage in the aftermath of the explosion at the Upper Big Branch Mine-South;
 (5) commends the valiant efforts of the emergency response workers searching for the missing coal miners after the explosion; and
 (6) honors the many volunteers who provided support and comfort for the families of the missing coal miners during the rescue and recovery operations.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3728. Mr. BUNNING submitted an amendment intended to be proposed to amendment SA 3721 proposed by Mr. BAUCUS to the bill H.R. 4851, to provide a temporary extension of certain programs, and for other purposes; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3728. Mr. BUNNING submitted an amendment intended to be proposed to amendment SA 3721 proposed by Mr. BAUCUS to the bill H.R. 4851, to provide a temporary extension of certain programs, and for other purposes; which was ordered to lie on the table; as follows:

Strike all after the first word and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Continuing Extension Act of 2010”.

SEC. 2. EXTENSION OF UNEMPLOYMENT INSURANCE PROVISIONS.

(a) IN GENERAL.—(1) Section 4007 of the Supplemental Appropriations Act, 2008 (Public Law 110-252; 26 U.S.C. 3304 note) is amended—

(A) by striking “April 5, 2010” each place it appears and inserting “June 2, 2010”;

(B) in the heading for subsection (b)(2), by striking “APRIL 5, 2010” and inserting “JUNE 2, 2010”; and

(C) in subsection (b)(3), by striking “September 4, 2010” and inserting “November 6, 2010”.

(2) Section 2002(e) of the Assistance for Unemployed Workers and Struggling Families Act, as contained in Public Law 111-5 (26 U.S.C. 3304 note; 123 Stat. 438), is amended—

(A) in paragraph (1)(B), by striking “April 5, 2010” and inserting “June 2, 2010”;

(B) in the heading for paragraph (2), by striking “APRIL 5, 2010” and inserting “JUNE 2, 2010”; and

(C) in paragraph (3), by striking “October 5, 2010” and inserting “December 7, 2010”.

(3) Section 2005 of the Assistance for Unemployed Workers and Struggling Families Act, as contained in Public Law 111-5 (26 U.S.C. 3304 note; 123 Stat. 444), is amended—

(A) by striking “April 5, 2010” each place it appears and inserting “June 2, 2010”; and

(B) in subsection (c), by striking “September 4, 2010” and inserting “November 6, 2010”.

(4) Section 5 of the Unemployment Compensation Extension Act of 2008 (Public Law 110-449; 26 U.S.C. 3304 note) is amended by striking “September 4, 2010” and inserting “November 6, 2010”.

(b) FUNDING.—Section 4004(e)(1) of the Supplemental Appropriations Act, 2008 (Public Law 110-252; 26 U.S.C. 3304 note) is amended—

(1) in subparagraph (C), by striking “and” at the end;

(2) by inserting after subparagraph (D) the following new subparagraph:

“(E) the amendments made by section 2(a)(1) of the Continuing Extension Act of 2010; and”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the enactment of the Temporary Extension Act of 2010 (Public Law 111-144).

SEC. 3. EXTENSION AND IMPROVEMENT OF PREMIUM ASSISTANCE FOR COBRA BENEFITS.

(a) EXTENSION OF ELIGIBILITY PERIOD.—Subsection (a)(3)(A) of section 3001 of division B of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5), as amended by section 3(a) of the Temporary Extension Act of 2010 (Public Law 111-144), is amended by striking “March 31, 2010” and inserting “May 31, 2010”.

(b) RULES RELATING TO 2010 EXTENSION.—Subsection (a) of section 3001 of division B of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5), as amended by section 3(b) of the Temporary Extension Act of 2010 (Public Law 111-144), is amended by adding at the end the following:

“(18) RULES RELATED TO APRIL AND MAY 2010 EXTENSION.—In the case of an individual who, with regard to coverage described in paragraph (10)(B), experiences a qualifying event related to a termination of employment on or after April 1, 2010 and prior to the date of the enactment of this paragraph, rules similar to those in paragraphs (4)(A) and (7)(C) shall apply with respect to all continuation coverage, including State continuation coverage programs.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the provisions of section 3001 of division B of the American Recovery and Reinvestment Act of 2009.

SEC. 4. INCREASE IN THE MEDICARE PHYSICIAN PAYMENT UPDATE.

Paragraph (10) of section 1848(d) of the Social Security Act, as added by section 1011(a) of the Department of Defense Appropriations Act, 2010 (Public Law 111-118) and as amended by section 5 of the Temporary Extension Act of 2010 (Public Law 111-144), is amended—

(1) in subparagraph (A), by striking “March 31, 2010” and inserting “May 31, 2010”; and

(2) in subparagraph (B), by striking “April 1, 2010” and inserting “June 1, 2010”.

SEC. 5. EHR CLARIFICATION.

(a) QUALIFICATION FOR CLINIC-BASED PHYSICIANS.—

(1) MEDICARE.—Section 1848(o)(1)(C)(ii) of the Social Security Act (42 U.S.C. 1395w-4(o)(1)(C)(ii)) is amended by striking “setting (whether inpatient or outpatient)” and inserting “inpatient or emergency room setting”.

(2) MEDICAID.—Section 1903(t)(3)(D) of the Social Security Act (42 U.S.C. 1396b(t)(3)(D)) is amended by striking “setting (whether inpatient or outpatient)” and inserting “inpatient or emergency room setting”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall be effective as if included in the enactment of the HITECH Act (included in the American Recovery and Reinvestment Act of 2009 (Public Law 111-5)).

(c) IMPLEMENTATION.—Notwithstanding any other provision of law, the Secretary of Health and Human Services may implement the amendments made by this section by program instruction or otherwise.

SEC. 6. EXTENSION OF USE OF 2009 POVERTY GUIDELINES.

Section 1012 of the Department of Defense Appropriations Act, 2010 (Public Law 111-118), as amended by section 7 of the Temporary Extension Act of 2010 (Public Law

111-144), is amended by striking “March 31, 2010” and inserting “May 31, 2010”.

SEC. 7. EXTENSION OF NATIONAL FLOOD INSURANCE PROGRAM.

(a) EXTENSION.—Section 129 of the Continuing Appropriations Resolution, 2010 (Public Law 111-68), as amended by section 8 of Public Law 111-144, is amended by striking “by substituting” and all that follows through the period at the end and inserting “by substituting May 31, 2010, for the date specified in each such section.”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall be considered to have taken effect on February 28, 2010.

SEC. 8. COMPENSATION AND RATIFICATION OF AUTHORITY RELATED TO LAPSE IN HIGHWAY PROGRAMS.

(a) COMPENSATION FOR FEDERAL EMPLOYEES.—Any Federal employees furloughed as a result of the lapse in expenditure authority from the Highway Trust Fund after 11:59 p.m. on February 28, 2010, through March 2, 2010, shall be compensated for the period of that lapse at their standard rates of compensation, as determined under policies established by the Secretary of Transportation.

(b) RATIFICATION OF ESSENTIAL ACTIONS.—All actions taken by Federal employees, contractors, and grantees for the purposes of maintaining the essential level of Government operations, services, and activities to protect life and property and to bring about orderly termination of Government functions during the lapse in expenditure authority from the Highway Trust Fund after 11:59 p.m. on February 28, 2010, through March 2, 2010, are hereby ratified and approved if otherwise in accord with the provisions of the Continuing Appropriations Resolution, 2010 (division B of Public Law 111-68).

(c) FUNDING.—Funds used by the Secretary to compensate employees described in subsection (a) shall be derived from funds previously authorized out of the Highway Trust Fund and made available or limited to the Department of Transportation by the Consolidated Appropriations Act, 2010 (Public Law 111-117) and shall be subject to the obligation limitations established in such Act.

(d) EXPENDITURES FROM HIGHWAY TRUST FUND.—To permit expenditures from the Highway Trust Fund to effectuate the purposes of this section, this section shall be deemed to be a section of the Continuing Appropriations Resolution, 2010 (division B of Public Law 111-68), as in effect on the date of the enactment of the last amendment to such Resolution.

SEC. 9. SATELLITE TELEVISION EXTENSION.

(a) AMENDMENTS TO SECTION 119 OF TITLE 17, UNITED STATES CODE.—

(1) IN GENERAL.—Section 119 of title 17, United States Code, is amended—

(A) in subsection (c)(1)(E), by striking “April 30, 2010” and inserting “May 31, 2010”; and

(B) in subsection (e), by striking “April 30, 2010” and inserting “May 31, 2010”.

(2) TERMINATION OF LICENSE.—Section 1003(a)(2)(A) of Public Law 111-118 is amended by striking “April 30, 2010”, and inserting “May 31, 2010”.

(b) AMENDMENTS TO COMMUNICATIONS ACT OF 1934.—Section 325(b) of the Communications Act of 1934 (47 U.S.C. 325(b)) is amended—

(1) in paragraph (2)(C), by striking “April 30, 2010” and inserting “May 31, 2010”; and

(2) in paragraph (3)(C), by striking “May 1, 2010” each place it appears in clauses (ii) and (iii) and inserting “June 1, 2010”.

SEC. 10. EXTENSION OF SMALL BUSINESS LOAN GUARANTEE PROGRAM.

(a) APPROPRIATION.—There is appropriated, out of any funds in the Treasury not otherwise appropriated, \$80,000,000, for an additional amount for “Small Business Administration—Business Loans Program Account”, to remain available until expended, for the cost of fee reductions and eliminations under section 501 of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5; 123 Stat. 151) and loan guarantees under section 502 of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5; 123 Stat. 152), as amended by this section: *Provided*, That such costs shall be as defined in section 502 of the Congressional Budget Act of 1974.

(b) EXTENSION OF SUNSET DATE.—Section 502(f) of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5; 123 Stat. 153) is amended by striking “April 30, 2010” and inserting “May 31, 2010”.

SEC. 11. DETERMINATION OF BUDGETARY EFFECTS.

(a) IN GENERAL.—The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

(b) EMERGENCY DESIGNATION FOR CONGRESSIONAL ENFORCEMENT.—This Act, with the exception of section 4, is designated as an emergency for purposes of pay-as-you-go principles. In the Senate, this Act is designated as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

(c) EMERGENCY DESIGNATION FOR STATUTORY PAYGO.—This Act, with the exception of section 4, is designated as an emergency requirement pursuant to section 4(g) of the Statutory Pay-As-You-Go Act of 2010 (Public Law 111–139; 2 U.S.C. 933(g)).

SEC. 12. SEQUESTRATION IF NET INCREASE TO DEFICIT IS NOT OFFSET WITHIN 90 DAYS.

(a) SEQUESTRATION ORDER.—Not later than 90 days after the date of the enactment of the Act, the Office of Management and Budget shall prepare and the President shall issue a sequestration order that, upon issuance, shall reduce budgetary resources of direct spending programs by enough to offset the net increase in the Federal budget deficit from fiscal years 2010 through 2020 caused by the enactment of this Act and any subsequent amendments to this Act enacted within 90 days of the date of the enactment of this Act. The Office of Management and Budget shall transmit the order and a report on the order to the House of Representatives and the Senate. If the President issues a sequestration order, the report accompanying the order shall contain, for each budget account to be sequestered, estimates of the baseline level of budgetary resources to be sequestered, and the outlay reductions that will occur in the budget year and the subsequent fiscal year because of that sequestration.

(b) REDUCING NONEXEMPT BUDGETARY RESOURCES BY A UNIFORM PERCENTAGE.—

(1) IN GENERAL.—The Office of Management and Budget shall calculate the uniform percentage by which the budgetary resources of nonexempt direct spending programs are to be sequestered such that the outlay savings resulting from that sequestration, as calculated under subsection (c), shall offset the increase in the deficit, if any, caused by the enactment of this Act and subsequent

amendments to this Act enacted within 90 days of the date of the enactment of this Act.

(2) PROGRAMS AND ACTIVITIES IN UNIFIED BUDGET ONLY.—Subject to an exception for Medicare and the exemptions set forth in section 255 of the Balanced Budget and Emergency Deficit Control Act of 1985, the Office of Management and Budget shall determine the uniform percentage required under paragraph (1) with respect to programs and activities contained in the unified budget only.

(c) OUTLAY SAVINGS.—In determining the amount by which a sequestration offsets the impact of this Act on the Federal budget deficit, the Office of Management and Budget shall count—

(1) the amount by which the sequestration in a crop year of crop support payments, pursuant to section 256(j) of Balanced Budget and Emergency Deficit Control Act of 1985, reduces outlays in the budget year and the subsequent fiscal year; and

(2) the amount by which the sequestration in the budget year of the budgetary resources of other nonexempt mandatory programs reduces outlays in the budget year and in the subsequent fiscal year.

SEC. 13. UNEMPLOYMENT INSURANCE PROGRAM INTEGRITY.

(a) REPORTING OF FIRST DAY OF EARNINGS TO DIRECTORY OF NEW HIRES.—

(1) IN GENERAL.—Section 453A(b)(1)(A) of the Social Security Act (42 U.S.C. 653a(b)(1)(A)) is amended by inserting “the date services for remuneration were first performed by the employee,” after “of the employee.”

(2) REPORTING FORMAT AND METHOD.—Section 453A(c) of the Social Security Act (42 U.S.C. 653a(c)) is amended by inserting “, to the extent practicable,” after “Each report required by subsection (b) shall”.

(3) EFFECTIVE DATE.—

(A) IN GENERAL.—Subject to subparagraph (B), the amendments made by this subsection shall take effect 6 months after the date of enactment of this Act.

(B) COMPLIANCE TRANSITION PERIOD.—If the Secretary of Health and Human Services determines that State legislation (other than legislation appropriating funds) is required in order for a State plan under part D of title IV of the Social Security Act to meet the additional requirements imposed by the amendment made by paragraph (1), the plan shall not be regarded as failing to meet such requirements before the first day of the second calendar quarter beginning after the close of the first regular session of the State legislature that begins after the effective date of such amendment. If the State has a 2-year legislative session, each year of the session is deemed to be a separate regular session of the State legislature.

(b) EXTENSION AND MODIFICATION OF COLLECTION OF PAST-DUE DEBT FOR ERRONEOUS PAYMENT OF UNEMPLOYMENT COMPENSATION.—

(1) PERMANENT EXTENSION.—Subsection (f) of section 6402 of the Internal Revenue Code of 1986 is amended by striking paragraph (8).

(2) COLLECTION IN ALL STATES.—Subsection (f) of section 6402 of the Internal Revenue Code of 1986, as amended by paragraph (1), is amended by striking paragraph (3) and redesignating paragraphs (4) through (7) as paragraphs (3) through (6), respectively.

(3) COLLECTION FOR REASONS OTHER THAN FRAUD.—

(A) IN GENERAL.—Paragraph (4) of section 6402(f) of such Code, as redesignated by paragraph (2), is amended by striking “due to fraud” each place it appears.

(B) CONFORMING AMENDMENTS.—Section 6402(f) of such Code is amended—

(i) in paragraph (3), as redesignated by paragraph (2)—

(I) by striking “or due to fraud” in subparagraph (B), and

(II) by striking “and due to fraud” in subparagraph (C), and

(ii) in the heading, by striking “RESULTING FROM FRAUD”.

(4) EFFECTIVE DATE.—The amendments made by this subsection shall apply to refunds payable on or after the date of the enactment of this Act.

AUTHORITY FOR COMMITTEES TO MEET**COMMITTEE ON ARMED SERVICES**

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on April 15, 2010, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs, be authorized to meet during the session of the Senate on April 15, 2010, at 9:30 a.m. to conduct a hearing entitled “Legislative Proposals in the Department of Housing and Urban Development’s FY 2011 Budget Request”.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled “ESEA Reauthorization: Teachers and Leaders” on April 15, 2010. The hearing will commence at 10 a.m. in room 106 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on April 15, 2010, at 10 a.m. in room 215 of the Dirksen Senate Office Building, to conduct a hearing entitled “Filing Season Update: Current IRS Issues.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on April 15, 2010, at 11 a.m., to hold an East Asian Affairs subcommittee hearing entitled “US-Japan Relations.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized

to meet during the session of the Senate, on April 15, 2010, at 10 a.m. in SD-226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON RULES AND ADMINISTRATION

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be authorized to meet during the session of the Senate on April 15, 2010, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on April 15, 2010, at 10 a.m. to conduct a hearing entitled "Assessing Access: Obstacles and Opportunities for Minority Small Business Owners in Today's Capital Markets."

The PRESIDING OFFICER. Without objection, it is so ordered.

AD HOC SUBCOMMITTEE ON CONTRACTING OVERSIGHT

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Ad Hoc Subcommittee on Contracting Oversight of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on April 15, 2010, at 2:30 p.m. to conduct a hearing entitled, "Contracts for Afghan National Police Training."

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on April 15, 2010, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON AIRLAND

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Committee on Airland of the Committee on Armed Services be authorized to meet during the session of the Senate on April 15, 2010, at 2 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON OCEANS, ATMOSPHERE, FISHERIES, AND COAST GUARD

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard of the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on April 15, 2010, at 10 a.m. in room 253 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL PUBLIC WORKS WEEK

FINANCIAL LITERACY MONTH

SUPPORTING THE MISSION AND GOALS OF THE 2010 NATIONAL CRIME VICTIMS' RIGHTS WEEK

HONORING COAL MINERS WHO PERISHED IN THE UPPER BIG BRANCH MINE-SOUTH IN RALEIGH COUNTY, WEST VIRGINIA

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the Senate now proceed to the en bloc consideration of the following Senate resolutions: S. Res. 484, S. Res. 485, S. Res. 486, and S. Res. 487.

There being no objection, the Senate proceeded to consider the resolutions.

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, and the motions to reconsider be laid upon the table en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolutions (S. Res. 484, S. Res. 485, S. Res. 486, and S. Res. 487) were agreed to.

The preambles were agreed to.

The resolutions, with their preambles, read as follows:

S. RES. 484

Whereas public works infrastructure, facilities, and services are of vital importance to the health, safety, and well-being of the people of the United States;

Whereas the public works infrastructure, facilities, and services could not be provided without the dedicated efforts of public works professionals, including engineers and administrators, who represent State and local governments throughout the United States;

Whereas public works professionals design, build, operate, and maintain the transportation systems, water infrastructure, sewage and refuse disposal systems, public buildings, and other structures and facilities that are vital to the people and communities of the United States;

Whereas understanding the role that public infrastructure plays in protecting the environment, improving public health and safety, contributing to economic vitality, and enhancing the quality of life of every community of the United States is in the interest of the people of the United States; and

Whereas 2010 marks the 50th anniversary of "National Public Works Week": Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of May 16 through May 22, 2010, as "National Public Works Week";

(2) recognizes and celebrates the important contributions that public works professionals make every day to improve—

(A) the public infrastructure of the United States; and

(B) the communities that public works professionals serve; and

(3) urges individuals and communities throughout the United States to join with representatives of the Federal Government and the American Public Works Association in activities and ceremonies that are designed—

(A) to pay tribute to the public works professionals of the United States; and

(B) to recognize the substantial contributions that public works professionals make to the United States.

S. RES. 485

Whereas according to the Federal Deposit Insurance Corporation, at least 25.6 percent of households in the United States, or close to 30,000,000 households with approximately 60,000,000 adults, are unbanked or underbanked and, subsequently, have missed opportunities for savings, lending, and basic financial services;

Whereas according to the 2009 Consumer Financial Literacy Survey Final Report of the National Foundation for Credit Counseling, 41 percent of adults in the United States, or more than 92,000,000 adults living in the United States, gave themselves a grade of C, D, or F on their knowledge of personal finance;

Whereas according to the National Bankruptcy Research Center, the number of personal bankruptcy filings reached 1,410,000 in 2009, a 32 percent increase from 2008 and the highest number since 2005;

Whereas the 2009 Retirement Confidence Survey conducted by the Employee Benefit Research Institute found that the percentage of workers who were "very confident" about having enough money for a comfortable retirement decreased sharply, from 27 percent in 2007 to 18 percent in 2008 to 13 percent in 2009, the lowest since the question was first asked in the survey in 1993, and representing a 50 percent decline in worker confidence since 2007;

Whereas according to a 2009 "Flow of Funds" report by the Federal Reserve, household debt stood at \$13,600,000,000,000;

Whereas according to the Department of Labor, only 43 percent of people in the United States have calculated how much they need to save for retirement;

Whereas according to the 2009 Consumer Financial Literacy Survey Final Report of the National Foundation for Credit Counseling, 26 percent, or more than 58,000,000 adults, admit to not paying all of their bills on time;

Whereas according to the 2009 Consumer Financial Literacy Survey Final Report of the National Foundation for Credit Counseling, 1/3 of adults in the United States, approximately 72,000,000 adults, report that they have no savings and only 23 percent of adults in the United States are now saving more than they did a year ago because of the current economic climate;

Whereas according to the 2009 Consumer Financial Literacy Survey Final Report of the National Foundation for Credit Counseling, less than 1/2 of adults keep close track of their spending, and nearly 16,000,000 adults do not know how much they spend on food, housing, and entertainment, and do not monitor their overall spending;

Whereas the number of adults keeping close track of their spending has not improved since 2007;

Whereas according to the sixth Survey of the States 2009: Economic, Personal Finance, and Entrepreneurship Education in Our Nation's Schools, conducted by the Council for Economic Education, only 21 States require students to take an economics course as a high school graduation requirement, and only 19 States require the testing of student knowledge in economics;

Whereas according to the sixth Survey of the States 2009: Economic, Personal Finance, and Entrepreneurship Education in Our Nation's Schools, conducted by the Council for Economic Education, only 13 States require students to take a personal finance course either independently or as part of an economics course as a high school graduation requirement;

Whereas expanding access to the mainstream financial system will provide individuals with less expensive and more secure options for managing finances and building wealth;

Whereas quality personal financial education is essential to ensure that individuals are prepared to manage money, credit, and debt, and to become responsible workers, heads of households, investors, entrepreneurs, business leaders, and citizens;

Whereas increased financial literacy empowers individuals to make wise financial decisions and reduces the confusion caused by an increasingly complex economy;

Whereas a greater understanding of, and familiarity with, financial markets and institutions will lead to increased economic activity and growth;

Whereas, in 2003, Congress found it important to coordinate Federal financial literacy efforts and formulate a national strategy; and

Whereas, in light of that finding, Congress passed the Financial Literacy and Education Improvement Act of 2003 (Public Law 108-159; 117 Stat. 2003) establishing the Financial Literacy and Education Commission and designating the Office of Financial Education of the Department of the Treasury to provide support for the Commission: Now, therefore, be it

Resolved, That the Senate—

(1) designates April 2010 as “Financial Literacy Month” to raise public awareness about—

(A) the importance of personal financial education in the United States; and

(B) the serious consequences that may result from a lack of understanding about personal finances; and

(2) calls on the Federal Government, States, localities, schools, nonprofit organizations, businesses, and the people of the United States to observe the month with appropriate programs and activities.

S. RES. 486

Whereas more than 25,000,000 individuals in the United States are victims of crime each year, including more than 6,000,000 individuals who are victims of violent crime;

Whereas a just society acknowledges the impact of crime on individuals, families, neighborhoods, and communities by ensuring that rights, resources, and services are available to help rebuild the lives of the victims;

Whereas, although the United States has steadily expanded rights, protections, and services for victims of crime, too many victims are still not able to realize the hope and promise of the expanded rights, protections, and services;

Whereas, despite impressive accomplishments realized during the past 40 years in crime victims’ rights and services, there remain many challenges to ensuring that all victims are—

(1) treated with fairness, dignity, and respect;

(2) offered support and services regardless of whether the victims report the crimes committed against them to law enforcement; and

(3) recognized as key participants in the systems of justice in the United States when the crimes are reported;

Whereas the systems of justice in the United States should ensure that services are available for all victims of crime, including victims from underserved communities of the United States;

Whereas observing the rights of victims and treating victims with fairness, dignity, and respect serve the public interest by—

(1) engaging victims in the justice system;

(2) inspiring respect for public authorities; and

(3) promoting confidence in public safety;

Whereas individuals in the United States recognize that homes, neighborhoods, and communities are made safer and stronger by identifying and meeting the needs of crime victims and ensuring justice for all;

Whereas treating victims of crime with fairness, dignity, and respect, as encouraged and expressed through the 2010 National Crime Victims’ Rights Week theme referred to as “Crime Victims’ Rights: Fairness. Dignity. Respect.”—

(1) costs nothing more than taking time to identify the needs and concerns of victims; and

(2) requires effective collaboration among justice systems to meet the needs and concerns of victims; and

Whereas the 2010 National Crime Victims’ Rights Week, which is observed during the week of April 18 through April 24, 2010, provides an opportunity for the systems of justice in the United States to strive to reach the goal of justice for all by ensuring that victims are afforded legal rights and provided with assistance to face the financial, physical, spiritual, psychological, and social impact of crime: Now, therefore, be it

Resolved, That the Senate—

(1) supports the mission and goals of the 2010 National Crime Victims’ Rights Week to increase public awareness of—

(A) the impact on victims and survivors of crime; and

(B) the constitutional and statutory rights and needs of victims and survivors of crime; and

(2) recognizes that fairness, dignity, and respect comprise the very foundation of the manner in which victims and survivors of crime should be treated.

S. RES. 487

Whereas coal mining is a time-honored profession;

Whereas coal miners and the families of coal miners have shaped the rich history and culture of the State of West Virginia and the United States;

Whereas the United States is greatly indebted to coal miners for the difficult and dangerous work performed by coal miners to provide the fuel necessary to keep the United States strong and secure;

Whereas the United States has long recognized the importance of health and safety protections for coal miners laboring in extreme and dangerous conditions;

Whereas accidents in coal mines have repeatedly taken the lives of coal miners;

Whereas, following an explosion on April 5, 2010, 29 coal miners from the State of West Virginia tragically perished in the Upper Big Branch Mine-South;

Whereas the explosion at the Upper Big Branch Mine-South was the worst coal mining disaster in the United States during the 40 years prior to the date of the agreement to this resolution;

Whereas Federal, State, and local rescue crews worked tirelessly in a courageous rescue and recovery effort after the explosion;

Whereas the families of the fallen coal miners have suffered an immeasurable loss; and

Whereas residents of Raleigh County and the State of West Virginia came together to support the families of the fallen coal miners: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the ultimate sacrifice made by the 29 coal miners lost at the Upper Big Branch Mine-South in Raleigh County, West Virginia;

(2) extends the deepest condolences of the United States Senate to the families of the fallen coal miners;

(3) honors the survivors of the tragedy;

(4) recognizes all coal miners for—

(A) enduring the immeasurable loss of co-workers; and

(B) maintaining courage in the aftermath of the explosion at the Upper Big Branch Mine-South;

(5) commends the valiant efforts of the emergency response workers searching for the missing coal miners after the explosion; and

(6) honors the many volunteers who provided support and comfort for the families of the missing coal miners during the rescue and recovery operations.

FINANCIAL LITERACY MONTH

Mr. AKAKA. Mr. President, I am pleased that the Senate has once again passed a resolution designating April as Financial Literacy Month. I thank my cosponsors, Senators ENZI, DODD, CRAPO, JOHNSON, CORKER, SCHUMER, COCHRAN, MENENDEZ, WICKER, KOHL, MERKLEY, INOUE, DURBIN, BAUCUS, MURRAY, LINCOLN, BEGICH, GILLIBRAND, FEINGOLD, LEVIN, CARPER, CARDIN, STABENOW, and HAGAN. I am glad to work once again with my colleagues in a bipartisan manner to promote financial and economic literacy for all Americans.

This tax day I want to recognize those organizations that gathered information on the status of financial literacy in our country. This includes the Jumpstart Coalition for Personal Financial Literacy’s survey of high school seniors and the Employee Benefit Research Institute’s Retirement Confidence Survey. These surveys present deeply troubling figures that underscore the need for increased financial literacy. The financial literacy of high school students has fallen to its lowest level ever, with a score of just 48.3 percent. Also, the percentage of workers who were “very confident” about having enough money for a comfortable retirement decreased sharply, from 27 percent in 2007 to 18 percent in 2008 to 13 percent in 2009, the lowest since the question was first asked in the survey in 1993, and representing a 50 percent decline in worker confidence since 2007. There is still much work to do in properly educating America’s youth on basic personal financial management skills.

In addition, last year the Federal Reserve noted that household debt in the United States stood at \$13.6 trillion. The 2009 Consumer Financial Literacy Survey Final Report of the National Foundation for Credit Counseling found that less than half of all adults keep close track of their spending, and nearly 16 million adults do not monitor their overall spending and do not know how much they spend on food, housing, and entertainment. With regard to retirement planning, the U.S. Department of Labor noted that only 43 percent of people in the United States have calculated how much they need to save for retirement. These findings suggest a serious problem underscored by the fact that most workers have not calculated how much they need to save for retirement, even if they believe they are behind schedule in their retirement.

Increased financial and economic literacy can help people navigate around the countless pitfalls found in the marketplace. A significant step occurred with the passage of the Credit Card Accountability Responsibility and Disclosure Act of 2009. The Act requires credit card companies to disclose information about the impact of making only the minimum monthly payment. This includes how long it will take to repay a credit card and the extra amount in interest that must be paid when only the minimum payment is made. This easily-found information will allow consumers to become more aware of their financial situation and enable them to make better financial choices.

Our resolution designates April 2010 as Financial Literacy Month and highlights the need to promote financial literacy. I am pleased by efforts underway to promote financial and economic education and wish to highlight a few examples. Here in Washington, the Jumpstart Coalition for Personal Financial Literacy is holding a celebration of financial literacy this month. During the celebration, Jumpstart will honor two national leaders, a State coalition of the year, and the prestigious Odom Award winner. In addition, the National Foundation for Credit Counseling will announce the winner of its annual poster contest. The Washington State Department of Financial Institutions, DFI, announced that it is launching a new statewide financial education calendar. DFI is working with organizations providing financial education in their communities to incorporate existing calendars into a single searchable, comprehensive statewide calendar of financial education classes and events. Maryland Public Television is airing the program "Pursuit of the Dream: Building Credit for Life." This special and important documentary will educate viewers on the importance of credit scores. Viewers will also learn tips for building a good credit score and helpful ways to avoid money traps that can drag down credit ratings. Viewers will also be able to hear from local financial experts and call a toll-free number airing throughout the broadcast to connect to valuable resources. In my home State of Hawaii, the Hawaii State Department of Commerce and Consumer Affairs recently organized a fair to provide free financial information and help arm consumers with accurate and useful information to encourage financial literacy.

As policymakers, we need to focus on these issues year round, not just in the month of April. However, focusing on Financial Literacy Month in April means that we have a designated part of the year when we can reassess and improve upon our efforts.

ORDERS FOR MONDAY, APRIL 19, 2010

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that when the

Senate completes its business today, it adjourn until 2 p.m. Monday, April 19; that following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed to have expired, and the time for the two leaders be reserved for their use later in the day, and the Senate proceed to a period of morning business until 3 p.m., with Senators permitted to speak therein for up to 10 minutes each; that following morning business, the Senate proceed to executive session to debate the nomination of Lael Brainard to be an Under Secretary of the Treasury.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWN of Ohio. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR SIGNING AUTHORITY

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the majority leader be authorized to sign any duly enrolled bills or joint resolutions today, April 15, or tomorrow, April 16, 2010.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. BROWN of Ohio. Mr. President, today, Senator REID filed cloture on several executive nominations. At 5:30 Monday, the Senate will proceed to a cloture vote on the Brainard nomination.

ORDER TO ADJOURN

Mr. BROWN of Ohio. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order, following the remarks of the junior Senator from Alabama, Senator SESSIONS.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWN of Ohio. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE FEDERAL DEBT

Mr. SESSIONS. Mr. President, I shared recently with my colleagues my

concern about the surging Federal debt and the ramifications that arise from that, and how it has a damaging effect in ways a lot of people have not considered on our economy and on the quality of life of the American people.

A scholar at the Cato Institute published an excellent op ed in yesterday's Washington Times on the impact of borrowing on the American economy. Savings are essential, as we all know, for economic growth because it is from those savings that people borrow, and then they are able to invest in new factories, equipment, research, development, and create businesses that create jobs. That is how we get economic growth. It is part of our tradition of a free economy, and it has served us well. Very few would deny that this is the best way to allocate wealth, rather than trying to have a government-mandated economy.

When the government issues debt and private citizens and corporations buy it, that, by definition, steers that money, that savings, from the productive or private sector of the economy toward the government. If the government wasn't issuing the debt, or borrowing the money, people would have money that they would likely invest in private corporations through bonds or stocks. They might place it in a bank and buy a CD, and then the bank would loan that to a private company, or some person who is wishing to build a home or a shopping center, creating jobs and growth in the economy. Some of our colleagues like to think that you can borrow money and you can increase debt and it is free money. But we know that is not true. Nothing comes from nothing. Everything has a cost, and it will be paid for one way or the other, at one time or another.

The unprecedented Federal debt that we are dealing with today is unlike anything we have seen before. I think it is fair to say that both parties have blame to share, but I have to say we have never seen anything like the President's 10-year budget and what impact it will have on the debt in our country.

Our debt in 2008 was \$5.8 billion. In 2012, it is projected to double to \$11.6 billion. In 2018, it will triple to 17.6 billion. That is a tripling of the entire debt of the United States in that many years. People would say, well, what does that mean? I say to you it means one thing I can show you. You borrow that money—somebody loaned it to the government. When the government took that loan and borrowed that money, they have to pay interest on it.

Just to show what the Congressional Budget Office has told us about what that actually means, in 2009 we paid \$187 billion in interest on our debt. That is going to go up every single year, according to them, until 2020 when we will be paying \$840 billion in 1 year in interest on the debt.

All of us have projects in which we believe. We believe in education or health. We believe in helping seniors or

young people. We believe in highways and research and development, national defense, the National Institutes of Health, science and technology, improving our energy use, cleaning up our environment. Those things cost money.

According to the projections of the Congressional Budget Office, \$840 billion will have to be taken off the top. It will have to be paid first. That will be larger than anything in our budget, including defense, unless it continues to surge, and we hope it does not. It will be larger than any other account. It will be crowding out money we could have been spending on things that work.

Some of the money we spend does not work. Too much of it is wasteful Washington spending. Some of this money is very productive, and we like to think we are making the world a better place. We are going to have less of it because of this interest.

The unprecedented Federal deficit last year of \$1.4 trillion is a stunning number, and the projected \$1.5 trillion deficit this year will be taking \$3 trillion out of the economy. In fact, the CATO scholar, Richard Rahn, compared the percentage of money the government is taking out of the economy in this recession with how much the government took out of the economy in previous recessions and found that the current depletion of savings that is going to the government is unprecedented over the last 30 years.

He says in 2009 the government took 38 percent of all the gross savings in the country by borrowing it, money that might have been available to a shopping center guy or a startup company or a person who needs to buy a home. They would borrow the money. The government is borrowing the money. The number of dollars in savings in this country is limited. We are taking 38 percent of it.

By contrast, it did not take more than 15 percent in any other recession in the past 30 years. The average takings have been less than 5 percent.

I will show this chart: savings taken by the government during recessions. The average per quarter in the last 30 years is 1 or 2 percent. In the 1982–1983 recession, it hit about 12; in the 1992–1993 recession, it hit about 15 percent; in 2003–2004, about 11 or 12 percent. Look at this, 38 percent in the 2009 recession we are in.

Some say this is worse than anything we have ever seen before. It is very bad, and it is unprecedented. If it is so easy, and if there is no cost to borrow, why don't we borrow twice as much? We all know there is a cost. We have to make judgments about how far we can go, how much we can continue to borrow.

We borrowed \$800 billion for the stimulus package. Now we have a \$270 billion stimulus package that is proposed. Since that would not fly as a big package, it is being broken up. We voted to have another \$18 billion for a 2-month extension of unemployment insurance, the doctor fix, and some other items. We just borrowed it.

We thought when we did the largest expenditure in the history of the Republic, when we borrowed \$800 billion for the stimulus package—I thought that was more than we could possibly afford to borrow to try to stimulate ourselves artificially out of this economic slowdown. It worried me. In fact, I supported a plan that I believe would have cost half as much and created more jobs using the studies of the President's adviser on economics, Christina Romer. It would have been more productive than the one Congress did.

One of the great tragedies of this whole process is how little stimulus we got out of the \$800 billion. As Gary Becker, the Nobel Prize winner, said, it was not a stimulus package. It was not written to create jobs and growth. He predicted it would not create jobs, and he, unfortunately, has turned out to be correct.

Senator COBURN and several of us and others opposed this bill because it ought to have been paid for. It should have been paid for out of the stimulus package. Unemployment compensation is certainly one of the items that was in the stimulus package. The doctor fix—what about that? We have to do that, don't we? Yes, we do. We really do. From where should that money come?

The failure of compensation to our physicians—please understand—is a result of a law we passed that we now cannot adhere to that if it is in effect would cut physicians' pay for Medicare patients 21 percent. Many physicians are already quitting taking Medicare patients. If this were to pass, we would have very few continuing to take Medicare patients. The whole system would collapse. They are not getting paid enough now. Private insurance pays them much more than the government does. How should we pay the doctors? Don't we have to borrow the money?

One of the great flaws in the health care bill was the failure to fix the Medicare doctor payment. That was the crisis always in Medicare. The proposal that passed on a partisan vote in the Senate, the proposal to have a new health care program to raise taxes for Medicare, bringing in more money for Medicare, cut benefits from Medicare.

Did they fix the crisis, the doctor payment first, like what had been said had to be done from the beginning? One of the reasons we needed health care reform is because we needed to have a permanent solution to the doctor payments shortfall. Did we use the money for that? No. We took the money and created an entirely new spending program, a new health care program.

Our colleagues are proposing that we just borrow the money, the \$371 billion it is going to take over 10 years to fix the doctor payments.

This is why the American people instinctively understand that we are not in control. We are out of control. We are in denial about how serious our situation is. I think the American people instinctively are right.

People say: Oh, the townhall meetings are angry. Some of them are angry. I sense they are just deeply concerned about the country they love, and they have a sense—and it is correct—that we are irresponsibly managing our duties here. As a result, we are saddling them and their children with the largest increase in debt the Nation has ever seen. It has the potential to put a cloud over the long-term growth in our economy.

I do believe we are going to get some economic strength from this stimulus package. It is impossible to spend \$800 billion and not get some economic growth from it in the short term. In 1 more year it will almost all be spent. I guess before the election we will have a lot of money being spent, and we are going to get some benefit from that, and I hope we will have a long-term positive benefit.

The Congressional Budget Office, our group that we ask to analyze spending and score the cost of legislation, analyzed the \$800 billion stimulus package and this is what they said. I think it makes sense and I am afraid it is true. For the first 2 or 3 years, we are going to have an economic lift from this flood of money into the economy. But over 10 years, the Congressional Budget Office has concluded that the \$800 billion in spending will not improve the economy. Their score was that the economy would grow less in 10 years having passed the stimulus package than if we passed nothing—if we didn't spend anything. Why is that? Mr. Elmdorf said the reason is that when you borrow \$800 billion, you crowd out borrowing from the private sector, which is where our economic growth is. You take available money that the private sector could have borrowed to run their businesses and factories and the government spends it on pork programs and social programs. This chart shows exactly that. I didn't know that 38 percent of the money that is being saved in this country would be gobbled up by Federal Government borrowing to keep our ship afloat so we can still try to buy our way out of this recession.

The experts say recessions are cyclical. If you don't do anything, you will come out of it. We hoped some sort of stimulus package could help us come out of it faster, with less pain, and I was prepared to vote for and I did vote for several packages that would be more job oriented and more targeted to growth. But we didn't pass that kind of bill. We passed a big governmental spending bill. It was predicted not to be growth oriented, it was predicted not to be job creating, and apparently, unfortunately, that has been basically true.

So I am hoping we will have some growth for a few years here, but I am confident, and logic tells me, that in the outyears that growth will not be as vigorous as it would otherwise have been because we are going to be carrying an unprecedented amount of debt

and we are going to be paying an unprecedented amount of interest every year, and this will crowd out private borrowing and cost the government a stunning amount of interest. That means the government will not be able to do anything to improve the lives of the American people because that money first has to go to pay the interest.

I wanted to share that, because there are some people who are saying that those of us who objected to this bill—this small \$18 billion debt expansion that passed today—somehow we don't love America and we don't love people in need. We believe and we offered legislation that would have paid for these expenses by taking it from unobligated

funds and programs that don't work effectively in our country. So we would have been able to fill this \$18 billion need without increasing the debt. But instead of doing that, the majority of the Senate, or Democratic leadership, pushed through legislation that would borrow it.

I guess that is the path we are on, to have an \$800 billion stimulus, a \$270 billion stimulus II, to start a new \$2.5 trillion health care bill—with these kinds of bills, more and more spending each year, and more and more debt. But we have got to stop. I know it is hard to say no and hard to make the tough choices, but that is what we have been elected to do.

I think we have to get serious about it. I am getting serious about it. I don't

intend to continue to vote willy-nilly for these debt-increasing bills. I believe this Congress has got to get serious about our financial future and take some commonsense steps that can lead us into a better future.

I thank the Chair, and I yield the floor.

ADJOURNMENT UNTIL MONDAY,
APRIL 19, 2010, AT 2 P.M.

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 2 p.m., on Monday, April 19, 2010.

Thereupon, the Senate, at 7:26 p.m., adjourned until Monday, April 19, 2010, at 2 p.m.

EXTENSIONS OF REMARKS

REMEMBERING MIDSHIPMAN
MARISA LEEANN SANCHEZ

HON. MIKE PENCE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mr. PENCE. Madam Speaker, I rise with a heavy heart to honor the unexpected and tragic passing of an honorable young woman dedicated to her country.

Midshipman Marisa LeeAnn Sanchez was a bright and talented student at the U.S. Merchant Marine Academy. A native Hoosier, Marisa was a gifted high school athlete in volleyball, tennis, swimming, and basketball. Marisa also volunteered her time as a member of Student Council and the Athletic Council and Business Professionals of America.

Marisa excelled academically, graduating 10th out of her class of over 300 students. In 2009, I nominated Marisa to the Merchant Marine Academy, and I was pleased when the Academy accepted her. It was with grave sadness that I learned of her recent passing.

The tragedy of losing such a young and promising life is never easy. I give my most sincere condolences to Marisa's family: father, Jeffery McClane; mother, Lisa Robinson Sanchez; stepfather, Gilberto "Gil" Sanchez; stepmother, Heather McClane; three brothers, Joshua Caleb McClane, Milo Sheldon Sanchez, and Christopher Allan Anderson; two sisters, Morgan Anne Sanchez and Kate Argbright; paternal grandparents, Floyd and Jenny McClane; maternal grandparents, Randall and Gloria Robinson; paternal grandmother, Maria Sanchez; great-grandmother, Eva Sellars; and numerous aunts, uncles, and cousins. May they find comfort in the Old Book which tells us that "Because of the Lord's great love we are not consumed, for his compassions never fail."

MARINE HEAVY HELICOPTER
SQUADRON 772 RESERVE FAMILY
READINESS AWARD

HON. ALLYSON Y. SCHWARTZ

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Ms. SCHWARTZ. Madam Speaker, I rise today to honor Marine Heavy Helicopter Squadron 772 based at Naval Air Station Willow Grove, Pennsylvania, for being selected as the 2009 Marine Forces Reserve winner of the Department of Defense Reserve Family Readiness Award. Their honor, courage and commitment to our nation and those that serve in defense of it, unquestionably helps to ensure the safety of America and the entire world.

Activated in April 1958, Marine Heavy Helicopter Squadron 772 has a proud history of serving our country with great distinction. Courageously serving in the Republic of Vietnam,

Operation Desert Storm, Operation Noble Eagle, Operation Enduring Freedom, Operation Iraqi Freedom, as well as numerous humanitarian relief operations, they have acted with honor and distinction whenever called upon. Today, the squadron continues to build upon this legacy, earning formal commendation for their robust family readiness program.

Improved family readiness programs aid Guard and Reserve families readiness when called up for active duty. In 2000, the Department of Defense established the Reserve Family Readiness Awards Program to formally recognize the National Guard and Reserve units with the finest family support programs.

The Unit Family Readiness Program of the Marine Heavy Helicopter Squadron 772 has distinguished itself as an exemplary support program. They have earned this award through their development of seamless, integrated readiness and support programs, in combination with their ability to provide resource information, training, and support services for family members. These programs play a vital role in supporting our nation's service members during a critical time.

Madam Speaker, I thank and congratulate the members of Marine Heavy Helicopter Squadron 772 for their honor, courage and commitment. I ask that my colleagues join me in celebrating this award and wishing these dedicated Marines continued success in their efforts to enhance our nation's military personnel and family readiness.

CONGRATULATING CONGREGATION
ETZ CHAIM ON ITS 50TH ANNI-
VERSARY

HON. PETER J. ROSKAM

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mr. ROSKAM. Madam Speaker, I rise today to honor Congregation Etz Chaim which serves the people of Lombard in my Congressional District. This weekend, the congregation celebrates its 50th anniversary of serving families in our community.

The congregation was founded in 1960 as Tree Towns Congregation in Elmhurst by eight local families. Today it serves more than 550 families in the western suburbs of Chicago. Leaders within the congregation include Senior Rabbi Steven Bob, Associate Rabbi Andrea Cosnowsky, Educator Anne Stein, Administrator Carol Meyer, and President Al Herbach.

Etz Chaim is the only Jewish congregation of its size in the nation with an all-volunteer religious school faculty. The congregation prides itself on being a growing, thriving center of Reform Judaism where both young and old are welcomed and cherished. Etz Chaim depends on the members to shape its character through involvement in programming and committees.

Congregants have always been very involved in local and international issues on a

grassroots level. Over the course of their history, member families have hosted in their homes refugees from Vietnam as well as Soviet Jews escaping oppression. They distribute merchandise made by craftspeople of Lifeline for the Old in Jerusalem. In our own community, social programs include PADS, where the synagogue's social hall becomes a shelter for the homeless every Sunday evening.

Madam Speaker and Distinguished Colleagues, the Etz Chaim congregation is a remarkable institution which has served the people of Lombard faithfully for the last 50 years. Please join me in recognizing its extraordinary impact on the community and wishing the congregation happiness for many more years to come.

HONORING MR. FEDORA MCINTYRE

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mr. HIGGINS. Madam Speaker, I rise today to pay tribute to the years of service given to the people of Chautauqua County by Mr. Fedora McIntyre. Mr. McIntyre served his constituency faithfully and justly during his tenure as the Portland Tax Collector.

Public service is a difficult and fulfilling career. Any person with a dream may enter but only a few are able to reach the end. Mr. McIntyre served his term with his head held high and a smile on his face the entire way. I have no doubt that his kind demeanor left a lasting impression on the people of Chautauqua County.

We are truly blessed to have such strong individuals with a desire to make this county the wonderful place that we all know it can be. Mr. McIntyre is one of those people and that is why Madam Speaker I rise in tribute to him today.

A TRIBUTE IN RECOGNITION OF
THE 100 YEAR ANNIVERSARY OF
THE MINISTRY OF THE
CLARETIAN MISSIONARIES AT
THE HISTORIC OUR LADY QUEEN
OF ANGELS CHURCH, "LA
PLACITA"

HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Ms. ROYBAL-ALLARD. Madam Speaker, I rise today to recognize the 100th anniversary of the Claretian Missionaries' service to the first church of Los Angeles, Our Lady Queen of Angels Catholic Church—affectionately known to its parishioners in Spanish as "La Placita" or "The Little Plaza" church—located in Downtown Los Angeles in the 34th Congressional District.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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

The Claretians are a Catholic missionary order founded in Spain in 1849 by St. Anthony Mary Claret. In 1906, the Claretian Missionary Fathers arrived in California to work in the San Fernando Mission. Two years later, the missionaries moved their headquarters to San Gabriel Mission where they continue to preach today. In 1910, the Claretian Fathers traveled 10 miles west to expand their ministry to La Placita.

Father Rosendo Urrabazo characterizes the missionary vocation of the church as "bringing the message of God's love, mercy and justice to every part of the world." This guiding principle is clearly evident at La Placita where the Claretian Fathers' dedication to spiritual and community service makes the church a home and refuge for people of all faiths and backgrounds.

On any given weekend, thousands of parishioners from all walks of life attend religious services at La Placita offered in both English and Spanish. Whether the parishioners are homeless, recent immigrants from Mexico, Central and Latin America or vacationing families, La Placita welcomes everyone with open doors, love and compassion.

Each week, pastoral services at the church include: 30 regular Masses; weddings and Quinceañeras; 10 scheduled hours of confession; baptism celebrations (totaling more than 25,000 last year alone); and religious education programs for children, youth and adults. The church also offers a monthly program to provide liturgical services to residents of a local housing project.

In addition to addressing the spiritual needs of its parishioners, the church helps struggling families in a wide variety of ways. Assisted by more than 80 volunteers, the parish operates a full time social office that organizes community outreach services and programs, including a health clinic, English classes, food distribution for the elderly, meals for the homeless, legal aid for immigrants, income tax help and a weekly 12-step program for persons suffering from addiction.

Madam Speaker, over the past 100 years, many Claretian missionaries have dedicated their lives to serving the families of the La Placita community. This anniversary, however, three missionaries in particular will be recognized for their outstanding service at the church's May 20 centennial dinner celebration.

Selected by the centennial celebration committee for their tireless pastoral and humanitarian service, the following missionaries will be honored: Fr. Tomas Maten, CMF (1900–1975) who defended the rights of the displaced residents of the Chavez Ravine area now the site of Dodger Stadium; Fr. Luis Olivares, CMF (1934–1993) who worked tirelessly to bring the cause of the homeless and immigrants to the attention of local and national policy makers; and Fr. Albert Vazquez, CMF, (1928–) educator and pastor who shaped the pastoral direction of the parish and its school for more than 27 years.

Today, the clergy and parishioners of La Placita continue the tremendous work and legacy of these three exemplary missionaries.

Recognizing the tremendous needs of immigrants to our country, the church is a local leader in raising awareness and support for comprehensive immigration reform. During the 1980s, the church called itself a sanctuary for refugees threatened with deportation to El Salvador. In recent months, I have had the privi-

lege of participating in two immigration town halls held at La Placita, both of which were attended by hundreds of area advocates demanding the reform of our nation's broken and unjust immigration laws. The seamless transformation of this historic church from a place of worship to a town meeting hall for political action truly typifies the Claretian Fathers' dedication to achieving justice and social change on behalf of their parishioners and our community.

Beyond the walls of La Placita, the Claretian Fathers' prayers could be heard across the country and throughout the halls of Congress on September 19, 2007 when Father Richard Estrada accepted a rare invitation to give the opening prayer in the U.S. House of Representatives. Calling on lawmakers to draw strength from their diversity and make laws to protect all of God's children, he prayed for God to, "Inspire our nation's leaders to seek justice, defend liberty and unite diverse cultures and languages."

Madam Speaker, on the occasion of the 100th anniversary of the Claretian Missionaries' service at La Placita, I ask my colleagues to join me in thanking and congratulating them for their devotion and enormous contributions on behalf of the most vulnerable in our community, and I extend to the Order our best wishes for many more years of doing God's work in the historic area of our great city's birth, Downtown Los Angeles.

HONORING MARJORIE BUTLER ON
THE OCCASION OF HER 100TH
BIRTHDAY

HON. MAURICE D. HINCHEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mr. HINCHEY. Madam Speaker, I rise today to honor Dr. Marjorie Butler on the occasion of her 100th birthday. A longtime resident of the Hudson River Valley, 43 years ago Dr. Butler helped establish the Black Studies Department at the State University of New York at New Paltz. At that time in 1967, only a handful of schools had established similar departments, but today, more than 250 colleges and universities are engaged in the exploration and analysis of the history and culture of African people in the United States, Caribbean, and Africa. Dr. Butler is truly a pioneer of this important academic discipline.

Before her retirement in 1984, as the chair of the department and a professor of psychology, she drew from her life experiences to provide an enriching learning environment for thousands of students, many of whom went on to adopt her goals of human progress and equality as their own. It is because of the leadership, personal courage and dedication of individuals like Dr. Marjorie Butler that our nation has overcome many of its greatest civil rights challenges. Her contributions and devotion to this cause must be recognized and understood and cannot be overstated.

Madam Speaker, I am delighted to congratulate and honor Dr. Butler on her 100th birthday and for her many years of hard and deeply effective work and her service in the cause of social justice.

TAXPAYER ASSISTANCE ACT OF
2010

SPEECH OF

HON. BOB ETHERIDGE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 2010

Mr. ETHERIDGE. Mr. Speaker, I rise in support of H.R. 4994, the Taxpayer Assistance Act of 2010. As we arrive at another tax filing deadline, I am pleased to support many of the measures to assist taxpayers and improve the Internal Revenue Code that have been discussed in the Ways and Means Subcommittee on Oversight.

I just returned from a tax day event in my district, where I heard from several folks who live in the Second District about how they are saving money this tax year because of the American Recovery and Reinvestment Act and other recent tax cuts. As North Carolina's only Member of the House Committee on Ways and Means, I am proud to work to promote tax fairness for all Americans. In fact, the vast majority of middle-class North Carolinians are receiving larger refunds or paying less taxes than they were last year or the year before because of our action.

However, many Americans have difficulty navigating the complexities of the tax code. They need to know where to turn for information, which is one of the things we discussed at Monday's tax day event. I am pleased to support this bill because it will help taxpayers get assistance in filing their taxes. Under the Taxpayer Assistance Act of 2010, we will provide referrals from the IRS to Low Income Taxpayer Clinics (LITCs), increase funding for Volunteer Income Tax Assistance (VITA) sites, expand outreach for the Earned Income Tax Credit (EITC), make sure the IRS notifies taxpayers of unclaimed refunds, and help protect taxpayers from identity theft. H.R. 4994 will also improve tax fairness by studying the delivery of tax refunds and the effectiveness of collection alternatives. The bill also fixes the outdated tax treatment of business cell phones, so that businesses do not face the double burden of providing phones to their employees and also paying taxes for them as a benefit.

Our goal should be to make our tax code more fair and workable for individuals, families, businesses and employees across the country, and this bill does just that. Improving the process for millions of taxpaying Americans should be a bipartisan priority. I support H.R. 4994 and urge my colleagues on both sides of the aisle to join me in working together across party lines and voting for its passage.

PAYING TRIBUTE TO THE BOYS
AND GIRLS CLUBS OF FRESNO
COUNTY

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mr. COSTA. Madam Speaker, I rise today to pay tribute to all of the Boys and Girls Clubs of Fresno County, California, on this occasion of their 60th anniversary aptly recognized as, "60 years of Hope and Opportunity."

Meeting the needs of our community has been and continues to be, the Boys and Girls Clubs' highest priority. Clubs provide young people that do not have adult care or supervision at home with people that care about them. Our local organizations have programs and services that promote and enhance the development of boys and girls by instilling a sense of competence, usefulness, belonging and influence.

Boys and Girls Clubs enable all young people, especially those in the most need, to reach their full potential as productive, caring and responsible citizens. We are very fortunate for the guidance that these individuals give to the future leaders of our community. The work that these volunteers do can never be underestimated.

The Boys and Girls Clubs believe, as do I, that volunteers make a powerful difference in the community. Their service, advocacy, leadership and mentoring have touched countless lives throughout our Valley. I ask my colleagues to join me in recognizing this wonderful group of men and women as the Boys and Girls Clubs of Fresno County celebrate their 60th Anniversary of "Hope and Opportunity."

TRIBUTE TO INTELLIGENCE SPECIALIST FIRST CLASS PETTY OFFICER JAMES K. BROWN

HON. DAVE CAMP

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mr. CAMP. Madam Speaker, I rise today to pay tribute to Intelligence Specialist First Class Petty Officer James K. Brown for his 20 years of dedicated service in the defense of the United States of America.

Petty Officer Brown enlisted in the United States Navy in June 1990 and went on to Great Lakes Recruit Training Center, for his basic training. After graduating from Recruit Training Command, Great Lakes, Illinois in August 1990, James went to Cryptological Training Command at Fort Devens, Massachusetts.

Through out his years of service, Petty Officer Brown has distinguished himself as the Leading Petty Officer in the Intelligence Department and as the special Security Officer for the Command in many ways exemplified by the awards and ribbons he has collected throughout his service. During his assignment to the USS *Wisconsin* (B-64), he participated in Desert Shield and Desert Storm earning a Flag Letter of Commendation along with Navy Combat Action Ribbon and various other awards. While aboard the USS *Nassau* (LHA-4) Petty Officer Brown also earned the Blue Nose certificate. He also was part of the support team for the Desert Fox and Kosovo operations.

In addition, Petty Officer Brown participated in the two crucial deployments USS *Carl Vinson*, launching the first attack on the Global War on Terrorism into Afghanistan in response to 9/11 and addressing heightened tensions off the coast of North Korea. During the second deployment off the coast of North Korea, he participated in FOAL EAGLE and TANDUM THRUST. While on board he pursued his associates degree in General Studies while earning his Enlisted Aviation Warfare Spe-

cialist pin and a Navy Achievement Medal. In the spring of 2003, he took orders to the Joint Military Intelligence College where he spent one year earning his bachelor's degree in Intelligence. Following his pursuit of education, he took orders to the Chief of Naval Operations where he pursued and finished his Post Graduate Education in Intelligence Studies. While stationed at the Pentagon, he received another Navy Achievement Medal and the Chairman of the Joint Chief Staff badge.

We all owe a debt of gratitude to our servicemen and women, like Petty Officer Brown, who have dutifully a nobly answered the call to service for our Nation. They put themselves in harm's way to make our country safer. On behalf of the Michigan 4th Congressional District, I thank First Class Petty Officer James K. Brown for his dedicated service and wish him well in his future endeavors.

HONORING THE LIFE AND LEGACY OF DR. MARGARET WADE-LEWIS

HON. MAURICE D. HINCHEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mr. HINCHEY. Madam Speaker, I rise today to honor the life and legacy of Dr. Margaret Wade-Lewis whose remarkable contributions to African American equality in the United States should be noted for the record.

In 1974, she joined the Black Studies Department at State University of New York at New Paltz where she worked to enrich the lives of thousands of students until her death late last December. The passing of Dr. Wade-Lewis is a major loss for the department, the college and the New Paltz community. Her contributions to our state's education system and history can be traced through her life achievements.

Dr. Wade-Lewis was born in Haskell, Oklahoma and remained in Oklahoma for her childhood and collegiate years. She attended Langston University, where she obtained a bachelors and masters degree in English. She later attended New York University and, from there, was the first African American woman to graduate with a Ph.D. in Linguistics.

During her tenure at SUNY New Paltz, Dr. Wade-Lewis' commitment to her students was unparalleled. She was involved in a variety of organizations, including the African Women's Alliance, The New Day Theatre Ensemble, and the New Paltz Voices of Unity Gospel Choir. She was also an advocate for student scholarships, which resulted in hundreds of students receiving financial support to attend and graduate from SUNY New Paltz.

Some of the most prized achievements of Dr. Wade-Lewis include being the longest serving Chairperson of the Department of Black Studies, which under her leadership obtained national recognition. Additionally, she administered the Affirmative Action Program, and held the lead position on the Scholar's Mentorship Program, which provided mentoring and networking opportunities for high achieving students of color and interested students of all ethnic groups. The program succeeded in promoting an increase in performance levels and retention rates for students of color at New Paltz.

Dr. Wade-Lewis was a friend and mentor to many in the community of New Paltz. She was

a pioneer who incorporated Black Studies into many aspects of the University's curriculum. Her programs drew nationwide acclaim and attention to inequalities in education. I would like to recognize all of Dr. Wade-Lewis' achievements throughout her life and take this opportunity to express my belief that her memory and achievements will live on for many years to come.

ANNY ROSA

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mr. PERLMUTTER. Madam Speaker, I rise today to recognize and applaud Anny Rosa who has received the Arvada Wheat Ridge Service Ambassadors for Youth award. Anny Rosa is an 8th grader at Drake Middle School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Anny Rosa is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations once again to Anny Rosa for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character to all her future accomplishments.

TAXPAYER ASSISTANCE ACT OF 2010

SPEECH OF

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 2010

Mr. VAN HOLLEN. Mr. Speaker, I rise in support of the Taxpayer Assistance Act of 2010 and the common sense, bipartisan reform it represents.

Consistent with its oversight responsibilities, the Ways and Means Committee routinely reviews the tax code with an eye towards updating antiquated provisions and making it more taxpayer-friendly. Towards that end, today's legislation modernizes the rules governing employer-provided cell phone use to eliminate nuisance paperwork. It requires the IRS to pay interest on refunds related to individual tax returns that are filed electronically if the refund is not paid within thirty days. And it provides taxpayers with better notification on issues ranging from the Earned Income Tax Credit to identity theft.

Since the April 15 tax deadline is tomorrow, I would be remiss if I did not point out that the improvements made by today's legislation come on the heels of one of the largest middle class tax cuts in American history. Under the Recovery Act's Make Work Pay credit, over 95 percent of Americans got tax relief at a time when families and our economy needed it most. As a result, recent economic data clearly show we are transitioning from recession to

recovery and laying the foundation for future economic growth.

Mr. Speaker, the Taxpayer Assistance Act of 2010 is common sense reform and part of a growing chorus of good news for Americans and our economy. I urge a yes vote.

CONGRATULATING WEST PLAINS
SENIOR HIGH SCHOOL

HON. JO ANN EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mrs. EMERSON. Madam Speaker, I am honored today to congratulate West Plains Senior High School, which was recently named by a study done by U.S. News and World Report as one of America's Best High Schools. In a report on nearly 22,000 high schools in 48 states, West Plains Senior High repeatedly scored high marks in the three categories used to rank schools: test performance, college readiness, and the performance of low-advantage students. In all three areas, West Plains Senior High has consistently excelled.

Through this honor, the entire West Plains Senior High School community has provided an example not only to Missourians, but to all Americans. The hard work and dedication of the faculty, parents, and the students in preparing our next generation of scholars and leaders gives me great confidence in our nation's future.

Although this report confirms what we Missourians have already known, that West Plains Senior High is one of the best schools in the nation, it is an impressive achievement in which West Plains should take pride.

Congratulations again to the West Plains Senior High School community. Keep up the good work, and we are all very proud of you. Go Zizzers!

RECOGNIZING LADY BETTY
GRIFFITHS

HON. EDWARD R. ROYCE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mr. ROYCE. Madam Speaker, I rise in recognition of Lady Betty Griffiths, a resident of Laguna Niguel, California, who recently passed away.

Lady Betty was the daughter of a Dutch farmer who supplied essential agricultural products to Great Britain during the German blockade. She loved farm life, especially riding horses. She worked for the BBC in London. While living in England, Lady Betty was Director of the U.K. chapter of the Special Olympics, which brought her to many regions of the United States as she helped give these athletes tremendous opportunities.

Lady Betty later came to the United States for good, with her husband, Sir Eldon Griffiths, a former long-serving member of the British Parliament. Like him, Lady Betty greatly admired America. She loved California's natural beauty and vibrant people. Soon after settling in her new home, she began her many successful efforts to link the Netherlands and Great Britain with Orange County, California.

An outstanding organizer and promoter of Orange County's World Affairs Council programs, Lady Betty was a most distinguished hostess to numerous Asian, European and Middle Eastern diplomats during their visits to southern California. Lady Betty brought her Old World charm to the Council, and people enjoyed that. Working with Sir Eldon, she made the Council thrive, helping educate many of us on a wide range of critical world issues.

Lady Betty was active in civic life in Orange County and became an American citizen in 1998. She brought the best of Holland and England to California, and for that we are thankful and today give her a well-deserved recognition for her rich community life. Lady Betty will be missed by her many, many friends in Orange County and far beyond.

ANGELL GARCIA

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mr. PERLMUTTER. Madam Speaker, I rise today to recognize and applaud Angell Garcia who has received the Arvada Wheat Ridge Service Ambassadors for Youth award. Angell Garcia is a 12th grader at Jefferson High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Angell Garcia is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations once again to Angell Garcia for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character to all her future accomplishments.

KEEP CONSTELLATION PROGRAM

HON. DAVID WU

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mr. WU. Madam Speaker, I rise in strong opposition to the president's decision to privatize the human spaceflight program. The space program inspires us to reach for the stars in both our dreams and our actions, and it helps drive our nation's technological innovation. I am deeply concerned that this decision will hinder our ability to remain at the forefront of human achievement.

The Constellation Program is not perfect. But putting all of our eggs in a private sector basket is simply too risky a gamble. We are jeopardizing our lead in space exploration, we are jeopardizing our nation's future, and we are jeopardizing astronaut safety.

I urge my colleagues to join me in opposing the president's plan to privatize the human spaceflight program. We must not concede our leadership in space exploration at a time when it is more critical than ever.

IN TRIBUTE TO DEB HOLLER

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mr. GALLEGLY. Madam Speaker, I rise in tribute to Deb Holler, who will be honored Friday as the 2010 Woman of the Year by the First Ladies of Simi Valley Hospital Foundation.

Every year, First Ladies honors one remarkable woman from a local business or organization who gives of her time, talents and treasures to a local organization that benefits the community.

Deb Holler gives of her time, talents and treasures in spades.

Deb and her husband, Bob Huber, have been close personal friends of my wife, Janice, and me for many, many years and I know firsthand the contributions she has made. For the past 20 years, Deb has been deeply active in the community she calls home. She supports many community events and has graciously opened her home for a wide variety of fundraisers for community organizations.

Deb has been a member of the Rotary Club of Simi Valley for the past 13 years and is the current President. She also serves on several boards within the community, including the Simi Valley Chamber of Commerce, where she served as its Chief Financial Officer, and the Boys & Girls Club.

Deb also has been involved with the Moorpark Community College Foundation Board and is a graduate of Leadership Simi Valley. In 2006, Deb was named Business Person of the Year by the Simi Valley Chamber of Commerce for her high ethical business standards and outstanding leadership abilities.

Over the years, Deb has hosted numerous fundraisers for many worthy organizations, including the Free Clinic of Simi Valley, the Rotary Club of Simi Valley, the Simi Valley Community Foundation, the Boys & Girls Club, the Samaritan Center and the Moorpark College Foundation.

Deb has consistently made herself available to help others for many years, oftentimes putting her own needs aside to do so. Deb Holler is categorically deserving of this honor.

Madam Speaker, I know my colleagues will join the First Ladies of Simi Valley Hospital Foundation and me in thanking Deb Holler for her numerous contributions to her community and in congratulating her for being awarded Woman of the Year.

ANGELA POHLENZ

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mr. PERLMUTTER. Madam Speaker, I rise today to recognize and applaud Angela Pohlenz who has received the Arvada Wheat Ridge Service Ambassadors for Youth award. Angela Pohlenz is a 12th grader at Arvada High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Angela Pohlenz is exemplary of the type of achievement that can be attained with hard work and

perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations once again to Angela Pohlenz for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character to all her future accomplishments.

RADIO SPECTRUM INVENTORY ACT

SPEECH OF

HON. MICHAEL F. DOYLE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 2010

Mr. DOYLE. Mr. Speaker, when I plugged in a Wi-Fi router in my home just outside of Pittsburgh, I noticed almost a dozen other Wi-Fi networks in the same neighborhood. My neighbors created their own personal hotspots over the same airwaves to enjoy fast wireless data connectivity for the technology in and around their home. The paradox of technology is that the more we experience new devices, new services, and new features, the more we depend on them to run our lives. Each of us who rely on our wireless devices get frustrated when the network is too congested to let us send an e-mail or browse a web page when we want to. The answer is more spectrum—the wireless airwaves that the people own and that Congress has tasked the Federal Communications Commission to manage. FCC Chairman Julius Genachowski has noted, the United States faces a “looming spectrum crisis” particularly in larger cities like Pittsburgh.

That’s not hyperbole; it’s reality. The demand for spectrum for mobile Internet access is growing more rapidly—much more rapidly—than the supply of spectrum is. The ability to access the Internet at high-speed on the go creates amazing opportunities, but only if we proactively take the steps necessary to ensure that we have adequate spectrum available to meet consumers’ and business’ needs.

New technologies are coming down the pike that can provide exponentially faster speeds to more consumers based on the amounts of spectrum that carriers can use.

And that’s exactly why the Radio Spectrum Inventory Act, which I am pleased to be a co-sponsor of, is so timely. By taking a comprehensive look at the way spectrum bands are currently being utilized, we can make informed judgments about adjustments that need to be made to accommodate future demands. This is the right course. This is a good bill. I urge my colleagues to support it.

PERSONAL EXPLANATION

HON. SUE WILKINS MYRICK

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mrs. MYRICK. Madam Speaker, I was unable to participate in the following vote. If I had been present, I would have voted as follows:

Rollcall vote 203, on motion to suspend the rules and agree—Expressing sympathy to the

people of Poland in the aftermath of the tragic plane crash that killed the country’s President, First Lady, and 94 others on April 10, 2010—I would have voted “aye.”

RECOGNIZING THE OUTSTANDING ACHIEVEMENTS OF MR. MARC WILSON AND THE NELSON-ATKINS MUSEUM OF ART

HON. EMANUEL CLEAVER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mr. CLEAVER. Madam Speaker, I proudly rise today in recognizing the outstanding achievements and cultural legacy of The Nelson-Atkins Museum of Art, in Missouri’s Fifth District which I am privileged to represent. The Nelson-Atkins, founded in 1933, is home to more than 33,500 works of art and is an institution “committed through its collections and programs to being a vital partner in the educational and cultural life of Kansas City and a preeminent institution both nationally and internationally.”

The Museum has developed into the recognizable and renowned institution that it is today with Director and CEO Marc F. Wilson at the helm. Marc graduated from the prestigious Yale University in 1963 with a B.A. in European History and in 1967 with a M.A. in Chinese Studies and Asian Art History. He cultivated his professional skills through the Ford Foundation grants and enriching travels through East Asia. Marc returned to Kansas City in 1971 as Associate Curator of Chinese Art and helped organize an exhibition called Archaeological Finds of the People’s Republic of China. The 1975 exhibition is remembered for lines of visitors that stretched to the street and became the Museum’s largest blockbuster. In 1982, Marc Wilson became the museum’s fourth director.

Under his leadership, the Nelson-Atkins has developed the reputation as an iconic cultural center that is considered to be one of the primary destinations for Asian art and also boasts extensive collections in European, American, American Indian, Photography, Decorative Arts, and Modern and Contemporary works of art. During Marc’s tenure, the Nelson-Atkins received international acclaim with the Bloch Building expansion. Designed by Steven Holl and acclaimed by Time Magazine as the No. 1 Architectural Marvel of 2007, the Bloch Building is an architectural masterpiece. It fluidly incorporates the landscape, neighboring classical building, and the Kansas City Sculpture Park. The Bloch Building is also a sustainable venture. The surrounding gardens help insulate the building and catch excess rain waters. The multiple screens in the glass cavities also control lighting and heating of galleries.

This year, the Museum celebrated 75 years of excellence. In honor of this historical commemoration many local philanthropists, including honorary trustee Henry Bloch, have given or promised masterpieces to the Nelson-Atkins—enhancing the experience of art through personal treasures that are now shared with all who visit the museum.

After 39 years with the museum, Marc has chosen to retire. His legacy will continue to grow through the educational opportunities

fostered through his outreach and classes that develop the skills and interest of artist. Because of his work, people of all nationalities and ages explore exhibits that have found their way to the Heart of America through his reputation and professional guidance. Michael Braude from the Kansas City Business Journal called Marc “totally approachable.”

Those who work with Marc know of his great passion for speed and finely tuned machines, including his motorcycles and his sports cars, which he races in the Sports Car Club of America regional events. They also know that he is a part-time farmer on his historic tobacco farm near Weston, Mo. They may not know that as a younger man, he was respected for his fencing abilities and his marksmanship as a shooter.

Madam Speaker, please join me in congratulating Marc Wilson on his retirement. As he retires, he leaves with the respect of his peers, his staff, and the community that has benefited so greatly from Marc’s leadership. He will be missed, but his accomplishments will continue to make the museum one of the gems of our community.

STOP THE GOVERNMENT EXPANSION

HON. CLIFF STEARNS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mr. STEARNS. Madam Speaker, today is Tax Day and as Americans cut yet another check to the federal government, it’s time to rise up and say stop. Stop the out of control spending that will saddle our children and grandchildren with a mountain of IOUs. Stop with all the bailouts that leave the American people paying for Wall Street’s greed and excess. And we must say stop to the trillion-dollar government take over of health care.

Washington spending is now \$31,000 per household and in 2008, the publicly held debt was 40.8 percent of the GDP. American families are having a hard time making ends meet, and yet President Obama and congressional Democrats continue to tax and spend without regard. In fact, since January 2009, President Obama and congressional Democrats have enacted into law gross tax increases totaling more than \$670 billion, more than \$2,100 for every American. When will all of this madness stop?

AMBER OLSON

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mr. PERLMUTTER. Madam Speaker, I rise today to recognize and applaud Amber Olson who has received the Arvada Wheat Ridge Service Ambassadors for Youth award. Amber Olson is a 12th grader at Wheat Ridge High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Amber Olson is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels

strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations once again to Amber Olson for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character to all her future accomplishments.

RECOGNIZING DR. HECTOR GARCIA

SPEECH OF

HON. CIRO D. RODRIGUEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 2010

Mr. RODRIGUEZ. Madam Speaker, I rise today in honor of a great American, Dr. Hector P. Garcia. I would like to thank Congressman ORTIZ for his leadership and for bringing forth this resolution.

This resolution recognizes the leadership and historical contributions of Dr. Garcia to the Hispanic community and our country as a whole and for his tireless efforts to combat racial and ethnic discrimination. Dr. Garcia was founder of the American GI Forum, a Mexican-American veteran's service association, which initiated countless efforts on behalf of Americans in the areas of health care, veterans' benefits, and civil rights equality following World War II. For his efforts, President Reagan in 1984 presented Dr. Garcia with the nation's highest civilian award, the Medal of Freedom, for meritorious service to the country. He was the first Mexican-American to receive this recognition.

Dr. Garcia and the American GI Forum played a pivotal role in the case of Army Private Felix Longoria. Private Longoria was killed in action in 1945. After a 4-year wait, his body was returned to Texas in 1949. His widow requested the use of the funeral chapel in Three Rivers, TX, where she was denied because he was of Mexican descent. With the determination of a soldier, Dr. Garcia and the GI Forum intervened. They petitioned Senator Lyndon B. Johnson for assistance and LBJ successfully secured the hero's burial his widow and this private deserved at Arlington National Cemetery, where he became the first Mexican American to be awarded the honor. The issue garnered national attention when it was published in the New York Times. It was work like this that made the GI Forum a leader in civil rights movement.

I had the benefit of knowing Dr. Garcia, and his family currently lives in my district. Dr. Garcia is an American hero and deserves the recognition of this House.

HONORING THE 6 MILLION JEWS
KILLED IN THE HOLOCAUST

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Ms. SCHAKOWSKY. Madam Speaker, I rise to pay tribute to the 6 million Jews murdered by the Nazis during the Holocaust. Today, members of Congress gathered in the Capitol Rotunda to remember those who perished and

to join in solidarity with people in Israel and around the world marking Holocaust Remembrance day—Yom Hashoah.

Today, we gather to remember those who died and to preserve the memory of the Holocaust. Six million Jews perished at the hands of the Nazis during the Holocaust; countless others were brutalized, raped, dehumanized, and robbed. As hard as the stories are to hear, we must ensure that the experiences of Holocaust survivors are preserved as a permanent part of history.

"Never again" is a pledge that we must continue to uphold through education, dialogue, and determination. It is also a commitment to fighting hatred, intolerance, and brutality wherever they occur. Too often, we have stood by and allowed the targeting, brutalization, and massacre of an innocent civilian population. We can honor those who died in the Holocaust by refusing to allow similar atrocities to occur in the future.

Events in the Middle East, and around the world highlight the importance of Holocaust remembrance. Recent data show signs of an alarming rise in anti-Semitism, and harsh criticism of Israel is increasingly tinged with traditional anti-Semitism. Iranian President Mahmoud Ahmadinejad has called for the annihilation of Israel. This is another reminder that we must continue to work to strengthen the U.S.-Israel relationship, and redouble our efforts toward achieving lasting peace in the Middle East.

The Days of Remembrance hold a deep meaning for my community. My district, the 9th Congressional District of Illinois, is home to one of the largest concentrations of Holocaust survivors in the country.

Last spring, I had the opportunity to participate in the opening of the Illinois Holocaust Museum and Education Center in Skokie. Skokie is home to an estimated 2,000 Holocaust survivors, and the museum would not have been possible without their active involvement and input. The new 65,000-square foot museum will have the capacity to serve over 250,000 annual visitors, and will teach countless people, young and old, the importance of actively fighting hatred and prejudice.

The Illinois Holocaust Museum and Education Center continues to use education to combat intolerance.

Today, we remember one of the darkest moments in human history, and we honor and mourn those who lost their lives. As we honor their memory, we must also recommit to working together to fight genocide to ensure that others do not suffer their fate, and to continuing to teach our children the history of the Holocaust.

AMAIRANI ZUNIGA

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mr. PERLMUTTER. Madam Speaker, I rise today to recognize and applaud Amairani Zuniga who has received the Arvada Wheat Ridge Service Ambassadors for Youth award. Amairani Zuniga is an 11th grader at Warren Tech North and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Amairani Zuniga is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations once again to Amairani Zuniga for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character to all her future accomplishments.

HONORING CHAMBERSBURG AREA
DEVELOPMENT CORPORATION

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mr. SHUSTER. Madam Speaker, I rise today to recognize the mission and accomplishments of the Chambersburg Area Development Corporation. CADC will celebrate its 50th anniversary at its annual meeting on May 7, 2010.

Since 1960, the Chambersburg Area Development Corporation has worked to advance the general interest of the Chambersburg area, specially the economic health and quality of life. Recognizing Chambersburg's valuable resources and location, a group of local leaders, coupled with businessmen and women decided to raise funds for a not-for-profit industrial development corporation. From these beginnings, CADC has been successful in promoting economic vitality in the area. Together with businesses, CADC works to bring and retain major employers in the area. Working with other community organizations, CADC has participated in the revitalization of downtown Chambersburg. Among the beneficiaries of CADC's resources are the Chambersburg Memorial YMCA, the Grove Family Library, and the historic Capitol Theatre, as well as several community celebrations. All together, CADC is linked to nearly 2,900 jobs and about \$3 million in wage and property tax revenues annually, as well as invaluable contributions to the Chambersburg area's quality of life.

Over its 50-year history, the Chambersburg Area Development Corporation has been an essential player in advancing the commercial, industrial, civic and general interests of the Chambersburg area. The whole region benefits from its commitment to a business-friendly climate and an improving quality of life. I commend the Chambersburg Area Development Corporation on its work over the past 50 years and anticipate many more accomplishments in its future.

FATHER JOSEPH MARTIN, JR.

HON. C.A. DUTCH RUPPERSBERGER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mr. RUPPERSBERGER. Madam Speaker, I rise before you today to honor the life of Father Joseph Martin, Jr. for his pioneering work in substance abuse rehabilitation.

A native Baltimorean, Father Martin graduated from Loyola High School in 1942 and

went on to attend Loyola College from 1942–1944. Father Martin began working part-time at St. Mary’s Seminary his senior year of high school and while he was attending college, he felt the calling to enter the priesthood. He was ordained a priest for the Archdiocese of Baltimore in 1948.

When it became apparent that Father Martin had a problem with alcohol, he entered the Guest House in Lake Orion, Michigan, an alcoholism treatment center and sanctuary for Catholic priests. He left the Guest House in 1959, returning to Baltimore to resume teaching at St. Charles College in Catonsville. He seized every opportunity to speak about alcoholism, captivating audiences with what became the “Chalk Talk on Alcohol.”

In 1970, Father Martin reached out to Mae Abraham, a woman he met through A.A., and with the encouragement of her and her husband, he made the decision to work the field of recovery. He became a lecturer and educator in the Division of Alcohol Control for the State of Maryland, conducting seminars for doctors, lawyers, parole officers, and social workers. His quest to open a treatment center began and in 1983 his dream came true with the opening of a facility in Havre de Grace, Maryland.

For his leadership and devotion to the recovery of substance abuse, Father Martin earned several awards to include the Andrew White Medal from Loyola College, for his contributions to the general welfare of the citizenry of Maryland; Rutgers University’s Summer School of Alcohol Studies’ Distinguished Service Award (1988); and the Norman Vincent Peale Award (1992).

Madam Speaker, I ask that you join with me today to honor the life of Father Joseph Martin, Jr. His legacy of hope and healing for those suffering from addiction will continue to carry on through his rehabilitation center.

ALEX LESKO

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mr. PERLMUTTER. Madam Speaker, I rise today to recognize and applaud Alex Lesko who has received the Arvada Wheat Ridge Service Ambassadors for Youth award. Alex Lesko is a 9th grader at Arvada West High School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Alex Lesko is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations once again to Alex Lesko for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character to all his future accomplishments.

HONORING ALTON MIDDLE SCHOOL FOR BEING NAMED A 2010 “SCHOOL TO WATCH” BY THE ASSOCIATION OF ILLINOIS MIDDLE SCHOOLS

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mr. COSTELLO. Madam Speaker, I rise today to ask my colleagues to join me in congratulating Alton Middle School, in Alton, Illinois, for being recognized as a “School to Watch” by the 2010 Illinois Horizon Schools award program.

Schools across Illinois, and across the country, are constantly looking for ways to improve their quality of education. One way for a school to improve is by taking what has been successful in other schools and adapting it to their environment. Toward this end, the Association of Illinois Middle-Level Schools has implemented a program, the Illinois Horizon Schools to Watch Initiative, which identifies those schools that have developed processes and educational programs that have led to academic success. The criteria for this program includes academic excellence, developmental responsiveness, social equity and the establishment of norms, structures and organizational arrangements that will support and sustain efforts to achieve excellence.

Alton Middle School is one of only seven schools in Illinois to receive this prestigious designation this year and one of only two outside the Chicago area. In recognizing Alton Middle School, the Executive Director of the Association of Illinois Middle-Level Schools noted the sense of community created at Alton Middle School as well as its work in enhancing social justice and embracing diversity. As a Horizon School to Watch, Alton Middle School will now serve as a model for other schools from around the state of Illinois in developing their processes for academic improvement.

Madam Speaker, I ask my colleagues to join me in congratulating the board members of Alton Community Unit School District # 11 as well as the administration, faculty, staff and students of Alton Middle School for their recognition as a 2010 Illinois Horizon School to Watch.

HONORING STEWART L. UDALL

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Ms. WOOLSEY. Madam Speaker, I rise today to honor Stewart L. Udall who passed away March 20, 2010, in his New Mexico home, at the age of 90. Secretary Udall is best known as Secretary of the Interior under Presidents John F. Kennedy and Lyndon B. Johnson in the 1960s, but his role in the preservation of our national treasurers is far greater than that title suggests.

Today, we may take for granted the conservation of lands for our national parks and wilderness areas, but without the efforts of Stewart Udall, we would not have these vast unspoiled areas across our country. A lifelong conservationist, Secretary Udall oversaw the

expansion of the National Park system to include four new national parks, six new national monuments, eight seashores and lakeshores, nine recreation areas, twenty historic sites, and fifty-six wildlife refuges. And he profoundly influenced the national landscape with his leadership on the Wilderness Bill, the Wild and Scenic Rivers Act, the Water Quality Act, the Land and Water Conservation Fund, and others.

Point Reyes National Seashore (PRNS), in California’s Sixth District, is one of the jewels in the National Parks system that owes its existence to Stewart Udall. Working with Congressman Clem Miller, Ed Wayburn, and others, Secretary Udall shepherded its establishment by Congress and President Kennedy in 1962 and continued to work for funding and expansion under President Johnson.

Following his tenure as Secretary of the Interior, he joined the Advisory Board of Save Our Seashore (SOS), a local group founded by State Senator Peter Behr. SOS secured support to incorporate the surrounding ranchlands into the park; these lands were thus saved from development and then leased back to the original families to continue agricultural activities.

Secretary Udall’s words in a letter to Senator Behr still resonate today: “That this magnificent stretch of the California Coast, within a mere 100 miles of five million people, has remained virtually intact and unchanged from the first day it was sighted by Sir Francis Drake in 1579 seems almost a miracle. . . . It is a scandal of historic proportions if the American people, at the peak of our affluence, admit that we lack the foresight and the wherewithal to preserve this great Seashore intact for ourselves and for future generations. If we can afford, this year, 600 million to develop an SST, it is an admission of moral bankruptcy if we are unable to fund the completion of the purchase of these parklands.”

These values explain why we enjoy the magnificence of Point Reyes National Seashore—from its stunning ocean vistas to its windswept hills—and are also a stirring reminder of the importance of environmental preservation in our Nation’s priorities.

Secretary Udall’s eloquence, warmth, and passion were deeply moving when I had the honor of meeting him at Point Reyes National Seashore in 2004. At that time, he described the establishment of the park and read from a book he had written on the history of the old West. His passion for the landscape—and its plant, animal, and human inhabitants—shone in every word.

Stewart Udall was born in a rural area of Arizona in 1920, served in the United States Air Force in World War II, and then opened a law practice with his brother Morris (Mo). His father was an Arizona Supreme Court Justice, and, continuing the family passion for public service, Udall was elected to Congress in 1954. After his appointment as Secretary of the Interior in 1961, Morris was elected to that seat, and today Stewart’s son TOM is a Senator from New Mexico and his nephew MARK is a Senator from Colorado.

Secretary Udall was predeceased by his wife Erma and is survived by their six children, TOM, Scott, Lynn, Lori, Denis and Jay and their families.

Madam Speaker, Stewart Udall’s foresight and commitment will continue to shape the environment and landscape of this country. We

owe a great debt to his skill and passion and must never forget his reminder that "Plans to protect air and water, wilderness and wildlife are in fact plans to protect man."

AARON CISNEROS

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mr. PERLMUTTER. Madam Speaker, I rise today to recognize and applaud Aaron Cisneros who has received the Arvada Wheat Ridge Service Ambassadors for Youth award. Aaron Cisneros is a 9th grader at Jefferson High School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Aaron Cisneros is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations once again to Aaron Cisneros for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character to all his future accomplishments.

HONORING THE LIFE OF DR.
LAWRENCE SEYMOUR

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mr. COHEN. Madam Speaker, I rise today to honor the life of Dr. Lawrence Seymour, a Memphis doctor who dedicated his life to fighting prostate cancer. He was born in Fayette County, Tennessee and moved to the historic LeMoyné Gardens neighborhood in Memphis before beginning grade school. He was class valedictorian at Booker T. Washington High School, one of the first African American high schools in the city. Rising out of poverty, he attended Howard University College of Medicine on a full scholarship. After graduating in 1961, Dr. Seymour regularly sent money back to Howard University to help other aspiring doctors pay for their medical school education.

Becoming one of the first African American urologists in Memphis, Dr. Seymour earned a reputation as a doctor who provided treatment for people whether they were insured or not. He would see patients regardless of their ability to pay him because, according to his wife Mrs. Anita Seymour, "He felt like he owed it to his community."

Dr. Seymour would always remind his patients of the importance of receiving specific antigen blood tests, which are critical in helping doctors diagnose prostate cancer in its early stages. For him, the fight against prostate cancer was personal because the disease claimed the life of one of his brothers. Dr. Seymour was a pioneer in the fight against prostate cancer, developing several new treatments for the disease including one that shrinks the prostate gland before surgery.

Dr. Lawrence Seymour passed away on February 23, 2010, at 75 years of age. The Memphis community mourns the life of one of its great doctors. He is survived by his wife, his four children and a host of friends and family across Tennessee and the country. We are grateful to have had the pleasure of his dedication, perseverance and passion in the Memphis community.

RECOGNIZING SUPERVISORY SPECIAL AGENT ERNESTO "TITO" CRUZ

HON. SILVESTRE REYES

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mr. REYES. Madam Speaker, I rise today to honor Supervisory Special Agent Ernesto "Tito" Cruz for his service to the Permanent Select Committee on Intelligence over the past year.

As a detailee from the Federal Bureau of Investigation, Special Agent Cruz offered his professional expertise to and provided substantial support for a range of in-depth reviews, from those focused on highly sensitive intelligence operations to current practices with the Intelligence Community that implicate legal, policy, or fiscal concerns and investigations.

In particular, Special Agent Cruz assisted in the Subcommittee on Oversight and Investigation's bipartisan examination of circumstances surrounding the Peru Narcotics Airbridge Denial Program, as well as several inquiries regarding contractor practices within the Intelligence Community and allegations of waste, fraud, and abuse. The Committee also benefited greatly from his FBI experience during the interviews conducted in connection with an investigation into congressional notification practices, policies, and procedures.

The Intelligence Committee's work involves constant interaction with the 16 elements of the Intelligence Community, particularly through the offices of congressional affairs. Special Agent Cruz's long-term experience across a wide range of intelligence matters and his significant and successful interaction within congressional affairs offices was an asset to the Committee's performance of its oversight duties.

The Committee was privileged to have the opportunity to work with Special Agent Cruz. His work ethic, friendly nature, and sense of humor made him a valued member of the Committee team. Thank you, Tito, for all of your hard work, and I wish you all the best as you leave the Hill for FBI's Office of Congressional Affairs.

AARON CARDONA

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mr. PERLMUTTER. Madam Speaker, I rise today to recognize and applaud Aaron Cardona who has received the Arvada Wheat Ridge Service Ambassadors for Youth award. Aaron Cardona is an 8th grader at Wheat

Ridge Middle School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Aaron Cardona is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations once again to Aaron Cardona for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character to all his future accomplishments.

RECOGNIZING HERSCHEM FAMILY ENTERTAINMENT AND SILVER DOLLAR CITY ON ITS 50TH ANNIVERSARY

HON. ROY BLUNT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mr. BLUNT. Madam Speaker, I rise today to pay tribute to Silver Dollar City on its upcoming 50th anniversary.

The Herschend family established Silver Dollar City on May 1, 1960, in Branson, Missouri, on top of Marvel Cave to preserve and celebrate the folk history, storytelling, music and craft traditions of 1880s America. The park originally featured two authentic log structures, a town square with a demonstrating blacksmith, a general store, and an ice cream parlor. A crew of 17 "citizens" entertained about 125,000 visitors in the first year.

Fifty years later, Silver Dollar City now counts over 2 million visitors annually, employs more than 2,000 individuals, and contributes over \$100 million a year to Missouri's economy. The award-winning theme park is the "Home of American Craftsmanship," showcasing a colony of 100 resident craftsmen, in addition to its rides and attractions and world class festivals. The success of Silver Dollar City, in addition to the natural beauty of the Ozarks and the creation of Table Rock Lake, has helped launch Branson into a world-renowned tourism destination.

In the years since Silver Dollar City opened, Herschend Family Entertainment has grown to become America's largest family-owned theme park company—owning and operating 24 properties spread across nine states, including iconic sites like Dollywood in Pigeon Forge, Tennessee. Herschend properties attracted over 8.6 million visitors in 2009 and supports 6,600 jobs across the country. These parks celebrate our shared cultural heritage as Americans, our country's vast natural features and wildlife, and the community spirit that made America what it is today.

In addition to operating its entertainment business, the Herschend family, along with Silver Dollar City and its many other properties, touch thousands of lives through charitable giving and volunteer time to hundreds of non-profit groups every year. In my congressional district alone, the Silver Dollar City Foundation contributes over \$100,000 per year in Stone and Taney counties through its Care for Kids Program.

To Pete and Jack Herschend, and the team at Silver Dollar City, I offer my congratulations on their 50th anniversary.

HONORING THE LIFE OF ADRIEN
L. RINGUETTE

HON. JOE DONNELLY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mr. DONNELLY of Indiana. Madam Speaker, I rise today to remember and honor Adrien Lanthier Ringuette of Bristol, Indiana. On Wednesday, January 6, 2010, Mr. Ringuette suffered a stroke and passed away at the St. Joseph Regional Medical Center. In mourning his death, we remember and honor the life and achievements of Mr. Ringuette.

Born in Attleboro, MA, on September 9, 1925, to the late Joseph and Anita Ringuette, Mr. Ringuette served in the U.S. Army Air Corps during World War II. Upon his return, Mr. Ringuette graduated magna cum laude and Phi Beta Kappa from Amherst College. After graduating from Yale Law School in 1951, he began his career at the law firm Dwight, Royal, Harris, Kagel and Caskey in New York until 1954.

After his time in New York, Mr. Ringuette moved to the Midwest while working for Universal Oil Products of Des Plaines. Thereafter, he worked at Abbott Laboratories as a senior attorney and assistant secretary until 1965, when he joined Miles Laboratories Inc. in Elkhart County. During this period, Mr. Ringuette's involvement in civil rights also motivated him to spearhead the defense of an open housing development in Deerfield, IL. The events of this initiative were chronicled by the New York Times in the 1960s and again in 1962 in a book by Harry and David Rosen.

As secretary and general counsel for the Bayer Corporation, Mr. Ringuette worked extensively with trade association committees who helped shape legislation regarding issues pertaining to the healthcare industry. Before retiring from Bayer in 1990, Mr. Ringuette also worked with the Food and Drug Administration and other agencies during their review of over-the-counter drugs.

A history enthusiast, Mr. Ringuette was an active member of the Board of The Food and Drug Law Institute, the Amherst and Yale Law School Alumni Associations, and the University Club of Chicago, among many others. Mr. Ringuette will be remembered as the excellent lawyer and active member of the community that he was. Adrien L. Ringuette is survived by his wife, three children and three grandchildren. I, and the grateful citizens of the state of Indiana, are deeply saddened by his passing.

STEVE SCHAEFER

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mr. PERLMUTTER. Madam Speaker, I rise today to recognize and applaud Steve Schaefer, owner of Meyer Hardware, for receiving the Golden Rotary Ethics in Business Award. Meyer Hardware has adhered to high standards of business ethics for 64 years and demonstrates ethical behavior and responsible practices as a philosophy in daily business. Steve Schaefer is a central source of this phi-

losophy and serves as a role model for the store's 19 employees.

The treatment of customers at Meyer Hardware is exemplary. The employees are helpful and friendly, and they go out of their way to satisfy customer's needs. Meyer is very loyal to its employees, keeping them employed even during hard times, and as a result, their employees are very loyal to Meyers, with some staying for over 20 years.

Meyer Hardware does its part in the cause of environmental sensitivity by providing a variety of low-energy and "green" merchandise. Meyer Hardware is also very active in the community, supporting the Cub Scouts, Eagle Scouts and sponsoring the Golden junior baseball and football teams. Meyer Hardware also donates to numerous non-profit organizations and participates in Golden's Easter egg hunt and Christian Action Guild food drive.

Meyer Hardware is a model for outstanding ethics in business. It is an example for all businesses in America to emulate. Congratulations to Steve Schaefer, for his leadership of Meyer Hardware and all the individuals who make Meyer Hardware what it is today.

COMMENDING TO THE HOUSE MS.
ELIZABETH TRISLER

HON. JIM JORDAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mr. JORDAN of Ohio. Madam Speaker, I rise today to congratulate Elizabeth Trisler on winning the National Right to Life Committee's Jane B. Thompson Oratory Contest. This contest offers young Americans the opportunity to speak on an issue of great importance to them and to our Nation—the right to life.

Public speaking is an essential skill and I commend Elizabeth for her eloquence and articulacy. Whether in politics, business, or education, the ability to speak with confidence is essential to success in the 21st-century world. Elizabeth's decision to use her ability in support of a great cause deserves the respect of her peers and elected officials.

I am pleased that Elizabeth is taking an interest in politics. It is always encouraging to see young Americans speaking out on issues important to them. Our democracy depends on engaged citizens exercising their First Amendment right to free speech. Her words should be a clarion call to a generation of Americans that life is a precious gift from God that we must all cherish and defend.

Elizabeth's achievement was recognized by the Ohio State House and State Senate, each of whom designated proclamations in her honor. Such an honor has become a tradition in my home State of Ohio, where honorary resolutions are presented at the beginning of sessions of the State legislature. Unfortunately, Elizabeth's recognition was delayed by partisanship and division.

Just 5 days before the award was scheduled to be presented, Elizabeth's State representative was informed that the House Speaker was cancelling the ceremony due to the political controversy surrounding abortion. This highly politicized decision sent the wrong message to our young men and women—that even in our legislative chambers, the way to deal with opinions with which we disagree is to ignore them.

After a 2-week controversy, the Speaker finally allowed Elizabeth to accept her award on the House Floor. I respect the Speaker's decision to withdraw his previously announced policy and allow for the significance of Elizabeth's achievement to be celebrated.

In conclusion, I ask all of my colleagues to join me in recognizing Elizabeth for her outstanding performance and having the courage to enter the public square and speak eloquently about one of the great moral issues of our time.

HONORING BEN BYRD

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mr. DUNCAN. Madam Speaker, I have always said that the colors orange and white are almost as patriotic as red, white, and blue in my District. East Tennesseans live and breathe Big Orange Sports.

Ben Byrd is a journalism legend in my District and has covered the most notable sports moments in Tennessee history since 1947.

Tom Mattingly, a writer for the Knoxville News Sentinel, pays tribute to Ben Byrd in the piece reprinted below. I draw his service and talent to the attention of my colleagues and other readers of the RECORD.

MATTINGLY: NOTHING GOT PAST BYRD'S
COVERAGE

(By Tom Mattingly)

When Emmett Byrd, director of marketing and operations for Kyle Busch Motorsports, spoke at the Knoxville Downtown Sertoma Club last Wednesday, there was a special journalist in the audience.

Ben Byrd, accompanied by wife, Jo, was there for the festivities, not as a journalist, with notebook, pen, and on deadline, but as a proud father.

Byrd's career with the Knoxville Journal stamped him as a legend in Knoxville journalism. He covered the basketball Vols in his first assignment in 1947 and didn't miss very many games thereafter. His history of the Tennessee basketball program, titled "The Basketball Vols," came out in 1974.

In 1986, he coauthored "You Can Go Home Again" with Johnny Majors, a story tracing Majors' earliest days in Moore County through the excitement of the 1986 Sugar Bowl.

Byrd covered many of the greatest moments in Tennessee sports history from the primitive press boxes and arenas of the 1940s, 1950s, and 1960s, through the newer structures of later years.

His coverage of the 1956 Georgia Tech game was honored as one of the best sports stories that year. It covered 25 paragraphs without a coach or player quote to be found.

Here's how he set the stage.

"GRANT FIELD, Atlanta, November 10—The greatest football game I have ever seen, Tennessee 6, Georgia Tech 0, has been over 15 minutes now. The slate gray horseshoe stadium is almost cleared of fans now, except for a bright orange patch across the field in the east stands, where the Tennessee band continues to blare out, piping hot in concert with the hand-clapping and foot-stomping jubilation of Volunteer fans."

You want a snappy line that fully explained what was happening on the field?

Consider that the situation was fourth-and-2 for the Yellow Jackets at the Vols 34.

"They went for it this time and made it, Ken Owen ripping to the 29. Stan Flowers

followed that up with an eight-yard charge, and the Tennessee situation was not exactly peachy. But then Owen, exploding off tackle, fumbled, and Jim Smelcher was on it like a third-rate vaudeville dancer grabbing coins tossed up on the stage."

Then came the conclusion, his tribute to an epic contest, a nearly poetic ending you're not likely to see in a game story today.

"Twice the Vols came up with clutch interceptions, one by Bubba Howe at midfield, and the last by (Tommy) Bronson, retreating with his man deep into Tennessee territory. He planted Tennessee's flag there on the nine-yard line, and a vast silence fell on the Tech side of the stands. While down the line, the Tennessee crowd chanted . . . four . . . three . . . two . . . one. Hallelujah, praise the Lord."

Byrd's daily columns, titled "Byrd's Eye View," were incisive, even if they might have led to an unintended consequence on one occasion.

Byrd had a Saturday game day feature titled "Free Thought Association," purporting to pick the winners of that day's games by what litany of seemingly random comments.

When Tennessee played Rutgers on Nov. 3, 1979, on Homecoming Day, the Vols were a prohibitive favorite.

"What are Rutgers?" he wrote.

"One housewife told me she bought a pound of them at the supermarket last week for 59 cents, but they must have been on sale because she normally pays 89 cents a pound.

"This one man who's been up East told me he doesn't exactly know what Rutgers are, but he's pretty sure they are a lot like you-know-what. Now if I just knew what you-know-what were."

Rutgers got the last laugh, winning 13-7, with the column supposedly on display prominently in the Scarlet Knights dressing room.

"Incidentally," colleague Marvin West wrote, "that column was more fun on Saturday morning than Saturday night."

When Tennessee squared off against Belmont in basketball in December 2008, son Rick led the Belmont squad into battle.

At one critical juncture in the contest, the CSS camera focused on Ben, watching intently from press row at the east end of Thompson-Boling Arena near the Belmont bench.

He had to have had mixed emotions, given that he had seen a number of these down-to-the-last-minute games during his time covering the Vols. That was old hat for him.

You couldn't blame him for harboring the hope that Rick and Belmont could pull off an upset. You could only imagine what was going through his head as the final seconds ticked down.

I might have been the same feeling he had on March 6, 1967, as he watched an improbable victory at Mississippi State that gave the Vols the SEC title.

The next day, Byrd's game story dubbed the 1966-67 Ray Mears-coached SEC title team the "Fearless Five."

When someone writes the authoritative history of Tennessee sports, particularly for football and basketball, Byrd's craftsmanship in reporting and commenting on the games of his era will have to be one of the primary sources.

JEFFCO ACTION CENTER

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mr. PERLMUTTER. Madam Speaker, I rise today to recognize and applaud the Jeffco Ac-

tion Center for receiving the Golden Rotary Ethics in Business Award.

For over 40 years Jeffco Action Center provided immediate response to basic human needs and promoted pathways to self-sufficiency. The nonprofit social service center makes an incredible difference for the thousands of people it touches through its responsiveness and dedication to meet their needs.

Jeffco Action Center provides many goods and services including a food bank, a clothing bank, household and personal items, financial assistance, medical assistance, Thanksgiving food, a Santa shop, and school supply distribution. The center also runs a 22-bed homeless shelter and provides tenant/landlord counseling, client job search and educational outreach assistance. It distributed more than \$3.4 million of in-kind goods in 2009.

Organizations like Jeffco Action Center are critical to communities across the United States, because they provide a source of support for individuals and their families.

Congratulations to Mag Strittmatter, for her outstanding leadership of Jeffco Action Center.

I congratulate all the individuals working at Jeffco Action Center for their continued commitment to the people they serve.

PAYING TRIBUTE TO THE MONTGOMERY FIRE DEPARTMENT IN NEW YORK FOR TWO HUNDRED YEARS OF DEDICATED SERVICE TO THE COMMUNITY

HON. MAURICE D. HINCHEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mr. HINCHEY. Madam Speaker, I rise today to honor and pay tribute to the Montgomery Fire Department in Orange County, New York as its members and officers prepare to celebrate and mark its 200th Anniversary. I am delighted to add my voice to those recognizing this significant milestone, and I am proud to honor the Montgomery Fire Department on this historic occasion.

The officers and members of the Montgomery Fire Department have served their community with distinction and commitment for many generations, making this department the oldest in Orange County and one of the longest serving in the State of New York. Since its founding in 1810, this all-volunteer department has answered the call for assistance from its neighbors during a wide range of emergency situations. As this area has grown and changed, the spirit of service and leadership from the department has carried on and evolved to meet new challenges.

The 80 active current members of the Montgomery Fire Department continue to build on the legacy of this historic Department each time they respond to emergency calls to deal with local flooding, house fires, car accidents and other difficult circumstances. As its members have done for many generations, these men and women answer the calls of their neighbors throughout the seasons and at all times of day and night in order to ensure the safety and to protect the well-being of their community.

Madam Speaker, I am delighted to offer my congratulations to the Montgomery Fire Department as it prepares to celebrate its bicen-

ennial anniversary. I extend my best wishes and deep gratitude for the selfless and invaluable service the Montgomery Fire Department has provided to our community for 200 years.

ANDREW PETERS MAUS

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Andrew Peters Maus. Andrew is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 180, and earning the most prestigious award of Eagle Scout.

Andrew has been very active with his troop, participating in many Scout activities. Over the many years Andrew has been involved with Scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. As an Eagle Scout myself, I understand how hard Andrew worked and admire his commitment. Becoming an Eagle Scout represents a great deal of dedication and perseverance and I am sure Andrew will continue to hold himself to these high standards in the future.

Madam Speaker, I proudly ask you to join me in commending Andrew Peters Maus for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

TRIBUTE TO NATIONAL AFTERSCHOOL ASSOCIATION AND AFTERSCHOOL ALLIANCE'S "BREAKFAST OF CHAMPIONS" WINNER WENDELL MADDOX

HON. DENNIS MOORE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mr. MOORE of Kansas. Madam Speaker, on April 21, 2010, hundreds of afterschool leaders and youth from more than 100 communities across the nation will visit Washington, D.C., to take part in the National Afterschool Association and Afterschool Alliance's "Afterschool for All Challenge", a three-day event which brings together afterschool program staff, parents, senators, representatives, mayors, national afterschool leaders, educators and youth in the name of afterschool care advocacy.

The crowning affair of this meeting is the "Breakfast of Champions", a unique event honoring several outstanding state and city leaders for their commitment to expanding afterschool opportunities for kids at all levels. This prestigious and celebratory event will feature a keynote address by a senior representative from the U.S. Department of Health and Human Services, as well as musical performances from nationally-renowned artists.

I am proud to announce that one outstanding individual from the Third District of Kansas has been selected as a "Champion" to be honored at this event. Mr. Wendell Maddox, the President and CEO of the United Way of Wyandotte County, is being recognized for his organization's start up of the All Accounted For project.

The All Accounted For project is an after-school initiative designed to ensure that all school-aged children have the opportunity to participate in wholesome afterschool activities. This initiative accomplishes these goals by focusing on three primary issues: (1) providing transportation to children who participate in afterschool programs; (2) training and certifying afterschool care workers, and (3) establishing a quality rating system for afterschool program sites.

I congratulate Mr. Maddox on his exceptional achievement as a winner of the "Breakfast of Champions" Award, and I thank him, on behalf of the Third District of Kansas, for his tireless efforts to the cause of providing quality afterschool care to our youth.

KPMG LLP'S 100TH ANNIVERSARY
IN BOSTON

HON. MICHAEL E. CAPUANO

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mr. CAPUANO. Madam Speaker, in 1910, Marwick, Mitchell & Co. opened its doors in Boston, on Congress Street, with just a handful of partners and infinite potential. That company became Peat, Marwick & Mitchell, and is known today as simply KPMG LLP. This year marks the 100th anniversary of KPMG LLP's relationship with Boston and I rise this afternoon to recognize the indelible contributions KPMG has made to the city, its residents, and its businesses; as well as to the health, strength and well being of American capital markets.

Over the last 100 years, Boston has developed a reputation as more than just the birthplace of America. Today, it is firmly positioned as a leading center of culture, intellectualism, business innovation, and commerce, and KPMG is recognized as playing a leading role in Boston's expansion and growth. KPMG is one of the oldest and best-known professional services firms in the city, employing 600-plus professionals, headquartered at Two Financial Center, and providing audit, tax, and advisory services to the public and private sectors. Just as important, KPMG's partners and employees serve as officers, directors, and volunteers for many of Boston's charitable and philanthropic organizations.

In celebration of its 100th anniversary, KPMG launched the 100K Project, encouraging Boston alumni, partners, and professionals to clock at least 100 hours of volunteer service during this centennial year. Moreover, the firm has spearheaded more than 100 fundraising drives and community service projects over the past two years to beautify and green the city; feed and clothe the city's poor and homeless, raise monies for our world-class medical research facilities and patient care; teach, tutor and provide clothing, books and toys to Boston's neediest children; as well as generously donate to dozens of local and global causes.

Madam Speaker, I am proud to pay tribute to KPMG and its people for 100 years of service to Boston, for its contributions to the growth and health of the city's commerce, and for its many efforts benefiting our community's quality of life.

ALEXANDER M. STEARNS

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Alexander M. Stearns. Alex is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 249, and earning the most prestigious award of Eagle Scout.

Alex has been very active with his troop, participating in many Scout activities. Over the many years Alex has been involved with Scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Alex has contributed to his community through his Eagle Scout project. Alex organized and coordinated the installation of 260 feet of plastic timber encompassing the mulch and playground equipment at Benner Park in Weston, Missouri.

Madam Speaker, I proudly ask you to join me in commending Alexander M. Stearns for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

INTRODUCTION OF THE TAXPAYER
BILL OF RIGHTS ACT OF 2010

HON. XAVIER BECERRA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mr. BECERRA. Madam Speaker, today I am proud to introduce the Taxpayer Bill of Rights Act of 2010, which clarifies taxpayer rights and obligations, ensures taxpayers have access to competent and affordable tax assistance, and improves taxpayer services. Senator JEFF BINGAMAN (NM), a dedicated advocate for taxpayer rights, is introducing companion legislation in the Senate. Many of these provisions are supported by the National Taxpayer Advocate, Nina Olson, who has long been a champion of improving taxpayer services and tax administration.

Today, April 15th, millions of taxpayers will file their returns with the Internal Revenue Service (IRS). As the IRS processes these returns, issues of tax administration will come to the forefront. These problems will range from taxpayers not knowing their legal rights, to taxpayers enlisting unscrupulous or poorly-trained preparers to help them complete one of their most important financial transactions of the year. This legislation aims to help ensure taxpayers do not find themselves in these unnecessary situations.

First, this legislation would require Treasury to publish an easy-to-understand Taxpayer Bill of Rights that would enumerate all taxpayers' rights and obligations, as well as their location in the tax code. Currently, these rights and obligations are scattered throughout the tax code and Internal Revenue Manual, making them neither accessible nor written in plain language that most taxpayers can understand.

Second, the legislation improves tax preparer services and advice available to moderate income taxpayers by supporting a grant program for free income tax assistance serv-

ices, and by allowing IRS referrals to Low-Income Taxpayer Clinics, which represent modest income taxpayers in their disputes with the IRS. In addition, this legislation builds upon guidance from the National Taxpayer Advocate, first issued in 2002, to implement a system of oversight for unenrolled tax preparers through examination and continuing education requirements. It also provides specific guidance to the IRS as it implements its new initiative to increase oversight over these tax preparers. This provision is essential to improving tax compliance at a time when over half of Americans use a paid preparer to complete their returns.

Finally, this bill would improve services for taxpayers. One important new provision included in this bill provides greater protections for taxpayers when they are faced with a Notice of a Federal Tax Lien filing (NFTL). Filing of an NFTL can result in significant, long-term hardship to a taxpayer, and may adversely affect the taxpayer's credit, thus impairing his or her ability to conduct financial transactions or secure employment. The Taxpayer Bill of Rights Act requires the IRS to make individualized determinations before the filing of an NFTL, and also requires consideration of hardship factors and a taxpayer's history of compliance before these determinations are made.

Many of the problems identified in this bill have gone unaddressed for too long, causing confusion and undue hardship for taxpayers across the country. I encourage all of my colleagues to support these common sense provisions to promote taxpayer rights and services for all Americans on this Tax Day.

CELEBRATING PITNEY BOWES'
90TH "BIRTHDAY"

HON. JAMES A. HIMES

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mr. HIMES. Madam Speaker, I take this opportunity to say "Happy Birthday" to a great Connecticut company headquartered in my district, Pitney Bowes, which was formed 90 years ago on April 23, 1920.

The company was founded through the inventive genius of Arthur Pitney and Walter Bowes who created and commercialized the postage meter—a faster, more convenient way for businesses to apply postage than stamps. This meter, which has been reinvented many times—from mechanical, to electronic, to digital—is still used around the world by over two million businesses, large and small.

Pitney Bowes remains the undisputed leader in offering postage metering technologies to every size business, from those who process fewer than 1,000 pieces of mail per month to those doing more than a million pieces a day.

The company also offers high-speed folders, sorters, inserters and addressing systems. Their software systems add efficiency to businesses by helping optimize shipping alternatives, keeping track of mailing costs, or tracking the mail through the postal system. And, they offer a variety of mail and document management services.

I am sure that many of my colleagues know that Pitney Bowes manages the mail room right here in the House of Representatives. Fewer may know that Pitney Bowes also helps

screen, sanitize and even digitize the mail we receive. They do all this for other government agencies as well as thousands of commercial customers.

They help companies prepare their mail to qualify for postage discounts, ensure that their communications are accurately addressed, and help more than one million people finance their postage. They help other companies identify potential customers and have worked to expand access to postal services through automated kiosks, through the Internet, and through partnerships with companies like eBay and the U.S. Postal Service. Indeed, perhaps no company better understands the essential role that the U.S. Postal Service plays in facilitating American commerce and communications than Pitney Bowes.

In addition to its innovation and business prowess, Pitney Bowes is notable for its fundamental values. Pitney Bowes employees not only do smart things, they do the right things. They've been widely recognized for their diverse hiring, excellent training, and progressive health care. The people at Pitney Bowes care about their colleagues and they care about their community.

For these reasons and in anticipation of their 90-year anniversary, I appreciate the opportunity to celebrate Pitney Bowes' past and I look forward to recognizing their accomplishments in the future.

JACOB C. PHILLIP HOCHARD

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Jacob C. Phillip Hochard. Jacob is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 249, and earning the most prestigious award of Eagle Scout.

Jacob has been very active with his troop, participating in many scout activities. Over the many years Jacob has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Jacob has earned the rank of Fire Builder in the Tribe of Mic-O-Say. Jacob has also contributed to his community through his Eagle Scout project. Jacob organized and coordinated the construction of a wooden planter box with evergreen shrubs and perennial flowers around the "Welcome to Weston" in Beverly, Missouri.

Madam Speaker, I proudly ask you to join me in commending Jacob C. Phillip Hochard for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

HONORING MISS OLA HITT ON HER
100TH BIRTHDAY

HON. J. GRESHAM BARRETT

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mr. BARRETT of South Carolina. Madam Speaker, I would like to enter into the CON-

GRESSIONAL RECORD a few statements about Miss Ola Hitt, who is celebrating her 100th birthday this month. Miss Hitt is truly a special woman. Every day, motorists who drive down Whiskey Road in Aiken, South Carolina will pass by Ola Hitt Lane. Visitors to the city may not know why a street was named for Miss Hitt, but many of the residents could quickly inform them. Miss Ola, as she is affectionately known by her friends, has been a beloved figure in her small southern city for decades.

Miss Ola is an American patriot who has opened her home and her heart to serve the veteran community for many years. In 1960, Miss Ola was asked if disabled veterans who could live independently could share her large Chesterfield Street home with her. She never hesitated, and her house became a home to dozens of returning veterans who had nowhere else to lay their heads. Her "boys", as she called them, always found a welcome mat at her front door. She not only prepared hot meals and provided comfortable rooms for them but also accompanied them to doctor's appointments. She even planned and took them on vacations. For 33 years, Miss Ola served her "boys" who had so valiantly served our great country.

Obviously, generosity epitomizes Miss Ola's life. She has always been quick to gather up donations to help children, veterans and anyone else who is in need. Miss Ola has also been known to draft others to assist her in her endeavors. Because no one says "no" to Miss Ola, she has been able to draw others into her many charities.

I could go on for hours about what Miss Ola means to her community and to her many friends. Her life has truly been one of giving and loving. I am proud to have this opportunity to wish her a happy 100th birthday and to thank her for spending her life serving others. God bless you, Miss Ola.

HONORING GEORGE R. DERR, JR.

HON. JOHN H. ADLER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mr. ADLER of New Jersey. Madam Speaker, I rise today to pay tribute to an outstanding South Jersey citizen, Mr. George R. Derr Jr. of Willingboro, NJ. One of the greatest pleasures of my service in the United States House of Representatives is the opportunity to call the Nation's attention to acts of extraordinary service and sacrifice by our citizens, and to record those acts as a part of our proud and uniquely American history of leadership by the People.

This year marks 50 years of service for Mr. Derr with the Willingboro Volunteer Fire Company #1. He has not only served our country when needed, he continues to serve our Nation, State, and community. Mr. Derr was a charter member of the Fire Company, which also celebrates its 50th anniversary this year. In his many years of service with the company, Mr. Derr served as the first corresponding secretary, and has also served as President and Chairman of the Board of Fire Commissioners.

In recognizing Mr. George R. Derr, for his extraordinary service, we recognize all firefighters. They represent and summon the best in us—the best of the American character—

and we are grateful to them all. Therefore Madam Speaker, I hope that you will join me in recognizing Mr. George R. Derr, for his many years of service with the Willingboro Volunteer Fire Department.

RECOGNIZING ALLIE BENNETT
SHIELDS

HON. TRAVIS W. CHILDERS

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mr. CHILDERS. Madam Speaker, I rise today to recognize the life of Allie Bennett Shields on the occasion of her 90th birthday. Allie Bennett Shields was born on April 15, 1915 in Prentiss County, Mississippi. She grew up on a farm near New Site, Mississippi.

At 19, Allie married Marshall Shields on December 23, 1934. Allie had a long and active working life. She was one of the original members of East Booneville Baptist Church in 1948. Allie and Marshall were married for 45 years and had one son, Tommy Lee Shields. She is blessed with two grandchildren, Jamie and Johnny Shields.

I am honored to have Allie as a resident in my congressional district. Celebrating a 90th birthday is a momentous occasion that many strive for, yet few accomplish. I can only imagine the advances and changes she has witnessed during her celebrated life. I ask my colleagues to join me in paying tribute to Mrs. Allie Bennett Shields on her 90th birthday.

NATIONAL ASSOCIATION FOR THE
ADVANCEMENT OF COLORED
PEOPLE

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mr. VISCLOSKY. Madam Speaker, it is my distinct pleasure to stand before you today to recognize and commend the members of the Gary, Indiana, branch of the National Association for the Advancement of Colored People (NAACP). On Saturday, April 24, 2010, the Gary NAACP will hold its 45th Annual Life Membership Banquet at the Genesis Convention Center in downtown Gary, Indiana.

This annual event is a major fundraiser for the Gary NAACP. The funds generated through this event directly support the organization's many outstanding programs and advocacy efforts. Through its membership and the support of the community, the Gary NAACP is able to serve the people of Northwest Indiana and continue the mission started by the national organization in 1909, working diligently to combat injustice, discrimination, and unfair treatment for all people in today's society. In addition, the banquet serves to update and keep the community aware of the NAACP's activities and to formally honor its new life members.

The keynote speaker at this year's event will be Mr. Herman Boone, a retired high school teacher and coach, who is most well-known for coaching integrated football teams at T.C. Williams High School, in Alexandria, Virginia. Many will recall Denzel Washington's memorable portrayal of Coach Boone in the movie

Remember the Titans. I join the Gary NAACP in welcoming Mr. Boone to Northwest Indiana.

This year, the Gary NAACP will honor six outstanding individuals from Northwest Indiana, who will join the hundreds of other outstanding civil, community, and religious leaders who have previously been recognized as life members. For 2010, the distinguished individuals who will be inducted as life members of the Gary NAACP are: Vanessa Allen, Anna Connor, Geneva Osawe Gonzales, Dr. Danita Johnson Hughes, Hattie McCune, and Cheron Reed.

Madam Speaker, I ask you and my other distinguished colleagues to join me in paying tribute to the newest life members of the Gary NAACP, as well as Attorney Karen Pulliam, the current Gary NAACP president, and all members of the organization for their extraordinary efforts and tremendous leadership. These outstanding men and women have worked tirelessly to improve the quality of life for all residents of Indiana's First Congressional District, and for that they are to be commended.

CELEBRATING MARGARET GANDY

HON. KATHY CASTOR

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Ms. CASTOR of Florida. Madam Speaker, I rise today to celebrate the life and philanthropic contributions of Margaret Gandy, and to acknowledge the pride in the legacy she left with the Tampa Bay community. Her guidance and encouragement to students proved instrumental in improving the lives of thousands of families.

Born in Orlando, Ms. Gandy graduated from Florida State University with a bachelor's degree in recreation education and a master's degree in religious education from Duke University's Divinity School. After serving as a religious education director in North Carolina and Girl Scouts executive director in Volusia County, Ms. Gandy and her husband, Bill, settled in south Tampa in 1973.

As her two children went through school, Ms. Gandy volunteered her time in the school clinics and served on various PTA committees. When they began attending Plant High School in 1980, she devoted her time to helping high school seniors navigate the college admissions and financial aid process and organized her first college night. Her passion for helping students get into college compelled Plant High School to create a full-time position for her in 1986, the first of its kind in Hillsborough County, as the school's college guidance resource specialist. Over the years, she created a model for coaching students through the application process, which is now used in high schools throughout Florida. In 2002, the Tampa Rotary Club gave her its outstanding educator award for her work with students.

After 18 years of dedicated service, she retired in 2003. In her tenure, she helped approximately 6,000 students, including a member of my staff, to apply and gain admittance into higher education. She had a gift for matching students with schools that fit their personality and interests. In her last year, Plant High School seniors received \$10 million

in scholarships. Even after retirement, she continued to share her knowledge and strategies for college admissions by creating an on-line consulting company to help students find the perfect college match, regardless of a family's budget.

The philanthropic contributions of Margaret Gandy have unquestionably improved the lives of thousands of Floridians on the path to higher education.

The Tampa community honors the life of Margaret Gandy, her husband Bill, son Lee and daughter Marcia, and the entire Gandy family for their outstanding contributions to the Florida families. Margaret Gandy's life serves as an inspiration to all who knew her, and will continue to impact the lives of Floridians in the future.

TAX DAY

HON. TODD TIAHRT

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mr. TIAHRT. Madam Speaker, "Excessive taxation . . . will carry reason and reflection to every man's door, and particularly in the hour of election." Thomas Jefferson spoke these words in 1798. These words will ring true once again this November, 212 years later. Why? This Congress and the Obama administration refuse to recognize the burden they are placing on Americans with constant tax and spend schemes. Since President Obama took office he has enacted nearly \$700 billion in new taxes. This amounts to more than \$2,100 for every man, woman and child in the United States.

Not only are the taxes in this country outrageous, the balance of those who pay taxes are also becoming more and more out of balance. But not all people believe this is the case. A recent CBS News poll showed 50 percent of Americans think the amount they pay in taxes is fair. Yet according to the non-partisan Tax Policy Center, 47 percent of American households will not owe any federal income tax for tax year 2009. Coincidence? I think not. Almost half of Americans do not pay taxes and believe that to be fair?

Our current tax code is ridiculously complicated, horribly unfair, and bad for the economy. It inhibits saving, investment and job creation, and imposes a heavy burden on families.

Americans know when spending and taxation is out of control. In fact, back in December 1773, a group of American colonists called the Sons of Liberty boarded a ship docked in Boston harbor that was filled with boxes of tea from the East India Company. What were they protesting? The "Tea Act". The act was designed to prop up the East India Company, which was floundering financially and burdened with 18 million pounds of unsold tea. It was a 17th century bailout. Colonists boarded the ship and tossed the tea into the harbor, in protest of the Tea Act, which had recently been enacted by the British government. This tea party led to the realization that America must be freed from Great Britain in order to become a true democracy.

Today, over 200 years after the great tea party, I stand with Kansans and patriotic tea partiers nationwide who are outraged by

Washington's untamed penchant for taxing, borrowing and spending our hard-earned dollars. We've had enough. This runaway spending and taxing must stop. Yet, the Democrat Congress and the Obama Administration continue to propose and pass legislation that increase taxes and spending and jeopardize our future.

We need across-the-board spending cuts throughout the federal government and tax relief for American families and businesses. This is one of many steps we should be taking to create high-quality jobs and spark long-term economic growth without a new government spending program.

Just this week, I introduced a congressional resolution condemning a massive value added tax (VAT) system being considered by the Obama administration. Americans have already been subjected to one of the highest tax increases in our nation's history as part of recently passed healthcare reform. American families and the American economy cannot flourish under this level of taxation.

Despite this trajectory, our country could be on a 10-month recovery plan. First, the federal government must end the bailouts, reduce spending and lower taxes for all Americans.

The private sector, not government bureaucrats, knows how money should be spent, what resources are needed, and what type of training workers will require. Unfortunately too many government roadblocks stand in the way of business development—and deter investment by those here and abroad. Steps we can and will take to restore our nation's competitiveness and ensure that America remains the Land of Opportunity: Tax Relief and Simplification, Liability Reform, Regulatory Reform, Healthcare Security, Energy Independence.

On this day, as Americans unite to demand that our government stop spending into bankruptcy, I pledge to continue the fight to return money and power back to American families as our founding fathers intended.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mr. COFFMAN of Colorado. Madam Speaker, today, tax day, our national debt is \$12,823,492,436,215.11.

On January 6th, 2009, the start of the 111th Congress, the national debt was \$10,638,425,746,293.80.

This means the national debt has increased by \$2,185,066,689,921.31 so far this Congress.

This debt and its interest payments we are passing to our children and all future Americans. On tax day, the American public certainly should dread how we will pay this debt if meaningful reform is not enacted, and enacted soon—by yet more taxes. I urge my colleagues to join me in supporting H.J. Res 1, the Balanced Budget Amendment. We need to bring fiscal responsibility to our spending.

SIKH RELIGIOUS SOCIETY OF
INDIANA**HON. PETER J. VISCLOSKY**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mr. VISCLOSKY. Madam Speaker, it is with great honor and pleasure that I stand before you today to recognize the Sikh Religious Society of Indiana and its Board of Directors as they celebrate one of their most significant religious and historical events, Vaisakhi. The day will be commemorated on Sunday, April 18, 2010, at the Sikh Temple in Crown Point, Indiana.

The Sikh Religious Society is a non-profit religious and social organization that has served the Sikh community of Northwest Indiana since 1994. Each year the Sikh people celebrate Vaisakhi, a festival that commemorates the establishment of the "Order of the Kahlsa" or "Pure Servants of God." In 1699, Sahib-E-Kamaal, Guru Gobind Singh Ji, the tenth guru, initiated the process of the conversion of the people of India into a morally receptive and disciplined army of the pure and courageous, whose main purpose was to overcome religious oppression and considerable human rights violations that were occurring in India at that time. He empowered the people of India by giving them a choice to control their own destiny, teaching them to stand unyielding to confront the forces of intolerance that had been placed upon them by the bigoted and cruel leaders of the time. Guru Gobind Singh Ji, in his courage to act, willingness to meet challenges, and ability to achieve, embodied all that is good and true in the battle for liberty. On Vaisakhi day, Guru Gobind Singh Ji assigned a specific code of conduct to the Sikh followers—belief in one God, brotherhood of mankind, equality among all human beings, justice, peace, and truth. Sikh followers are encouraged to work hard, earn an honest living, and live a life of service to people in need. Today, the Sikh community holds high the beliefs that were brought forth on that day. The true meaning of Vaisakhi lives on in the Sikh people as they continue to pass on their peaceful beliefs and messages of equality through their unwavering strength and determination.

Madam Speaker, I ask that you and my distinguished colleagues join me in honoring the Sikh Religious Society of Indiana, its Board of Directors, and congregation, as well as Sikh followers throughout the world, as they celebrate and observe the religious and historic event of Vaisakhi. Through their words and teachings, these honorable individuals and organizations remind us all of the struggles and accomplishments of the Sikh people throughout the world.

RECOGNIZING MAJOR DEEDRA L.
ZABOKRTSKY—SCOTTSDALE
HEALTHCARE'S "SALUTE TO
MILITARY" HONOREE

HON. HARRY E. MITCHELL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mr. MITCHELL. Madam Speaker, I rise today to recognize a member of the Armed

Forces from my home State of Arizona. Every month, Scottsdale Healthcare honors service members who perform diligent service to this country. For the month of April, they have recognized U.S. Air Force Major Deedra L. Zabokrtsky.

I commend Scottsdale Healthcare for paying tribute to such an outstanding service member for her dedication and service to our country.

During her service, Major Zabokrtsky served as an Intermediate Ward Flight Commander with the 332d Expeditionary Medical Operations in Balad, Iraq. She led a team of 46 providers, nurses and medical technicians that cared for 920 patients in the course of 4 months. Under her outstanding leadership, the hospital achieved an astounding 98 percent survival rate for United States military casualties and set an example for high standards of care. For her superb achievements Major Zabokrtsky was awarded the Meritorious Service Medal.

Currently, Major Zabokrtsky is stationed at Luke Air Force Base with the 56th Medical Group. She is assigned as a full-time faculty member at Scottsdale Healthcare for the Air Force Nurse Transition Program. Her accomplishments at Scottsdale Healthcare have significantly enhanced the hospital's military partnership training programs.

Madam Speaker, please join me in honoring this outstanding Air Force officer for serving our country and caring for our fellow service men and women in combat.

HONORING THE 89TH BIRTHDAY OF
MRS. MARTHA YUSEM

HON. JOHN H. ADLER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mr. ADLER of New Jersey. Madam Speaker, I rise today to honor Mrs. Martha Yusem of Cherry Hill, NJ on the occasion of her 89th birthday.

Mrs. Yusem has long been admired by her community. She was born April 5, 1921 in Vienna, Austria. Martha and her family lived through Krystal Nacht on November 10th, 1938. While many in her community were sent to the Dachau concentration camp, her family was able to remain hidden and protected. On February 16, 1939, at the age of 17, she emigrated on to the United States aboard the *Aquatania*. The day after the ship departed for New York, the borders closed and war broke out in Europe. This would also be the very last voyage of the *Aquatania* as it was torpedoed and sunk by the Germans on its return to Europe.

In America, Martha quickly picked up the English language and went on to attend Temple University. She proudly became an American citizen in 1944 and married an American psychologist and WWII veteran, David Yusem, in December, 1952. Together, they raised two sons, Paul and Joseph. Martha has worked as a tax preparer, a real estate salesperson and most notably, a senior bank teller.

In 1997, she moved to Cherry Hill, NJ where she lives today. Martha has, on more than one occasion, spoken to groups about her experiences in Nazi-occupied Europe. In addition to an active social life, Martha re-

mains very involved in politics. Martha Yusem's story is one of great courage and determination. Our country is proud to have such a remarkable woman. I hope that my colleagues will join me in wishing Mrs. Martha Yusem a very Happy 89th Birthday.

TRIBUTE TO JOHN GRAY, ONE OF
SOUTH ALABAMA'S WORLD WAR
II HEROES

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mr. BONNER. Madam Speaker, it is with tremendous sadness that I rise to note the passing of a noteworthy World War II veteran and a truly great American, Mr. John Franklin Gray, who recently passed away at the age of 87.

Named the 2007 Mobile Bay Area Veteran of the Year, Mr. Gray was a remarkable man in every way imaginable.

He was a trailblazer as one of the first African Americans to be accepted into the United States Marines Corps. Trained at the Marine Corp's African American boot camp at Montford Point, Camp Lejeune, N.C., he served more than a year and a half in a segregated unit while fighting in the Pacific.

John Gray's service was highlighted in the Ken Burns PBS television documentary, "The War."

Mr. Gray, like so many of America's "Greatest Generation," helped our country win the war, and then returned home to Mobile, Alabama where he devoted much of the remainder of his working lifetime to educating our young people in the Mobile County public schools. After more than 50 years in the school system, he retired as assistant principal at Mobile's Shaw High School.

Those who knew him best said John Gray was proudest of his service to the students and his service to America. He was a Marine to the end and loved the Corps.

On a personal note, I considered it one of my great honors to have gotten to know Mr. Gray in the twilight of his life. Whenever he and I were together—whether it was at a Veteran's Day parade or at a welcome home ceremony for one of our units returning from Iraq or Afghanistan, Mr. Gray was always the epitome of a Marine's Marine, standing tall and proud for freedom and for liberty.

On behalf of the people of South Alabama, and on the part of a grateful nation, I wish to thank Mr. John Gray for his distinguished service and his exemplary life. And I extend my condolences to his wife, the Rev. Edwina Gray, his six children, John Gray, Gordon Gray, Danielle Gray, Rhonda Gray, Alice Gray, and Gable Gray, as well as countless other friends and family.

They are all in our thoughts and prayers at this difficult time.

HONORING THE 150TH ANNIVERSARY OF HOLY CHILDHOOD SCHOOL IN MASCOUTAH, ILLINOIS

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mr. COSTELLO. Madam Speaker, I rise today to ask my colleagues to join me in congratulating Holy Childhood School, in Mascoutah, Illinois, on the occasion of their 150th Anniversary.

Holy Childhood School was founded in 1859, with students first taught in a house owned by a local doctor. The local landscape was much different then. Mascoutah had just been incorporated about 20 years earlier, initially as the Town of Mechanicsburgh. Scott Field, which would evolve into Scott Air Force Base and provide many students for Holy Childhood School, would not be built until 60 years later.

The first school structure was a two room school house built in 1864, at a cost of \$2,361.00. The Ursuline Sisters arrived from Louisville, Kentucky, in 1872 and were the first religious order to teach at the school. They would be succeeded in 1888 by the Poor Handmaids of Jesus Christ. Also in 1888, a second story was added to the school house.

As the area, parish and school continued to grow, further additions were required. The 1960s saw considerable expansion as four additional classrooms, a library, a cafeteria with seating for over 400, and a gymnasium with a stage and seating for 800 were added.

Holy Childhood School has seen many changes throughout its 150 year history but it has always remained true to its core values of providing the highest quality of education while rooted in the teachings of the Catholic faith. Several generations of Holy Childhood graduates have stayed in town, raised families of their own and continued the growth of the community, parish and school. While other graduates may have moved to locations near or far, all have cherished their memories at Holy Childhood and been thankful for the sound educational foundation they received.

Madam Speaker, I ask my colleagues to join me in congratulating Holy Childhood Parish and the administration, faculty, staff and students of Holy Childhood School as they celebrate their 150th Anniversary.

TAX DAY

HON. CLIFF STEARNS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mr. STEARNS. Madam Speaker, it's Tax Day in America, and once again millions have gone through the struggle of trying to figure out our complicated tax laws. Our tax code is far too complicated and unwieldy.

The IRS' Taxpayer Advocate stated, "The [Tax] Code has grown so long that it has become challenging even to figure out how long it is." A 2001 study put the number of words at 1.3 million. A 2005 report put the number of words at 2.1 million. The Taxpayer Advocate's search of the tax code turned up 3.7 million

words. The tax code has more than tripled since 1975.

It is estimated that individual taxpayers spent 3.8 billion hours complying with federal income tax laws. The IRS reported that individuals spent \$29 billion in 2009 for tax software, tax preparers, and other expenses to filing their returns.

We need real tax reform in our country. We need a simplified tax code that ensures that everyone pays their fair share and a tax code that is easily understood without excessive complexities.

A TRIBUTE TO THE LIFE OF KENDALL L. MANOCK

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mr. COSTA. Madam Speaker, I rise today to pay tribute to the life of Kendall L. Manock. Ken was a pillar in the legal community and a valued civic leader that will be sorely missed.

After attending Fresno High and Fresno State College, he studied law at the University of California at Berkeley's Boalt Hall, graduating in 1954. Upon returning to Fresno, Ken made his mark at an established Fresno law firm that traces its roots to the turn of the previous century. Ken Manock and Jack Baker built the firm into one of the premier law firms in the Central Valley: Baker, Manock & Jensen. Ken became a nationally recognized expert on agricultural marketing orders and the taxation of agricultural cooperatives. Mr. Manock was the firm's managing partner for decades. He was aware of every aspect of the firm's business and proved to be an effective leader through the years.

Mr. Manock mentored several generations of attorneys at Baker, Manock & Jensen. He taught hard work and keen analysis by example, as he was always willing and able to talk out a difficult legal problem in any subject. He was a brilliant legal tactician and constantly strove for excellence in the practice of the legal profession.

Ken was a longtime board member of Community Medical Centers. He was instrumental in founding the Fresno Heart Hospital, a Community joint venture with physicians that opened in 2003, and the expansion of the Henry Madden Library at California State University, Fresno.

As a loving husband, Ken enjoyed traveling with his wife of more than 50 years, Doris. He will be missed by his children, grandchildren and great-grandchild. Ken was proud to see his son Charlie Manock join the law firm, where his extended legal family will certainly miss his fatherly guidance.

Kendall Manock was part of a generation that endured incredible hardships and sacrifices to make America a better place. Mr. Manock will be remembered for his commitment to his family, our community, the practice of law and the lives he so graciously touched. I am honored and humbled to join his family and the citizens of the San Joaquin Valley in celebrating the life of an amazing man.

TRIBUTE TO FORMER ESCAMBIA COUNTY, ALABAMA COMMISSIONER WILLIAM AMERICA

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mr. BONNER. Madam Speaker, I rise to honor the memory of a groundbreaking public servant, businessman and beloved church member in Escambia County, Alabama, who passed away on April 3 at the age of 77.

Over the course of his long life in south Alabama, William America, Sr. epitomized hard work and community service. At an early age, he followed his heart to serve the Lord. He later carried that same devotion into his careers as a local businessman and public servant.

A native of Camden, Alabama, William America settled in Atmore in 1945 with his parents. An active member of his church choir, he formed his own quartet at the age of 15. After starting a family with his wife, he spent decades reaching out to the people of Atmore and Escambia County through his many activities.

William America was the manager and owner of America's Superfood store and also served on the United Bank Board of Directors. But being a businessman was only the beginning for Mr. America.

He was president and founder of the United Civic Club, president of the Escambia County Branch of the Alabama Democratic Conference (ADC), president of the Progressive Civic and Recreational Club (PCRC), and a member of the NAACP, the Hospital Board and the Chamber of Commerce.

Mr. America didn't stop there, however. He also took to the airwaves as a broadcaster on a local religious radio station where he had a considerable audience.

Above all, William America is best known for another of his public activities—serving as Escambia County's first African American County Commissioner. Commissioner America spent eight years in office, four of which as Chairman of the Board of Commissioners.

Commissioner America left a large imprint on the lives of his community through his uncommon devotion to serve his fellow man.

I wish to extend my condolences to his wife, Pauline Powers America, and their five children, Shirley Jean Williams, Cynthia Paulette (Alton) Williams, William America, Jr., James (Lesa) America, and Ellen (Manuel) Valenzuela, and their entire family.

IN HONOR OF GLENN A. ADAMS

HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mr. SESSIONS. Madam Speaker, I rise today to recognize Glenn A. Adams, the current President of the National Eagle Scout Association (NESA).

Since taking over as NESA President in 2008, Glenn's dedication and leadership has strengthened the organization through innovative outreach efforts and a variety of events, expanding the community of Eagle Scouts. On

April 29, 2010, his hard work will be recognized when he receives the Distinguished Eagle Scout Award (DESA).

Since it was first introduced in 1969, the DESA is given to an Eagle Scout that has shown distinguished service in his profession and community for a period of at least twenty-five years. Glenn is most deserving of this great honor and prestigious award for all he has done for NESA and Scouting. His active involvement is notable; he serves on the Longhorn Council Boy Scouts of America (BSA) Foundation Board and as a Committee Member of the National Scouting Museum. He was also the former Scoutmaster for Troop 326 and has made generous financial contributions dedicated to providing scholarships for deserving Eagle Scouts. Glenn has always led by example and his active involvement in his local community speaks loudly of the impact he has had.

Madam Speaker, I ask my esteemed colleagues to join me in recognizing Glenn for all he has done for the Boy Scouts of America and join me in congratulating him as he receives this prestigious award.

RECOGNIZING DR. HECTOR GARCIA

SPEECH OF

HON. JOE BACA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 2010

Mr. BACA. Madam Speaker, I ask for unanimous consent to address the House for one minute.

Madam Speaker, I stand here today to honor the life and historical contributions of Dr. Hector Garcia, a WWII hero, civil rights leader and medical doctor of the poor and disenfranchised.

I rise to support the passage of this legislation which will encourage educating Americans on the life, deeds, and accomplishments of Dr. Hector Garcia.

Motivated by a teacher who said that no "Mexican" was going to get an A in class. Hector Garcia graduated with a doctorate in Medicine in 1940.

He founded the American GI Forum (AGIF) in 1948, when a Mexican American soldier, Private Felix Longoria, was denied a proper funeral due to racial segregation.

Motivated to fight against discrimination, Dr. Garcia sent out telegrams to elected and government officials.

In response, Senator Lyndon B. Johnson, arranged to have the private buried with full military honors in Arlington National Cemetery, becoming the first Mexican American serviceman awarded this honor.

AGIF and Dr. Garcia became a voice for Mexican Americans in the post WWII era. During Vietnam he made it a point to accompany the families of fallen soldiers to collect the bodies of their loved ones.

Dr. Garcia loved to quote the Declaration of Independence and the Constitution, applying it to his daily life.

Dr. Garcia's motto, and the AGIF's today is, "Education is Our Freedom and Freedom should be Everybody's Business".

He strove to make a more equitable and peaceful community both locally and internationally. Appointed alternate Ambassador to

the United Nations, he was the first representative of the United States to address the UN body in a language other than English.

This legislation will encourage his legacy and increase public knowledge of Dr. Hector Garcia's exemplary dedication to eradicating ethnic discrimination.

I urge my colleagues to support this legislation, which will have a positive impact on our young people and help craft the next generation of social leaders.

RECOGNIZING NATIONAL TELECOMMUNICATIONS WEEK, APRIL 11-17

HON. DAVID G. REICHERT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mr. REICHERT. Madam Speaker, since 1991, Congress has officially recognized the work of public safety telecommunicators who handle millions of calls every year with great efficiency. The selfless nature with which these public servants do their jobs is truly remarkable.

As the former Sheriff of King County in Washington State, I worked alongside the men and women in our communications center. I depended on them daily to provide me with the correct information in order to safely carry out my duties and keep our communities safe. The men and women at our communications center went to great lengths to make sure I was okay after a head-on collision in 1991, and I will always remember their care and compassion. After the collision, I was able to get out of my car and check on the other people involved in the accident. I left my portable radio behind in the patrol car at that point, not realizing that the men and women at the communications center were nearly in tears with worry, wondering if I was safe. It is a difficult and sometimes emotional duty these public servants perform; they don't always know what's happening on the other end of the line because they can't see what's going on, but they can hear the cries for help and the commotion and confusion of the scene. I can't adequately express how much their professionalism and concern meant to me, knowing they cared so much about my well-being. In short, the men and women at our communications centers are truly heroes to the law enforcement officers and citizens they serve.

As I recounted during National Telecommunications Week two years ago, a former Chief of Police in Colorado once wrote that dispatchers must possess, among other things, the humor of David Letterman, the endurance of the Energizer Bunny and the patience of Job. It is not often that such traits are found in one person. However, in my experience, to find such a person one need look no further than the telecommunications section of a local police, fire or Sheriff's office. These men and women work tirelessly with the heart of a servant. Every day they meet the needs of those who call for help, and they make sure our first responders are able to perform their duties as safely as possible.

I encourage all my friends, colleagues, and neighbors to take a moment during this week to thank a telecommunications dispatcher, letting them know you recognize and appreciate

the guidance and service they provide to their fellow citizens.

CONDOLENCES TO FAMILY OF WLADYSLAW STASIAK AND ALL OF POLAND

HON. PETER T. KING

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mr. KING of New York. Madam Speaker, today I rise to offer my heartfelt condolences to the family of Wladyslaw Stasiak on the recent plane crash that took his life as well as the lives of Polish President Lech Kaczynski, his wife Maria, and so many leading political, military and financial officials. This horrible tragedy will be felt for years to come by so many, and my thoughts and prayers are with Poland on this day.

Wladyslaw Stasiak was a senior aide and chief of staff to President Kaczynski and a friend of the United States. He worked closely with both of our governments on the deployment of U.S. Patriot missile batteries in Poland to defend against a missile attack. Before becoming chief of staff, he held various senior political positions inside the Polish Government including Chief of the National Security Bureau, Minister of Interior, and Deputy Mayor of Warsaw.

Once again, let me express my condolences to Mr. Stasiak's family on their recent loss.

RECOGNITION OF HOLOCAUST REMEMBRANCE DAY

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Ms. RICHARDSON. Madam Speaker, I rise today, during the Holocaust week of remembrance which follows Yom Hashoah this past Sunday. I rise to honor the memory of all those who perished in the Holocaust, all the survivors who had to suffer so greatly, and all those who lost family and friends in the Holocaust. The Holocaust was a tragedy unmatched in the history of the world and we must never forget it lest we allow history to repeat itself.

The Nazis systematically exterminated over 6 million Jewish people and killed between 11 and 17 million people all told. They established concentration camps, including the infamous Auschwitz-Birkenau, Treblinka, Belzec, and Sobibor where they worked people to death and systematically exterminated them.

The importance of commemorating and studying the Holocaust is particularly urgent now as the number of survivors that can relate their firsthand impressions is dwindling. We must learn from those who personally witnessed the horrors while we still can.

The timing of this week of remembrance is particularly appropriate as President Obama negotiates the world's nuclear future at this week's historic two-day nuclear summit. During the Holocaust we saw the devastation that can be brought when evil gains power. We have seen millions of people die and that was before the world knew of the destructive

power of nuclear weapons. While we all celebrate the creation of the State of Israel, an amazing country I was able to visit last year and witness the incredible things the Israelis have done with such a small country surrounded by hostile neighbors, we know that the concentration of the Jewish people in their own State leaves them vulnerable if a nuclear weapon fell into the hands of an entity wishing to bring the destruction the Nazis brought. And we unfortunately know such entities exist.

Therefore we must remember the tragedy of the Holocaust and do everything in our power to ensure no tragedy of this magnitude will ever occur again. This means continuing to educate people, promoting tolerance, and vigilantly checking the power of those forces who would wish to revisit the horror of the Holocaust.

HONORING HUGH CODDING OF
SONOMA COUNTY

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mr. THOMPSON of California. Madam Speaker, I rise today along with my colleague, LYNN WOOLSEY, to honor the life and memory of Hugh Coddington, who helped shape and define Sonoma County over the course of the 92 years he was with us. He was a legend in his lifetime; a home builder, commercial developer, banker, city councilman, civic leader and philanthropist, who during the construction boom years of the 1950s and '60s, changed the face of the county forever.

He built his first home in the 1930s and honed construction skills in the Seabees in World War II and brought those skills home with him. He leveraged his \$400 discharge pay into a construction project and with profits earned from that endeavor and a small bank loan, he built one of the first shopping centers in the state, the first of several he would eventually build in the county.

As much as he was a builder and developer, he was also a showman. He earned Time magazine's designation as the wunderkind of the post-war boom by building an entire house in three hours and 18 minutes and a church in five hours and 16 minutes.

He gave back generously to his community, helping fund and sustain both the Luther Burbank (now Wells Fargo) Center for the Arts in Santa Rosa and the Spreckels Performing Arts Center in Rohnert Park. There was scarcely a non-profit organization in the county that did not experience his generosity, whether it was the 4-H Club, the Earl Baum Center for the Blind, the Santa Rosa Junior College Foundation, the Sonoma County Community Foundation, the Children's Health Network, Artstart, the Southwest Community Health Clinic, Planned Parenthood, the Blood Bank of the Redwoods, the Green Music Center, Santa Rosa Memorial Hospital, the Jewish Community Free Clinic, the Council on Aging, the Sonoma County Museum or the Boys and Girls Club of Santa Rosa, and many more.

He is survived by his wife Connie; former wife Elizabeth Mulkey; son George David Coddington; granddaughters Alexis Coddington, Lois Coddington, Lisa Coddington Chodrick and Terra Saxton and his stepchildren Brian Baker,

Pamela Reed, Lisa Malapit, Melinda Bailey, and Bradley Baker.

Madam Speaker, Hugh Coddington was an influential and respected resident of Sonoma County who will be greatly missed. It is therefore appropriate that we acknowledge him today and honor his memory.

HONORING MAJOR JON M.
LAUDER, USMC

HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mr. SESSIONS. Madam Speaker, I rise today to recognize Major Jon. M. Lauder and his dedicated service to this great Nation.

After graduating from the Virginia Military Institute with a degree in Civil Engineering in 1994, he has served on active duty with the United States Marine Corps. He proudly served two combat tours in Iraq, including the initial assault into Iraq in 2003 as part of Operation Iraqi Freedom. After a combat tour in Eastern Afghanistan as a part of Operation Enduring Freedom, Major Lauder served as a U.S. military observer in Israel during the summer of 2006 during the Israeli-Hezbollah war. He is currently the Commanding Officer for the Marciel Corps Recruiting Station in Dallas, Texas.

On May 14, 2010, Major Lauder will be turning over his command and will move to Washington, D.C. for his new assignment at the Pentagon. It has been my distinct honor and pleasure to work with him. I proudly call him my friend and know that Major Lauder's dedicated service has made our Nation a safer and better place.

Madam Speaker, I ask my esteemed colleagues to join me in expressing our heartfelt gratitude to Major Lauder. I wish him and his family all the best.

A TRIBUTE TO THE REV. DR.
CLAUDE S. WYATT, JR.: A LIFE
WELL LIVED

HON. BOBBY L. RUSH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mr. RUSH. Madam Speaker, mere words do not begin to do justice to the life, legacy and transcendent accomplishments of the Rev. Dr. Claude S. Wyatt, Jr., co-founder of The Vernon Park Church of God in Chicago, Illinois. Rev. Wyatt's life in this world came to an end at the age of 86. Rev. Wyatt, founder emeritus of the Vernon Park Church of God, 9011 S. Stony Island, died Sunday morning, April 11, 2010, at his South Side home.

He left in his wake thousands of people from all walks of life who will forever remember his love for the Lord, his large and loving family, including his beloved wife of 70 years, the Rev. Dr. Addie Lorraine Wyatt, as well as men, women and young people from all walks of life, including me. In ways big and small, I learned from Rev. Wyatt important lessons in life. I am proud to count myself among those scattered throughout this country who, right now, are grieving the loss of his life but who,

at the same time, are rejoicing in the Lord in whose arms he now has eternal peace and comfort.

While today's young people are reveling in the fruits of what many call the "Joshua Generation," there would be no 'Joshuas' without the wisdom, guidance and front line courage of those Moses figures, like Dr. Wyatt, who stood side by side with Dr. Martin Luther King, Jr., campaigned for the release of Nelson Mandela and a free South Africa, or who worked alongside some of this nation's greatest labor leaders, like César Chávez. Together, men and women of unheralded stature successfully created a culture, in this nation, that values the labor of low-income and working class families by, at the very least, recognizing the merit of paying them a decent, minimum living wage for a hard day's work. I could go on and on about the things that Rev. Wyatt and his amazing wife Addie have done to create the nation we live in today, but I offer these thoughts for future generations to read, revel in and, hopefully, rejoice!

Rev. Wyatt was born November 14, 1921 in Terrell, Texas. He was the second of five children. A young Claude Wyatt first came to Chicago at the age of six. Rev. Wyatt fought honorably as part of a still, segregated Navy, during WWII, from which he was honorably discharged. And, prior to becoming a pastor, Rev. Wyatt worked as a clerk at the Hyde Park Post office, at 46th and Cottage Grove, part of my congressional district, for more than 20 years.

Rev. Wyatt was married to his wife, Addie, since 1940. Shortly after they joined their lives together, the couple became involved with the ministry and civil rights campaign of Dr. Martin Luther King, Jr. Rev. Wyatt marched with Dr. King in the famous Selma to Montgomery march to secure voting rights on March 7, 1965. In the midst of that infamous day in Alabama, now forever known as Bloody Sunday when 600 civil rights marchers were beaten and brutalized by the police, Dr. Wyatt was there. In fact, it was his job to coordinate ministers and recruit workers to join Dr. King on that day—a day that, in so many ways, helped make our nation a better place.

Over the years, with the loving support of his wife Addie, who also served side-by-side with him in his ministry, the church they founded together grew to become a powerful, leading voice for labor and for human rights.

In her husband's loving embrace, his support encouraged her to assume the mantle of national leadership in her own right. The Rev. Dr. Addie Wyatt became a labor adviser to Dr. Martin Luther King, Jr.'s Southern Christian Leadership Conference (SCLC). The Wyatts also worked with Rev. Jesse Jackson in helping to launch Operation Breadbasket when, in 1962, it distributed food to underprivileged people in 12 American cities.

His son, Claude Wyatt III, said the Lord called his father into the ministry in 1952 and, in 1955, he founded the Vernon Park Church of God where he, initially, began holding services in a garage at 93rd Street between Indiana and Prairie. God called Claude and Addie Wyatt to carry a message of salvation and hope to a small but spirit-filled group of people. Together, they worshipped under the name of the Mount Zion Baptist Church. Under their leadership, the church was converted to the Church of God Reformation and, because of its location, was eventually named the Vernon Park Church of God.

Over the years, through much effort, mutual support and abiding faith, the Wyatts continued to build their church and, as the size of their congregation grew so, too, did the location of the church. Finally, after much prayer and perseverance, the present worship facility was erected. Today, this multi-million dollar complex, with a membership of more than 1,000, stands as a monument to the faith, hope and vision of a people who not only had a mind to build but an unshakable determination to do great things to honor God and to serve His people here on Earth.

Rev. Wyatt's accomplishments are legendary and could fill an entire CONGRESSIONAL RECORD. But of all the things I could say, on behalf of my beloved wife, Carolyn, my family and, indeed, a grateful nation, I salute the life and legacy of Rev. Dr. Claude S. Wyatt, Jr. His was a life well lived, indeed.

HONORING REV. CURTIS B.
ALEXANDER

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mr. POE of Texas. Madam Speaker, as you know, thousands of Americans were affected by Hurricane Rita. Many lost their homes and the cherished memories inside them. While devastation tore throughout much of the coast of Texas, there were some brave, hard-working citizens who tirelessly helped their neighbors.

Jefferson County Habitat for Humanity organized more than 3,000 volunteers over the course of three years. They built 50 houses during this time, which is an increased rate of four times the number of houses they typically are capable of building.

Habitat 2010 Board President Rev. Curtis B. Alexander of Beaumont, Texas and Executive Director Uliana Trylowsky worked with many volunteers, including faith-based organizations, prison partnerships, and others in the community that wished to put their hands to good use.

On January 22, 2010 these two selfless individuals represented Jefferson County Habitat for Humanity in receiving the Audrey Nelson Community Development Achievement Award from the National Community Development Association at their winter meeting in Washington D.C.

We applaud the leadership of Rev. Alexander and Ms. Trylowsky in organizing volunteers to build houses for their neighbors in Jefferson County after Hurricane Rita. The efforts of the countless Americans that volunteered their time after this disaster have been noticed. We praise and thank the generosity of those who have labored for their fellow neighbors.

HONORING BOB GRIP, ALABAMA'S
BEST TV NEWS ANCHOR FOR 2010

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mr. BONNER. Madam Speaker, I rise to congratulate my friend Bob Grip for recently

receiving the award of Best TV News Anchor in Alabama. A trusted name in South Alabama for a quarter century, Bob is primary news anchor for WALA-TV FOX10 in Mobile.

On March 20, 2010, Bob Grip was named the 2010 Best TV News Anchor in the State of Alabama by the Alabama Broadcasters' Association. This was his third such award.

Mr. Grip's exemplary reporting has also recently earned him honors for "Best In-Depth Reporting" and "Best Community Service" by the Mobile Press Club.

Bob has also been honored for producing "Fox 10 News Fugitive Files," winner of the 2002 "Best Series" award from the Alabama Associated Press Broadcasters Association. Due to this program's success, he was spotlighted in 1996 by FBI Director Louis Freeh with the "Director's Community Leadership Award." "Fugitive Files" has helped capture more than 400 suspects.

In 1988, Bob traveled to the Vatican to produce a half hour documentary on Mobile Archbishop Oscar Lipscomb's visit with Pope John Paul II. Bob also brought Fox 10 News viewers reports from Europe following the death of Pope John Paul.

During 1993, Bob flew to Kuwait to present a series of live and taped reports on Operation Desert Peace, a trip designed to honor the families of those who died in the first Persian Gulf War.

Bob Grip is a cum laude graduate of Boston College, where he earned bachelor's degrees in Communications and Secondary Education. He also received a Master's degree in Journalism from The Ohio State University, where he was also a Teaching Associate in the School of Journalism.

In his spare time, he also teaches Broadcast Journalism at Spring Hill College in Mobile, and is constantly volunteering his time and tremendous talents to a number of worthwhile causes. On behalf of the people of South Alabama, I thank Bob Grip for his dedication to his profession of informing the public, and I congratulate him on his many achievements and send best wishes to his family, including his wife, Marie, and their two daughters Erin and Mary Kate, and their families.

TAXPAYER ASSISTANCE ACT OF
2010

SPEECH OF

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 2010

Mr. DAVIS of Illinois. Mr. Speaker, across the United States, April 15th is Tax Day. As Americans file their taxes, H.R. 4994, the Taxpayer Assistance Act of 2010, improves taxpayer programs and protections. The "Tax Day" bill has a history of broad bi-partisan support and continues to receive large support today.

Most importantly for the residents of the 7th District of Illinois and the Nation, the Taxpayer Assistance Act of 2010 includes programs that benefit low-income taxpayers. For example, H.R. 4994 increases funding for grants to provide low-income taxpayer clinics. Even in the absence of a specific appropriation, the Volunteer Income Tax Assistance program will be available for use because the Secretary of the

Treasury could allocate up to \$20 million of grant funding annually for the program. As recommended by the National Taxpayer Advocate, the bill allows IRS employees to refer people to these tax clinics as well. The Taxpayer Assistance Act of 2010 also improves the IRS's ability to inform taxpayers about the availability of the Earned Income Tax Credit in prior years, a tax credit that we know helps low-income households. In the 7th Congressional District alone, over 72,000 people participated in this program in 2007 with a savings of over \$172 million, with most of those taxpayers earning less than \$20,000 a year.

Further, the bill makes it easier for taxpayers to settle outstanding payments via the offers-in-compromise program. Importantly, H.R. 4994 contains provisions to assure the protection of taxpayers, such as requiring the IRS to notify taxpayers when it suspects that a taxpayer's identity, or a dependent's identity, has been stolen. Each of the bill's provisions provides timely assistance and improvements for taxpayers.

The Taxpayer Assistance Act of 2010 also adapts the tax system to technology in several ways. By allowing the removal of cell phones from listed property, the bill eliminates a strict, outdated rule. The current rule requires individuals to keep detailed records regarding cell phones and similar equipment used for business purposes, imposing unnecessary burdens on companies and taxpayers. The IRS also will be given the opportunity to utilize the internet and other forms of mass communication to notify taxpayers of "unclaimed" or "undeliverable" funds.

Overall H.R. 4994 the Taxpayer Assistance Act of 2010 continues the tradition of the "Tax Day" bill by providing needed programs, protection to our taxpayers, and updates to outdated rules.

NEGLECTING RELIGIOUS FREEDOM

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mr. WOLF. Madam Speaker, I would like to share with our colleagues an editorial from the April 9 Scranton Times Tribune urging the Obama administration to name an Ambassador at Large for International Religious Freedom, as required by the International Religious Freedom Act, which was passed by Congress in 1998. The editorial rightly points out that the portfolio of this ambassador is "fundamental to American ideals. . . ."

The absence of a consistent voice dedicated to the pursuit of religious freedom both within the State Department and globally in our interactions with foreign governments is deeply concerning. America must speak out for those around the world whose most basic freedoms are being trampled.

[From the Times-Tribune, Apr. 9, 2010]

NAME, ELEVATE AMBASSADOR

More than a year into office, President Barack Obama has yet to name a key diplomat with a portfolio that is fundamental to American ideals, international human rights and U.S. law.

The Religious Freedom Act of 1998, for good reason, requires the appointment of an ambassador-at-large for international religious freedom.

Religious liberty is, of course, a founding principle of the United States. The first line of the First Amendment states it flatly: "Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof . . ."

Abundant experience shows that a government's lack of religious tolerance is a sure indicator of broader oppression. And it is a very modern problem. According to the Pew Forum on Religion and Public Life, about 70 percent of the world's people live under regimes that restrict religious freedom.

The Clinton and George W. Bush administrations both named ambassadors-at-large for religious freedom but failed to afford them the status required by the 1998 law. Passed unanimously by Congress, the law requires the ambassador to be the principal adviser to the president and the secretary of state on matters of international religious freedom.

As noted by Joseph Grieboski, the Lackawanna County native who founded the Institute on Religion and Public Policy, the current administration would further diminish the status of the ambassador by having the eventual appointee report far down the chain of command rather than directly to the president or secretary of state.

Other ambassadors-at-large, for counterterrorism, war crimes and global women's issues, report directly to the president or secretary, or both, as required by the laws establishing the positions.

Religious liberty is a human rights issue inextricably woven into America's position of promoting democracy and freedom around the world. President Obama should signal repressive regimes that it is an important matter to the United States by quickly naming an ambassador and having that person consult directly with him and the secretary of state.

RECOGNIZING THE ACCOMPLISHMENTS OF HOLOCAUST MEMORIAL RESOURCE AND EDUCATION CENTER OF FLORIDA

HON. ALAN GRAYSON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mr. GRAYSON. Madam Speaker, I rise today to commemorate Yom HaShoah, Holocaust Remembrance Day. On this day, we remember and memorialize the 6 million Jews who were murdered in the Holocaust. In honor of this day, I would like to recognize the Holocaust Memorial Resource and Education Center of Florida, which includes a staff and board of community activists who work tirelessly to combat anti-Semitism, racism, and prejudice through education and cultural programming.

The Center was founded in June of 1980, when Valencia Community College and the Jewish Federation of Greater Orlando came together to sponsor a series of community-wide events on the Holocaust and relevant human rights issues. The focus was on the social, historical, moral, ethical and economic implications of the Holocaust for today. Subsequently, a conference, co-sponsored by the newly created Holocaust Center, Florida Humanities Council, Valencia Community College and the Jewish Federation of Greater Orlando, was held in March 1981. The same coalition sponsored a Conference on Terrorism the following year, and in 1986 a Holocaust Center facility was constructed, a professional mu-

seum exhibit was installed, and a library with documentary and archival collections was developed. The Center received national and international recognition for its unique facility—the only one of its kind in the Southeast until 1996—as well as for its dedication to world-class, innovative programming.

The Holocaust Memorial Resource and Education Center is a nonprofit organization whose mission is to use the lessons of the Holocaust as a tool to teach the principles of good citizenship to thousands of people of all ages, religions and backgrounds each year. The Center hosts numerous educational and cultural events to promote their organization's mission. They've hosted events and activities ranging from conferences, speakers, and days of recognition, to marches, museum exhibits and the construction of a center on the Holocaust. This work has made a tremendous impact in Central Florida by engaging, educating and inspiring all of its citizens. The Holocaust Memorial Resource and Education Center is ensuring we never forget and never repeat the tragedy of the past.

Madam Speaker, it is a tremendous honor to recognize the accomplishments of the Holocaust Memorial Resource and Education Center in promoting acceptance and tolerance in the Central Florida community. As we all know, an organization can only be as good as the impressive staff and board that help run it. I applaud the Holocaust Center's board, which is represented by Central Florida's interfaith, multicultural community and the Center's staff, which is comprised of dedicated community activists. It is crucial we learn from our past to help better our future. Eva London Ritt, who many consider the cornerstone of the Center's staff and good works, said it best, "Be aware of what is written and spoken. Be aware of the first hint of hate or bias against any individual or group and then act. One person can make a difference. Be a kind person. Kindness rubs off. With kindness, you can improve the world around you."

PATIENT PROTECTION AND AFFORDABLE CARE ACT

SPEECH OF

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Sunday, March 21, 2010

Mrs. MALONEY. Madam Speaker, today we will cast a series of historic votes.

The outcome of the votes will result in 32 million people without health insurance gaining coverage and 94 percent of Americans with guaranteed health care coverage.

In New York State, close to 2.5 million people who are currently uninsured will have health care coverage once the day is over.

To get to this point, the House had to first vote on the Senate passed health care bill and then vote on a bill that makes important changes that have been negotiated by the House to dramatically improve the Senate bill—this is called the reconciliation bill.

Without a promise of these important fixes, like taking out several of these "special deals" I would not vote for the Senate bill. However, with the guarantee of these improvements, today I will cast my vote in favor of the Senate health care bill.

I appreciate the opportunity to outline some of my concerns with the Senate passed health care reform bill.

Most importantly, the Senate bill would have cost New York close to a billion of dollars in Medicaid funding. Unlike the House bill which saves New York billions, the Senate bill penalizes States like New York for its expanded coverage of its citizens under Medicaid. Under the Senate bill, States that have not significantly expanded their Medicaid programs would receive a large influx of Federal funding, but States like New York are penalized for doing the right thing. The House bill contained a more equitable solution to sharing the costs of Medicaid expansion under health care reform by providing increased Federal funding for Medicaid expansion regardless of existing State eligibility levels. FMAP provisions in the Senate bill would result in a significant loss to New York State as a significant number of uninsured New Yorkers who are eligible for Medicaid enroll, while the House bill fairly shares in the costs for currently enrolled and newly enrolled childless adults and parents. Fortunately, the reconciliation bill that we will be voting on, fixes this problem, and the distribution of Federal Medicaid funding is more equitable and saves money for New York.

The Senate bill similarly penalized New York in terms of its treatment of payments to Disproportionate Share Hospitals, DSH. Historically, Medicaid hospital reimbursement rates, on average, have been lower than the cost of providing care, and DSH payments were instituted to cover reimbursement shortfalls and uncompensated care costs. The need for DSH reimbursement will remain even after health care reform is passed since there will millions of newly eligible individuals who will receive care through Medicaid.

The Senate bill reduced Federal funding for Medicaid DSH payments by \$19 billion and Medicare DSH payments by \$24 billion over 10 years; reductions to DSH payments of this magnitude will jeopardize the stability and the services provided by our safety net system. The original House bill which I supported had included more reasonable reductions of \$10 billion each from Medicaid and Medicare DSH and similarly, the reconciliation bill, while not as good as the original House bill, reduces the cuts that the Senate bill would have imposed.

I am also opposed to the restrictive abortion language contained in the Senate bill. The Senate bill is significantly onerous, stigmatizing abortion services and creating obstacles for those consumers who would like to purchase this coverage and to those insurance companies would like to provide this coverage. Though I am strongly opposed to these restrictions, I am voting for the final bill because overall, reforming our current health care system dramatically and positively impacts women. As Chair of the Joint Economic Committee, I prepared a report that looked at the specific health care challenges facing women and how women would benefit from comprehensive health care reform. More than 2 million women have lost their health insurance since the recession began due to their own job loss or their spouse's job loss. 1.3 million women lost their health coverage when their spouse lost his job and an additional 800,000 women lost their health care as a result of their own job loss. More than 2 million women have faced the brutal double-whammy of a lost job and lost health care. While job losses

during this recession were much greater for men than women, women have fared worse than men in recent months. And this has had real consequences for women's health care coverage: in the last 6 months, the number of women losing health insurance benefits due to their own job losses has increased by nearly 50 percent. Over one quarter, 28 percent of women ages 19–24 have no health insurance at all. Part of that number is likely explained by the economic challenges facing young women. Young women have been hit hard in the recession, facing an unemployment rate of 13.1 percent, significantly higher than the national rate of 9.7 percent, and making it less likely that they will have job-based coverage. Health care reform will help us to overcome inequities at the center of the current system—where women pay more than men for the same coverage, or even, where women who are not smokers pay more for coverage than men who are smokers. My report and the reality is that the current health care system is serving women poorly, the recession has made the situation worse, and now more than ever, we need health care reform.

I have been a strong supporter of the public option and voted for the House bill in large part because it contained a public option. I believed then and I believe now that a public insurance option will increase competition and reform our current system. Every day, 14,000 Americans lose their health care coverage. A public option would have brought down costs and expanded access. Unfortunately, the Senate was unable to pass a bill with a public option, though many Senators supported the provision. While I am disappointed that the final bill that will go to the President for signature will not include it, I feel confident that the end product will achieve the goals of covering the vast majority of Americans, reduce health care costs, and reduce our deficit by trillions of dollars.

Madam Speaker, it is clear that the Senate bill had flaws and as passed was not as good of a bill for the State of New York as it should have been. If I was just casting one vote today, it would be a no vote on this bill. However, we are being given the opportunity to fix and improve the Senate bill with the upcoming reconciliation bill which is why I am able to vote in favor of this bill. With this vote, I am voting in favor of helping Americans gain affordable, quality health care they both need and deserve, I am voting in favor of dramatically reducing the Federal deficit by \$143 billion in the first 10 years, and I am voting in favor of improving coverage by removing denials of coverage based on preexisting conditions or gender. I am voting in favor of a strong and healthy future for all Americans and for our great country.

EXPRESSING SYMPATHY TO THE
PEOPLE OF POLAND

SPEECH OF

HON. MIKE QUIGLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 2010

Mr. QUIGLEY. Madam Speaker, I stand here today to join my Polish American constituents, the Polish nation, and the world in mourning those who perished in this week-end's tragic plane crash.

The crash that killed President Lech Kaczynski of Poland, First Lady Maria Kaczynski, and many ranking military and civilian officers was aptly described by one paper as "literally, a nation colliding with its past." The 97 aboard the plane were traveling to commemorate the 70th anniversary of the Katyn massacre in Western Russia. Shrouded in secrecy, the events that took place in Katyn had long been concealed or denied. These events included a massacre of 20,000 Polish prisoners of war, killed and discarded in unmarked graves by Soviet secret police in 1940. But, many anticipated that the commemorative events scheduled to take place for the anniversary would be a positive step forward, a warming between countries.

One of my constituents, Wojciech Seweryn, no doubt held a wish for such a reception, and was aboard the plane on his way to participate. A Polish artist and influential member of Chicago's Polish community, Mr. Seweryn's father died at Katyn and Seweryn himself spearheaded the construction of a memorial to the event at a cemetery in Niles, Illinois. Seweryn was on hand last year when the monument was dedicated, as he was at many important events in the Chicago area's strong Polish community. Poles in Chicago make up the largest ethnically Polish population of any city outside of Poland, second only to Warsaw, the capital of Poland. The Polish American community will undoubtedly struggle to fill the void left by Mr. Seweryn and all those lost a few short days ago.

This loss of Polish leadership included a President hailed as a distinguished leader dedicated to advancing the ideals of democracy and freedom. President Kaczynski supported democracy movements in Ukraine and Georgia. He tirelessly advocated for shedding light on painful moments in Poland's past. It is therefore incredibly sad that his life, and the lives of so many other distinguished leaders, were claimed in the dark forest outside Smolensk, Russia, this past weekend.

Poland is a true friend and ally of the United States. Our two nations just recently celebrated 90 years of diplomatic relations. The contributions of Polish Americans to the United States are numerous. From the families who lost loved ones in the plane crash, to the nation of Poland, to Chicago's own shaken Polish American community, this loss will be felt around the world for years to come. We will stand with our friends as they find the resilience to emerge stronger, as they have before, following this unimaginable tragedy. As Adam Michnik, an intellectual imprisoned six times by the former puppet-Soviet Communist rulers, said: ". . . in my sadness I am optimistic because Putin's strong and wise declaration has opened a new phase in Polish-Russian relations, and because we Poles are showing we can be responsible and stable." I look forward to Poland's recovery, and re-emergence as a country that can, and will, overcome.

HONORING DR. BENJAMIN L.
HOOKS

HON. MARCIA L. FUDGE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Ms. FUDGE. Madam Speaker, this morning, Dr. Benjamin L. Hooks—civil rights leader,

minister, scholar, and attorney—passed away. With great sorrow, I extend my condolences and sympathy to his family and friends.

Dr. Hooks was a champion of minorities and the poor, who raised the stature of the National Association of the Advancement of Colored People in his 15 years as executive director (1977–1992). He repositioned the organization to increase its national prominence and added thousands of new members.

A staunch advocate of self-help among the Black community, who urged wealthy and middle-class Blacks to give time and resources to those less fortunate, Dr. Hooks once stated, "It's time today to bring it out of the closet. No longer can we proffer polite, explicable, reasons why Black America cannot do more for itself. I'm calling for a moratorium on excuses. I challenge Black America today, all of us, to set aside our alibis." His challenge powerfully resonated throughout the NAACP and, in turn, impacted the Black community.

Throughout his life, Dr. Hooks continued his advocacy and focused on opening channels of dialogue among all races and classes in America. Upon retirement he served as a professor and later returned to preaching.

In honor of a man who dedicated his life to the service of others, I encourage each of us to remember Dr. Benjamin Hooks great contributions to our Nation.

MIDDLE CLASS TAX RELIEF

HON. JOE BACA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mr. BACA. Madam Speaker, it has been a little over a year since this Congress approved, and the President signed into law the American Recovery and Reinvestment Act.

As we are set to finish tax season this week, the Middle Class is continuing to see the positive impacts from this bill and other significant pieces of legislation.

95 percent of families have already received immediate and sustained tax relief with the Making Work Pay Tax Cut.

First-time homebuyers were able to take advantage of significant tax benefits—benefits that have now been increased and expanded.

The Recovery Act also provided up to \$2,500 in tax credits to help 4 million students go to college.

We have also provided tremendous relief to small businesses struggling to stay afloat in these tough economic times.

The Recovery Act cut the capital gains tax on investors who buy and hold small business stock over 5 years which incentivizes investments in America's small businesses.

We also offered tax credits to companies that hire recently discharged and unemployed veterans and young adults who are having trouble finding work.

This relief wasn't limited to the Recovery Act.

Last month, we passed the most sweeping healthcare reform package since the 1960s.

This provides 40 million families with incomes up to \$88,000 with tax credits to help pay for healthcare.

It also provides \$40 billion in tax credits for 4 million American small businesses.

Continuing along this path, the HIRE Act was signed into law, strengthening small businesses with tax credits and write offs allowing them to expand and increase employment.

I am committed to continuing to support measures like these that put the American people first.

I am confident that if we continue to put the American people first instead of relying on partisan talking points, we will continue to recover.

GRATITUDE FOR THE SERVICE OF
STACEY DANSKY

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mr. CONYERS. Madam Speaker, Judiciary Committee Ranking Member LAMAR SMITH and I would like to take this opportunity to thank one of the most dedicated and productive members of the Judiciary Committee staff for her service to the House, the Judiciary Committee's Chief Copyright Counsel, Stacey Dansky. For 8 years she has worked ably and diligently for the Judiciary Committee and we commend her for her achievements.

After graduating magna cum laude and Phi Beta Kappa from Vanderbilt University, Stacey earned her law degree with honors from the University of Texas School of Law, where she served as the Chief Notes Editor for the Texas Law Review. She clerked for U.S. District Court Judge Lee H. Rosenthal in Houston and later practiced law with the Washington firm of Williams & Connolly.

With the Judiciary Committee, Stacey has worked on a host of issues of national significance—principally in intellectual property policy, antitrust law, civil liberties and women's rights. Stacey's efforts proved critical to the enactment of the Violence Against Women Act of 2005, and she was instrumental in the House's overwhelming passage of the Free Flow of Information Act in 2007. From 2002 through 2008, Stacey served as the Chief Antitrust Counsel to the Democratic Members of the Committee. She helped coordinate the Committee's consideration of corporate mergers like those of XM-Sirius and Delta and Northwest Airlines, drafted legislation and organized hearings on net neutrality and telecommunications issues, and led the Committee's oversight efforts involving particular industries, including the oil and the credit card industries.

As the Committee's Chief Copyright Counsel, Stacey worked tirelessly on efforts to curb digital piracy, negotiate orphan works legislation, protect copyright in research publications and made invaluable contributions to the enactment of the Prioritizing Resources and Organization for Intellectual Property (PRO-IP) Act of 2008. She has deftly and expertly led the Committee's negotiations to extend and to update the satellite and cable compulsory licenses; as she has efforts to establish a full public performance right for sound recordings, set forth in H.R. 848, the "Performance Rights Act."

On behalf of the Judiciary Committee, its staff, and this distinguished body, we would like to thank Stacey for her commitment to the Committee and her exemplary work. Her hu-

mility, generosity, sense of humor and professionalism will be sorely missed. She has served as a cherished advisor to the Committee's members and as a colleague, mentor and friend to many present and former Committee staff members. We wish her the best of luck and extend to her our deepest gratitude.

RECOGNIZING THE U.S.
COMMITMENT TO ISRAEL

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mr. COSTELLO. Madam Speaker, I rise today to recognize the strong and lasting relationship between the United States and Israel. For six decades, the U.S. and Israel have sustained an abiding commitment to each other based on shared principles and common goals. We believe strongly in Israel's commitment to peace and security in the region and recognize that Israel has taken great risks toward peace and deserves the right to self-defense.

The United States stands resolutely beside Israel against the threat of attack, by publicly supporting Israel's right to self-defense, promising security assistance, and strengthening sanction authority against Iran. Iran's refusal to engage in the diplomatic process to address worldwide concerns about its nuclear program dictates that sanctions need to be considered. A nuclear Iran is a severe threat to American and Israeli national interests, and I have joined with many of my colleagues to urge the Obama administration to impose strong sanctions on Iran.

Israel's commitment to the peace process has been steadfast despite real threats from Hamas and Hezbollah, epitomized by the unilateral pullout from Gaza and willingness to negotiate with the Palestinian government. We need to keep the peace process moving forward and working together, I am confident we will continue to make progress.

Madame Speaker, in recognition of all of the important contributions Israel has made and the many challenges it continues to face, I have again cosponsored legislation to commemorate the anniversary of Israel's creation, its 62nd. I am confident the United States and Israel will continue to work together for peace and prosperity in the Middle East and the world for generations to come.

HONORING COAL MINERS FROM
UPPER BIG BRANCH MINE IN
WEST VIRGINIA

SPEECH OF

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 2010

Ms. RICHARDSON. Mr. Speaker, I rise today in support of H. Res. 1236, which honors the 29 coal miners who tragically died in the Upper Big Branch Mine-South, extends condolences to the victims' families, and recognizes the valiant efforts of the emergency workers who responded to the mine disaster. H. Res. 1236 is an important measure that ex-

presses our heartfelt sadness over this tragic loss of life in Raleigh County, West Virginia. Importantly, it also reaches out to the friends and families who are grieving their loss, and honors the selfless men and women who risked their own lives in responding to the disaster.

I thank Chairman MILLER for his leadership in bringing this bill to the floor. I would also like to thank the sponsor of this legislation, my friend Congressman NICK RAHALL. The coalminers tragically lost in the disaster were his constituents and I know how heavily this tragedy is weighing upon him. But I also know his resolve to do all he can to ensure that such a tragedy never happens again.

Mr. Speaker, in West Virginia, coal mining is more than just a profession—it is a way of life, a vital part of the State's history and culture. However, the work done by coalminers has implications across the country. Our Nation is indebted to West Virginia coalminers for the dangerous work that they do on a daily basis to help power our Nation and keep it strong and secure. Despite repeated accidents in our Nation's mines, coalminers have returned to the mines time and again in order to support their families and provide the energy that helps fuel industry and power homes across the country. The 29 miners lost in the disaster were performing this important work and deserve our gratitude and appreciation. Just as important, their families deserve our condolences and support in this time of need.

It is also entirely fitting that we honor the brave emergency workers who responded immediately to the disaster and worked tirelessly to rescue those trapped and injured in the disaster. The emergency responders entered the Upper Big Branch Mine with full knowledge that they may never return from the mine. This willingness to put their own lives at risk in an attempt to save others is heroic and worthy of our continued gratitude and praise.

Finally, the tragedy in Raleigh County, West Virginia is a poignant reminder of the need to do more to ensure the safety of our Nation's mines. Hopefully, we can take this horrible tragedy—the worst mining disaster in 40 years—as a call to ensure that all necessary safety and health regulations are in place in our mines, so that coalminers can work in the safest possible conditions. In order to protect the lives of our Nation's miners and their families from tragedy, we must do all that we can to prevent future mining disasters.

I urge my colleagues to join me in supporting H. Res. 1236.

IN MEMORY OF KEITH BRIGHT,
WHO HELPED RECLAIM THE
OWENS VALLEY OF CALIFORNIA

HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mr. LEWIS of California. Madam Speaker, I rise today in memory of my very good friend Keith Bright, whose leadership, generosity, foresight and persistence helped remake and restore the Owens Valley in California over the past five decades. Mr. Bright passed away April 7, 2010 at the age of 95, and his ever-present smile will be missed greatly by his many friends.

Keith Bright was born in Lemoore, California, during the oil boom in the State's San Joaquin Valley. He began working in the oil fields at 19, but went to college to become an expert on the science and business of petroleum. During World War II, the military refused Keith's patriotic efforts to enlist because he was more valuable producing the vital supply of oil to the troops.

During his years in the oil fields, Keith Bright founded KEN Corporation, one of the world's largest producers of oil-based drilling fluid, and NECK Petroleum, an oil drilling company based in Bakersfield, California. He developed oil and gas fields in the valley.

In the 1960s, Keith Bright moved to the eastern Sierra Nevada and bought a ranch near Independence, California, in the heart of the Owens Valley. A long alpine valley ringed by some of the highest mountains in America, by the 1960s it had become parched because most of the water in the Owens River was diverted through the Los Angeles Aqueduct to the taps of Southern California.

I came to know Keith Bright in the 1980s after redistricting added the Owens Valley to the area I represented. He was an intense advocate for Inyo County and the needs of the valley, both before and after he became a county supervisor.

By the time Keith Bright joined the board of supervisors in 1986, Inyo County had been embroiled for more than a decade in a lawsuit to reclaim some of the water being pumped out of the valley by the city of Los Angeles. Although ordered by courts to reduce pumping a number of times, Los Angeles continued to literally pump the Owens Valley dry throughout the 1980s.

To break the impasse, Bright in 1991 led the board in negotiating the landmark Inyo-Los Angeles Long-Term Water Agreement, which for the first time required Los Angeles to address the environmental effects of its pumping on the Owens Valley. The agreement sparked a recall movement against the Inyo County board—Bright defeated the recall by a 60 percent margin.

I was pleased to work with Keith Bright on a number of projects to bring back the Owens River, and it was a delight to see him on hand in 2006 when the Los Angeles Department of Water and Power opened the valves and sent water pouring down the river once again. There is still work to be done, but anglers now catch trout along stretches of the river that were dry for decades.

Keith Bright was a moving force behind many other improvements in the Owens Valley. He was one of the main backers of creating a National Historic Site at Manzanar, the internment camp where many Japanese Americans were forced to stay during World War II.

Madam Speaker, Keith Bright was one of the most dedicated, enthusiastic Americans I have ever met. He was truly a modern man of the Old West, dedicated to rugged individualism and local initiative. He almost shouted from the mountaintop to let his local community work and keep big government off their backs.

In memory of the long life and wonderful character of Keith Bright, the people of Inyo County have planned a memorial service designed to be a celebration. I ask my col-

leagues to join me in commending that celebration, and in remembering the life of the man who devoted himself to his community for nearly 50 years.

INTRODUCTION OF THE "PRIVATE STUDENT LOAN BANKRUPTCY FAIRNESS ACT OF 2010"

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mr. COHEN. Madam Speaker, I am pleased to join my distinguished colleague, Representative DANNY DAVIS of Illinois, in introducing today the "Private Student Loan Bankruptcy Fairness Act of 2010." This legislation would amend the Bankruptcy Code so that private student loan debt can be discharged in bankruptcy. This bill will help to ensure that people who seek higher education to better their futures are not dissuaded from doing so by the threat of financial ruin.

Under current bankruptcy law, educational debt is not dischargeable in bankruptcy unless the debtor can establish—through an adversary proceeding—that repaying her educational loans would impose an undue hardship on her and her dependents. Congress's intent in enacting this provision back in 1978 was to protect Federal student loan programs from fraud and abuse by student borrowers and ultimately to protect the taxpayer dollars that fund Federal student loan programs.

Inexplicably, this provision was extended in 2005 to protect for-profit educational lenders, even though doing so was not consistent with Congress's rationale for making Federal student loans non-dischargeable. This 2005 change is troublesome because private student loans often lack the consumer protections of Federal loans, making the need for bankruptcy much greater.

Federal student loans offer certain protections to minimize the risk that a financially distressed debtor will need bankruptcy relief, whereas private student loans are not required to have, and often do not have, such consumer protections. For example, Federal loans have fixed interest rates, whereas private loans often have variable rates that can be as high as 19 percent. Unlike Federal loans, private loans have no limits on origination fees, which can be as high as 9.9 percent, with lenders often charging additional fees such as late fees or fees for any deferments or forbearance, and half of the private loans in one survey had no forbearance option at all. Federal loans also provide flexible options for distressed debtors, such as income-based repayment plans and partial or complete loan forgiveness in some circumstances, whereas private lenders are not required to offer such options. For these reasons, private loans should be dischargeable in bankruptcy.

The bankruptcy system should work as a safety net that allows people to get the education they want with the assurance that, should their finances come under strain by layoffs, accidents, or other unforeseen life events, they will be protected. Our legislation takes a modest but important step in achieving this goal.

I thank Representative DAVIS for working with me in crafting this important legislation. I also thank Senator RICHARD DURBIN for introducing a similar bill in the Senate. I urge Congress to act quickly and pass these bills.

PERSONAL EXPLANATION

HON. BRAD SHERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mr. SHERMAN. Madam Speaker, on Tuesday, April 13th and Wednesday, April 14th I was unavoidably absent from the House Chamber. Had I been present, I would have voted "yea" on rollcall votes 196, 197, 198, 199, 200, 201, 202 and 203.

PUR DRINKING WATER

HON. JEAN SCHMIDT

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mrs. SCHMIDT. Madam Speaker, just short of one year ago, I came to the House floor to commend a constituent company, Procter & Gamble, for its efforts to provide clean, safe drinking water to billions of people across the globe. The occasion for my remarks was the delivery of P&G's one billionth liter of safe drinking water. At that time, I said that I was proud, not only for P&G's philanthropy up to that point, but also for the fact that they had committed to providing an additional two billion liters of safe drinking water within the next five years. I am happy to report that P&G delivered its two billionth liter of clean water to an earthquake survivor in the town of Dichato, Chile.

According to the World Health Organization, more than one billion people across the globe do not have access to clean, safe drinking water. More than 4,000 children die every day from diseases they acquire through the contaminated drinking water. Nearly 1.5 million children die every year due to the water they drink. Each of these deaths is preventable.

For more than seven years P&G has worked to prevent these deaths. Through the Procter & Gamble Children's Safe Drinking Water Program, P&G and its 80 partners distribute PUR—a powdered water clarification and disinfectant that comes in small, easy-to-use packets—in some of the poorest areas in the world. One small packet of powder uses the same ingredients as municipal water systems to remove pollutants and kill bacteria and viruses in a liter of polluted or contaminated water.

Madam Speaker, I am very proud to represent Procter & Gamble. The lack of clean, safe drinking water threatens the health, livelihood and stability of nations around the world. I am very proud of the leading role that Procter & Gamble has taken to save thousands of lives each year. Please join me in congratulating P&G for the work they have done on this important issue and recognize them for their life-saving efforts.

HONORING COAL MINERS FROM UPPER BIG BRANCH MINE IN WEST VIRGINIA

SPEECH OF

HON. AL GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 2010

Mr. AL GREEN of Texas. Mr. Speaker, today, I extend my condolences to the community of Raleigh County, West Virginia, as it mourns the loss of 29 miners in the collapse of the Upper Big Branch Mine-South, the worst U.S. mining disaster in decades. I also would like to express my heartfelt condolences to the families of victims who perished in the collapse.

The profession of coal mining is important not only to our nation's past, but also to its future, as we search for alternatives to our dependence on foreign oil. These professions power our economies and shape our culture.

I commend the tireless efforts of Raleigh County's first responders, as well as the volunteer efforts of those trained in mine rescue, and for the long hours they devoted to save the lives of the trapped miners.

The role of Congress in securing the health and safety of coal miners is essential and important. I take my role in the process of ensuring that violations of safety codes are properly dealt with and recorded, so communities like Raleigh County, West Virginia can avoid tragedy.

I would like to thank Rep. RAHALL for introducing this piece of legislation, and express our Nation's sympathy and support for the fallen miners, their families and their community.

TAXES

HON. BOB GOODLATTE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mr. GOODLATTE. Madam Speaker, today, tax day, is the most stressful day of the year for taxpayers. April 15th is a day filled with aggravation and frustration as hard working Americans are confronted with piles of forms, confusing instructions, and the prospect of turning their hard-earned money over to the government. In 1935, the 1040 tax form contained two pages of instructions, today it is 155 pages, forcing Americans to devote a tremendous amount of resources to try to comply with this monstrosity. In fact, Americans will devote an estimated 7.7 billion hours complying with the tax code, and will spend an estimated \$29.33 billion on tax software, preparers, and other expenses related to filing their taxes.

Over the past year, we have seen citizens from around the nation express their frustration about this nefarious tax code. Taxpayers have pleaded with Congress to be better stewards of their money and reform our broken tax code. The tax code Americans are forced to comply with discourages savings and investment, and is impossibly complex. It has become all too clear that the current code is broken beyond repair and cannot be fixed so we must start over.

I understand the frustrations of taxpayers and I have introduced H.R. 982, the Tax Code

Termination Act, which will force Congress to finally address fundamental tax reform. This legislation, with 115 bipartisan cosponsors, will abolish the tax code by December 2012, and call on Congress to approve a new federal tax system by July of the same year.

While almost every Member of Congress would recognize that our tax code is no longer working in a fair manner for Americans, nothing has been done to create a more equitable tax code. Congress won't act on fundamental tax reform unless it is forced to do so. My bill will force Congress to finally debate and address fundamental tax reform.

Once this bill becomes law, today's oppressive tax code would survive for only three more years, at which time it would expire and be replaced with a new tax code that will be determined by Congress, the President, and the American people. This legislation will allow us, as a nation, to collectively decide what the new tax system should look like. Having a date-certain to end the current tax code will force the issue to the top of the national agenda.

Although many questions remain about the best way to reform our tax system, I am certain that if Congress is forced to address the issue we can create a tax code that is simpler, fairer, and better for our economy than the one we are forced to comply with today.

Whichever tax system is adopted, the key ingredients should be: a low rate for all Americans; tax relief for working people; protection of the rights of taxpayers and reduction in tax collection abuses; promotion of savings and investment; and encouragement of economic growth and job creation.

Taxes may be unavoidable but they don't have to be unfair and overcomplicated. I urge my colleagues to join me as a cosponsor of H.R. 982, the Tax Code Termination Act and end the broken tax system that exists today.

NATIONAL LIBRARY WEEK, KING COUNTY LIBRARY SYSTEM

HON. DAVID G. REICHERT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mr. REICHERT. Madam Speaker, this week we'll be recognizing National Library Week all across our great country. In an age of tough economic forecasts, and families scrambling to make ends meet while still engaging in their communities, libraries around the United States have seen more people walk through their doors, visit their websites and communicate with their employees than perhaps ever before. Indeed, the library systems of America are operating at unprecedented levels. Rather than shrinking in their responsibility, many systems are proactively courting members of their communities and expanding the resources they have available to help push this country forward. I am very fortunate to represent the 8th Congressional District of Washington, and to observe and follow the work being done by my childhood library system, the King County Library System.

The King County Library System, led by Director Bill Ptacek, is the third-busiest library system in the United States. It is a remarkable distinction. In his introduction to their year-in-review for 2009, Director Ptacek wrote: "KCLS

developed an innovative approach in response to the economic crisis to guide patrons to reliable information when they needed it most." Citizens in our region looked to their library system for help and the King County Library System responded: In 2009, nearly 10 million people walked through the doors of their local library and more than 21 million items were circulated. The library catalog of the King County Library System had nearly 89 million visits and the system's website—kingcountylibrarysystem.org—received nearly 27 million hits. In other words, I can think of very few public organizations busier than the King County Library System and the System has responded, stepping up to meet the challenge in a big way.

Director Ptacek and his staff have expanded collections and streamlined service using technology and terrific, innovative organizational structure and management. The King County Library System has increased its technological output and reached out proactively to underserved communities in King County with great success. The system has ensconced itself in the communities it serves and has become a huge asset for families, community groups and local governments. The King County Library System has researched and developed programs specifically targeting young children in their formative years to get excited about literacy and research; they've done the same specifically targeting children who speak English as a second language. Overall, the King County Library System is providing the people of King County with a large public organization that is best described with one word: innovative.

Director Ptacek, his managers, and the employees of the KCLS deserve our utmost respect and admiration. The system answers the call of communities each and every day, without fail. A large public organization with such an innovative spirit and flexible structure always deserves accolades and encouragement. I am proud to honor the KCLS during National Library Week, during a difficult period and for serving our communities in such efficient, creative, and meaningful ways.

BI-PARTISAN MAJORITY IN THE U.S. HOUSE CALLS FOR PROTECTION OF CAMP ASHRAF RESIDENTS

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mr. FILNER. Madam Speaker, on March 17, 2010, Congressman BOB FILNER (D-CA), Chairman of the House Committee on Veterans' Affairs, and Congresswoman ILEANA ROS-LEHTINEN (R-FL), Ranking Republican on the House Foreign Affairs Committee, were joined by 10 of their colleagues, including three from the House Foreign Affairs Committee, in a briefing to announce the support by a bi-partisan House majority for the humanitarian rights and protection of residents of Camp Ashraf in Iraq.

In his remarks, Filner announced that following last July's deadly assault by the Iraqi security forces against unarmed residents of Camp Ashraf, home to 3,400 members of Iran's main opposition, the People's Mojahedin

Organization of Iran (PMOI/MEK), he introduced a resolution (H. Res. 704) which “deplores the ongoing violence by Iraqi security forces against the residents of Camp Ashraf; calls upon the Iraqi Government to live up to its commitment to the United States to ensure the continued well-being of those living in Camp Ashraf; and calls upon the President to take all necessary and appropriate steps to support the commitments of the United States” to ensure protection of Camp Ashraf residents.

The majority of the members of the House of Representatives who have co-sponsored the resolution include 11 Committee Chairs; 13 Committee Ranking Members; 54 Sub-Committee Chairs; 49 Sub-Committee Ranking Members; and 30 House Foreign Affairs Committee members.

ROS-LEHTINEN stressed that in light of repeated breach of guaranties provided by the Iraqi Government to the United States that residents of Camp Ashraf would be treated humanely, “the U.S. is obligated to take all necessary and appropriate steps to uphold our commitments.” The Florida lawmaker added that “we must send a clear message to the residents of Camp Ashraf that the U.S. Congress stands with them.”

Congressman EDOLPHUS TOWNS (D-NY), Chairman of the Oversight and Government Reform Committee, lauded the bi-partisan nature of support for Camp Ashraf and said “it’s so important that we continue to work together . . . to bring about the change that is so needed today.”

Congressman DANA ROHRBACHER (R-CA), Ranking Member of House International Organizations, Human Rights, and Oversight Subcommittee, remarked that “we must make sure that anyone who is fighting the mullah regime and would replace it with a democratic government is an ally of the people of the United States and we should not allow them to suffer negative consequences if we can prevent it. That is especially true of the people of Camp Ashraf.”

Congressman TED POE (R-TX), a member of the House Foreign Affairs Subcommittee on Terrorism, Nonproliferation, and Trade said: “It is important that we constantly stay vigilant that we let the people in Camp Ashraf know that their silent voices are heard here in the United States . . . We are not going to stand idly by while those who wish to do harm to the residents of Camp Ashraf mend, weave their wicked ways and they will not be dispersed into parts and regions unknown to the rest of us.”

Congressman LINCOLN DIAZ-BALART (R-FL) described the Iranian regime as “regime of thugs,” and added “this is most impressive to have the majority of the U.S Congress of one mind with regard to a critical issue and the travesty the brutality that was engaged against the innocent people in Ashraf. And so we will get this to the floor and we will pass it and we will stay on this issue.”

Congressman MARIO DIAZ-BALART (R-FL) described the attack on Ashraf as “a cold-blooded murder” and emphasized that the only way that they “could ever be totally safe is by having a free homeland.”

FILNER added that “the administration should encourage the United Nations to play a much more active role insofar as it concerns Camp Ashraf and strengthen the role of a U.N. monitoring team in Ashraf to one of pro-

tecting the residents to ensure that their rights and safety are respected and all the inhumane restrictions placed on them by the Iraqi government are lifted.”

Mrs. Maryam Rajavi, the President-elect of the National Council of Resistance of Iran, also addressed the briefing via video from Paris. She emphasized that the House majority support for Ashraf indicates its recognition of the Iranian Resistance, especially Ashraf, as “a decisive factor in confronting this antihuman regime” in Tehran. Addressing the co-sponsors of the resolution, Mrs. Rajavi remarked that “While appreciating your efforts, I would like to ask you to continue your noble and humanitarian work in order to ensure that: The protection of the residents of Ashraf is guaranteed as long as the U.S. forces remain in Iraq; Mandate of the United Nations Assistance Mission for Iraq is expanded to guarantee the rights of Ashraf residents. The United Nations assumes the protection of Ashraf and a U.N. peacekeeping force is stationed at Ashraf; all restrictions and the blockade imposed by the Iraqi government against Ashraf in the past 14 months are lifted.”

Congresswoman JUDY CHU (D-CA) of the Judiciary Committee told the reception that “I was happy to support House Resolution 704. Certainly there needed to be protection for the people in Camp Ashraf. We should make sure that they continue to be safe. The United States and the Iraqi government should ensure that these residents have all security that they need. And so we must continue the pressure to make sure that happens so that the pro-democracy movement can continue to be safe and the Iranian people can be safe. So let us continue our relationship. I’m very, very happy to see that you are here on the Hill and that you’re presenting your issues to us.”

Congressman TRENT FRANKS (R-AZ), member of the Armed Services Committee, told the gathering that “We see some of the people of Camp Ashraf in Iraq that are being persecuted and threatened and even the Iranian government wants to see them repatriated to Iran and I think that represents a great danger to them and I want you to know that there are a lot of us that reject that completely. We want to see both the Government of Iraq and the Government of the United States stand up and make sure that we protect these people in Camp Ashraf.”

In his remarks, Congressman AL GREEN (D-TX) from the Homeland Security Committee told the reception that “Doctor King was right when he said decades ago—and his words ring true today—‘Injustice anywhere is a threat to justice everywhere’. Injustice in the streets of Iran is a threat to justice in the streets of every nation on the planet Earth and we must end injustice in the streets of Iran . . . We must support the human rights movement that is taking place in Iran.”

IN REMEMBRANCE OF MR.
BENJAMIN HOOKS

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Ms. RICHARDSON. Madam Speaker, I rise today to honor and remember Mr. Benjamin Hooks, who passed away this morning at the

age of 85. Benjamin Hooks was a champion of equality and justice who fought tirelessly for civil rights and, in doing so, made our country a better place for all Americans.

Benjamin Hooks was a critical figure in the fight for civil rights in the United States. In addition to fighting racial segregation through his successful careers a businessman, lawyer, judge, and minister, Mr. Hooks is most well known for his work with the National Association for the Advancement of Colored People, NAACP. Mr. Hooks was a pioneer of the NAACP-sponsored restaurant sit-ins and boycotts in the early years of the Civil Rights Movement.

In 1976, the NAACP elected Benjamin Hooks as the executive director of the organization. Mr. Hooks reenergized the NAACP, increased its enrollment dramatically, and enhanced the group’s effectiveness. At a time when the Civil Rights Movement was widely considered to have ended, Mr. Hooks recognized that much work was left to be done and recommitted the NAACP to tirelessly fighting for the rights of disadvantaged communities across the United States. Mr. Hooks guided the NAACP through decades of activism and oversaw the constant modernization and adaptation of the organization to respond to the new challenges of changing times.

Benjamin Hooks was a giant in the fight for civil rights in America over the last 60 years. Even as he and his family were targeted in bombings against civil rights leaders in the 1990s, his resolve and commitment to an equitable society never faltered. In characteristic modesty, Benjamin Hooks often referred to himself as “just a poor little old country preacher,” but the truth is that he was much more than that. He left an indelible mark on American society and helped improve the lives of countless Americans. Mr. Hooks was honored for his life of service with the Presidential Medal of Freedom, which President George W. Bush presented to him in 2007.

I extend my deepest condolences to the family and friends of Mr. Benjamin Hooks as they grieve the loss of this truly special individual.

RECOGNIZING T.C. MARSH’S JUNIOR RESERVE OFFICERS TRAINING CORPS AND CORPORAL DAVID BATES

HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mr. SESSIONS. Madam Speaker, I rise today to recognize T.C. Marsh Middle School’s Army Junior Reserve Officer Training Corps (JROTC) and Corporal David Bates on their winning the National Middle School Drill Championship for the third time.

Corporal David Bates has led the JROTC program for the past eleven years. He has taught them the importance of personal responsibility, discipline, commitment, and hard work. Under his leadership, T.C. Marsh’s JROTC has taken the prestigious title of National Champion three times in the past four years.

After spending countless hours practicing their drills, the cadets were ready to compete and capture the national title once again. In

addition to practicing daily, cadets also garnered the support of teachers, families, friends, and the local community to raise \$12,000 to help cover the cost of equipment and travel expenses. They are the essence of discipline, dedication, and hard work. By working together, the cadets have developed a mutual respect for each other and honed their leadership skills.

Madam Speaker, I ask my esteemed colleagues to join me in congratulating the members of the JROTC and Corporal David Bates on their well-deserved victory. I commend them for their dedication and hard work and I wish them all my very best.

HEALTH CARE AND EDUCATION
RECONCILIATION ACT OF 2010

SPEECH OF

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 2010

Mrs. MALONEY. Mr. Speaker, this is a historic vote. With passage of health care reform, 32 million people without insurance will now be covered and 94 percent of Americans will now be guaranteed health care coverage. In New York State, close to 2.5 million people who are currently uninsured will have health care coverage once this bill is passed. The reforms we are considering today will help improve the lives of millions of Americans—starting immediately, and continuing over the course of their implementation in the next ten years.

Starting immediately: No insurance company can deny coverage for pre-existing conditions or gender; Young people can stay on their parents' coverage until age 26; If you're self-employed or a small-business owner you'll be able to buy health coverage on competitive exchanges; If you've taken early retirement over age 55 but before you're eligible for Medicare, you'll be able to continue your employers' coverage until age 65; And if you're over 65 and have Medicare's Part D drug coverage, the "donut hole" has been eliminated.

The reconciliation bill we are voting on vastly improves the Senate bill's impact for states like New York who will not be penalized for having served New Yorkers and having an expansive Medicaid program. This provision will give more federal Medicaid funding support for New York State, which would have suffered a loss under the Senate-passed bill. Instead of costing millions, New York State will now save hundreds of millions in the first full year of implementation.

New York's public hospital system is the leading provider of uncompensated care to the uninsured and underinsured. Though this bill lowers the ten-year reduction in Medicaid and Medicare Disproportionate Share Hospital (DSH) payments by \$3 billion, I remain concerned these cuts will weaken our health care safety net in New York. After all, while significant coverage expansions will be achieved through health care reform, there will still be populations that will remain uncovered or underinsured, and our hospitals will continue to bear the burden and cost of their health care. It seems like the best approach would have been that DSH cuts would be made contingent upon reductions in the uninsured. In-

stead of expansion triggers in the Senate bill, the reconciliation bill is improved with set levels of reductions per year and require the Secretary of Health and Human Service to develop a methodology to reduce states' Medicaid DSH allotments to achieve mandated savings.

More broadly, I support this bill because of the positive impact it will have on women's lives. As Chair of the Joint Economic Committee, I prepared a report that looked at the specific health care challenges facing women and how women would benefit from comprehensive health care reform. More than two million women have lost their health insurance since the recession began due to their own job loss or their spouse's job loss. 1.3 million women lost their health coverage when their spouse lost his job and an additional 800,000 women lost their health care as a result of their own job loss. More than two million women have faced the brutal double-whammy of a lost job and lost health care. While job losses during this recession were much greater for men than women, women have fared worse than men in recent months. And this has had real consequences for women's health care coverage: in the last six months, the number of women losing health insurance benefits due to their own job losses has increased by nearly 50 percent. Over one quarter (28%) of women ages 19–24 have no health insurance at all. Part of that number is likely explained by the economic challenges facing young women. Young women have been hit hard in the recession, facing an unemployment rate of 13.1 percent, significantly higher than the national rate of 9.7 percent, and making it less likely that they will have job-based coverage. Health care reform will help us to overcome inequities at the center of the current system—where women pay more than men for the same coverage, or even, where women who are not smokers pay more for coverage than men who are smokers. My report and the reality is that the health care system is serving women poorly, the recession has made the situation worse, and now more than ever, we need health care reform.

While I am speaking of women's health care, I must mention my opposition to the restrictive language on abortion included in the Senate bill which remains in reconciliation. While not as onerous as the Stupak language that was part of the final House bill, this language will directly impact a woman's right to legal reproductive health services and I oppose it. But the value to women and American families of finally achieving health care reform is far too important to risk losing it.

Mr. Speaker, a great deal of the discussion today focuses on the moral reasons for extending health care coverage. While I agree with the moral imperative, the fiscal necessity is clear. This bill cuts the deficit by \$143 billion in the first ten years and then cuts the deficit by \$1.2 trillion in the second ten years. The bill is fully paid for and will not add a dime to the deficit. While it will cost \$938 billion over a decade, it is critical to note that Americans spend nearly \$2.5 trillion every single year on health care now and nearly two-thirds of the bill is paid for by reducing health care costs.

We must not let this moment pass without recognizing its historic nature. Today, millions of Americans will win basic rights—the right to health care, the right to live without the fear of chronic disease, and the right to never having

to worry about losing insurance coverage because of a pre-existing condition or exceeding a lifetime cap. While not perfect, this bill will hold insurance companies accountable; provide billions of dollars in tax breaks for small businesses to help them insure their employees; and, above all, expand access to quality, secure, affordable health care coverage for millions of Americans.

I'd like to thank and commend the leadership of Speaker PELOSI, Majority Leader HOYER, Chairmen WAXMAN, MILLER and RANGEL and of course, Chairman Emeritus DINGELL who has been working on health care reform since he first came to Congress.

The time is now. Our current system is broken. Costs continue to increase at unsustainable rates and too many families and businesses are feeling the debilitating burdens brought on by these expenses. Too many Americans have inadequate coverage or lack coverage entirely and are suffering or dying as a result.

I am grateful for the opportunity to be a part of this momentous reform. I urge my colleagues to reach beyond the rhetoric and the politics. Instead, recognize that today we will make a lasting difference in people's lives. Today we change the health of our nation for ourselves, for our children, and for our grandchildren.

DEATH OF THE GREAT CIVIL
RIGHTS ACTIVIST, DR. BEN-
JAMIN L. HOOKS

HON. AL GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mr. AL GREEN of Texas. Madam Speaker, today, this nation lost a historic and influential figure in the struggle for civil rights, Dr. Benjamin L. Hooks. Dr. Hooks served this country throughout his life through his unwavering devotion to protecting the rights of minorities and the poor. I express my condolences to his family and all of those who were touched by his many years of service to our community.

Dr. Benjamin L. Hooks was a man of great character and moral conviction. He served as the executive director of the NAACP for over 15 years, restoring the organization's financial soundness and membership base. He created several initiatives to combat discrimination, from projects that provided employment opportunities in Major League Baseball to economic development initiatives in urban communities.

This great civil rights leader not only served as executive director of the NAACP, but also served our great nation as a World War II veteran. His experiences in the war led to his fight against social injustices in the United States. Dr. Hooks also served in the ministry, as a minister at the Greater Middle Baptist Church in Memphis, Tennessee. His work will live on through his contributions to our society as well as the Benjamin L. Hooks Institute at University of Memphis.

Dr. Hooks was a great friend of mine, a thoughtful mentor, but more importantly, he was a stalwart champion of the least, the last and the lost. His philanthropy will be remembered forever and serve as an inspiration and guide for futures to come.

CELEBRATING THE GROUND-
BREAKING OF CARE HOUSE'S
NEW FACILITY AND RECOG-
NIZING OVER 30 YEARS OF SERV-
ICE TO THE YOUTH OF OAKLAND
COUNTY

HON. GARY C. PETERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mr. PETERS. Madam Speaker, I rise today to recognize CARE House of Oakland County, Michigan, on the occasion of the groundbreaking for its new facility. As a Member of Congress it is both my honor and privilege to recognize and congratulate CARE House for over 30 years of service to Oakland County's youth as work begins on its new facility, which will assist countless more abused and neglected youth from across the County.

Established in 1977, CARE House began its work as the Child Abuse and Neglect Council for Oakland County, a partnership between Oakland County's law enforcement organizations, the Oakland County Prosecutor's Office, Child Protective Services and the Junior League of Birmingham. The Council was the first organization in Oakland County to take a proactive approach to confronting the issues of child abuse and neglect. After more than a decade of service to the youth of Oakland County, CARE House expanded its services to become a Child Advocacy Center focused on reducing child abuse through advocacy, community outreach, education and prevention programs.

CARE House served over 5000 youth last year at its current facilities and is expected to greatly expand its capacity, serving thousands more once the new facility is built. This expansion allows for CARE House to strengthen its

intervention, therapeutic, advocacy and prevention services, in particular its forensic interviewing, crisis counseling, family support group and court-appointed advocacy programs. Increasing its capacity and strengthening of its programs enhances CARE House's ability to fully employ its vision of ensuring all children are safe and free from abuse and neglect.

Madam Speaker, I ask my colleagues to join me today in celebrating the groundbreaking of CARE House's new facility and to recognize its members for their important work over the past 30 years to protect Oakland County youth from abuse and neglect. The services CARE House provides ensure thousands of Oakland County youth receive the treatment and intervention they need to prevent and reduce trauma they have experienced from abuse and neglect.

Daily Digest

HIGHLIGHTS

Senate passed H.R. 4851, Continuing Extension Act, as amended.

Senate

Chamber Action

Routine Proceedings, pages S2331–S2397

Measures Introduced: Thirteen bills and five resolutions were introduced, as follows: S. 3208–3220, and S. Res. 483–487. **Page S2377**

Measures Reported:

S. 3031, to authorize Drug Free Communities enhancement grants to address major emerging drug issues or local drug crises, with an amendment in the nature of a substitute.

S. 3217, A original bill to promote the financial stability of the United States by improving accountability and transparency in the financial system, to end “too big to fail”, to protect the American taxpayer by ending bailouts, to protect consumers from abusive financial services practices. **Pages S2376–77**

Measures Passed:

Continuing Extension Act: By 59 yeas to 38 nays (Vote No. 117), Senate passed H.R. 4851, to provide a temporary extension of certain programs, as amended, after taking action on the following amendments proposed thereto:

Pages S2341–57, S2363–67

Adopted:

By 85 yeas to 13 nays (Vote No. 115), McCain Modified Amendment No. 3724 (to Amendment No. 3721), expressing the sense of the Senate that the Value Added Tax is a massive tax increase that will cripple families on fixed income and only further push back America’s economic recovery and the Senate opposes a Value Added Tax.

Pages S2351–57, S2364

Baucus Modified Amendment No. 3721, in the nature of a substitute. **Pages S2341–57, S2363–67**

Rejected:

Coburn Amendment No. 3726 (to Amendment No. 3721), to pay for the full cost of extending additional unemployment insurance and other Federal

programs. (By 50 yeas to 48 nays (Vote No. 113), Senate tabled the amendment.) **Pages S2341, S2345–46**

Coburn Amendment No. 3727 (to Amendment No. 3721), to pay for the full cost of extending additional unemployment insurance and other Federal programs. (By 53 yeas to 45 nays (Vote No. 114), Senate tabled the amendment.) **Pages S2341–45, S2346**

During consideration of this measure today, Senate also took the following action:

By 60 yeas to 38 nays (Vote No. 116), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on Baucus Modified Amendment No. 3721 (listed above). **Page S2365**

Subsequently, the motion to invoke cloture on the bill was withdrawn. **Page S2365**

National Public Works Week: Senate agreed to S. Res. 484, designating the week of May 16 through May 22, 2010, as “National Public Works Week”.

Pages S2393–95

Financial Literacy Month: Senate agreed to S. Res. 485, designating April 2010 as “Financial Literacy Month”.

Pages S2393–95

2010 National Crime Victims’ Rights Week:

Senate agreed to S. Res. 486, supporting the mission and goals of the 2010 National Crime Victims’ Rights Week to increase public awareness of the rights, needs, and concerns of victims and survivors of crime in the United States, no matter the country of origin or creed of the victim, and to commemorate the National Crime Victims’ Rights Week theme referred to as “Crime Victims’ Rights: Fairness. Dignity. Respect.”.

Pages S2393–95

Honoring the Coal Miners Who Perished in West Virginia:

Senate agreed to S. Res. 487, honoring the coal miners who perished in the Upper Big Branch Mine-South in Raleigh County, West Virginia, extending the condolences of the United

States Senate to the families of the fallen coal miners, and recognizing the valiant efforts of the emergency response workers. **Pages S2393–95**

Impeachment of Judge G. Thomas Porteous, Jr.: The Chair submitted to the Senate for printing in the Senate Journal and in the *Congressional Record* the replication of the House of Representatives to the Answer of Judge G. Thomas Porteous, Jr., to the articles of impeachment against Judge Porteous, pursuant to S. Res. 457, 111th Congress, Second Session, which replication was received by the Secretary of the Senate on April 15, 2010. **Pages S2357–60**

Signing Authority—Agreement: A unanimous-consent agreement was reached providing that the Majority Leader, be authorized to sign duly enrolled bills or joint resolutions April 15, 2010 or April 16, 2010. **Page S2395**

Brainard Nomination—Cloture: Senate began consideration of the nomination of Lael Brainard, of the District of Columbia, to be an Under Secretary of the Treasury. **Page S2367**

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, and pursuant to the unanimous-consent agreement of Thursday, April 15, 2010, a vote on cloture will occur at 5:30 p.m. on Monday, April 19, 2010. **Page S2367**

A unanimous-consent agreement was reached providing that Senate resume consideration of the nomination at approximately 3:00 p.m., on Monday, April 19, 2010. **Page S2395**

Demeo Nomination—Cloture: Senate began consideration of the nomination of Marisa J. Demeo, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia. **Page S2367**

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of the nomination of Lael Brainard, of the District of Columbia, to be an Under Secretary of the Treasury. **Page S2367**

Schroeder Nomination—Cloture: Senate began consideration of the nomination of Christopher H. Schroeder, of North Carolina, to be an Assistant Attorney General. **Page S2367**

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of the nomination of Marisa J. Demeo, of the Dis-

trict of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia. **Page S2367**

Vanaskie Nomination—Cloture: Senate began consideration of the nomination of Thomas I. Vanaskie, of Pennsylvania, to be United States Circuit Judge for the Third Circuit. **Page S2367**

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of the nomination of Christopher H. Schroeder, of North Carolina, to be an Assistant Attorney General. **Page S2367**

Chin Nomination—Cloture: Senate began consideration of the nomination of Denny Chin, of New York, to be United States Circuit Judge for the Second Circuit. **Page S2367**

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of the nomination of Thomas I. Vanaskie, of Pennsylvania, to be United States Circuit Judge for the Third Circuit. **Page S2367**

Messages from the House: **Page S2375**

Measures Referred: **Page S2375**

Measures Placed on the Calendar: **Page S2375**

Executive Communications: **Pages S2375–76**

Executive Reports of Committees: **Page S2377**

Additional Cosponsors: **Pages S2377–78**

Statements on Introduced Bills/Resolutions: **Pages S2378–91**

Additional Statements: **Pages S2372–75**

Amendments Submitted: **Pages S2391–92**

Authorities for Committees to Meet: **Page S2392**

Record Votes: Five record votes were taken today. (Total—117) **Pages S2345–46, S2364–65**

Adjournment: Senate convened at 9:30 a.m. and adjourned at 7:26 p.m., until 2 p.m. on Monday, April 19, 2010. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S2395.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS: FEDERAL BUREAU OF INVESTIGATION

Committee on Appropriations: Subcommittee on Commerce, Justice, Science, and Related Agencies concluded open and closed hearings to examine proposed budget estimates for fiscal year 2011 for the Federal Bureau of Investigation, after receiving testimony from Robert S. Mueller, III, Director, Federal Bureau of Investigation.

APPROPRIATIONS: GOVERNMENT ACCOUNTABILITY OFFICE, GOVERNMENT PRINTING OFFICE, AND THE CONGRESSIONAL BUDGET OFFICE

Committee on Appropriations: Subcommittee on Legislative Branch concluded a hearing to examine proposed budget estimates for fiscal year 2011 for the Government Accountability Office (GAO), the Government Printing Office (GPO), and the Congressional Budget Office (CBO), after receiving testimony from Gene L. Dodaro, Acting Comptroller General, Government Accountability Office; Robert C. Tapella, Public Printer, Government Printing Office; and Douglas Elmendorf, Director, Congressional Budget Office.

APPROPRIATIONS: DEPARTMENT OF VETERANS AFFAIRS

Committee on Appropriations: Subcommittee on Military Construction and Veterans Affairs, and Related Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2011 for the Department of Veterans Affairs, after receiving testimony from Eric K. Shineski, Secretary, Robert A. Petzel, Under Secretary for Health, Veterans Health Administration, Michael Walcoff, Acting Under Secretary for Benefits, Veterans Benefits Administration, Steve L. Muro, Acting Under Secretary for Memorial Affairs, National Cemetery Administration, W. Todd Grams, Acting Assistant Secretary for Management and Chief Financial Officer, and Roger W. Baker, Assistant Secretary for Information and Technology, Office of Information and Technology, all of the Department of Veterans Affairs.

NOMINATIONS

Committee on Armed Services: Committee concluded a hearing to examine the nominations of Vice Admiral James A. Winnefeld, Jr., United States Navy, to be admiral and Commander, United States Northern Command, and to be Commander, North American Aerospace Defense Command, and Lieutenant General Keith B. Alexander, United States Army, to be

general and Director, National Security Agency, to be Chief, Central Security Service, and to be Commander, United States Cyber Command, who was introduced by Senator Mikulski, both of the Department of Defense, after the nominees testified and answered questions in their own behalf.

DEFENSE AUTHORIZATION AND FUTURE YEARS DEFENSE PROGRAM

Committee on Armed Services: Subcommittee on Airland concluded a hearing to examine Army modernization in review of the Defense Authorization request for fiscal year 2011 and the Future Years Defense Program, focusing on opportunities and challenges for Army Ground Force modernization efforts, after receiving testimony from Lieutenant General Robert P. Lennox, Deputy Chief of Staff of the Army, G-8, Lieutenant General William N. Phillips, Principal Military Deputy to the Assistant Secretary of the Army for Acquisition, Logistics, and Technology, and Director, Acquisition Career Management, and David W. Duma, Principal Deputy Director, Operational Test and Evaluation, Office of the Secretary, all of the Department of Defense; and Michael J. Sullivan, Director, Acquisition and Sourcing Management, Government Accountability Office.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT BUDGET

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine legislative proposals in the Department of Housing and Urban Development's fiscal year 2011 budget request, after receiving testimony from Shaun Donovan, Secretary of Housing and Urban Development.

PACIFIC SALMON STRONGHOLD CONSERVATION ACT OF 2009

Committee on Commerce, Science, and Transportation: Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard concluded a hearing to examine S. 817, to establish a Salmon Stronghold Partnership program to conserve wild Pacific salmon, after receiving testimony from Gordon H. Reeves, Research Fish Biologist and Team Leader, Pacific Northwest Research Station, U.S. Forest Service, Department of Agriculture; Sara LaBorde, Washington Department of Fish and Wildlife (WDFW), Olympia; Guido Rahr, Wild Salmon Center, Portland, Oregon; and Joe Childers, United Fisherman of Alaska (UFA), Juneau.

INTERNAL REVENUE SERVICE

Committee on Finance: Committee concluded a hearing to examine filing season update, focusing on current IRS issues, after receiving testimony from Steven T.

Miller, Deputy Commissioner for Services and Enforcement, and Nina E. Olson, National Taxpayer Advocate, both of the Internal Revenue Service.

UNITED STATES—JAPAN RELATIONS

Committee on Foreign Relations: Subcommittee on East Asian and Pacific Affairs concluded a hearing to examine United States and Japan relations, after receiving testimony from George R. Packard, United States-Japan Foundation, and Richard Katz, *Oriental Economist Report*, both of New York, New York; and Michael R. Auslin, American Enterprise Institute for Public Policy Research, Washington, D.C.

CONTRACTS FOR AFGHAN NATIONAL POLICE TRAINING

Committee on Homeland Security and Governmental Affairs: Ad Hoc Subcommittee on Contracting Oversight concluded a hearing to examine contracts for Afghan National Police training, after receiving testimony from Gordon S. Heddell, Inspector General, and David Sedney, Deputy Assistant Secretary for Afghanistan, Pakistan, and Central Asia, both of the Department of Defense; and Evelyn R. Klemstine, Assistant Inspector General, Audit, and David T. Johnson, Assistant Secretary, Bureau of International Narcotics and Law Enforcement Affairs, both of the Department of State.

ELEMENTARY AND SECONDARY EDUCATION ACT

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine Elementary and Secondary Education Act (ESEA) reauthorization, focusing on teachers and leaders, after receiving testimony from Randi Weingarten, American Federation of Teachers, and Jon Schnur, New Leaders for New Schools, both of Washington, D.C.; Timothy Daly, New Teacher Project, Brooklyn, New York; Ellen Moir, New Teacher Center, Santa Cruz, California; Stephanie Hirsh, National Staff Development Council, Dallas, Texas; Camilla Benbow, Vanderbilt University Peabody College, Nashville, Tennessee; Jose Valenzuela, Boston Teacher Residency Program, Boston, Massachusetts; Thomas Kane, Harvard Graduate School of Education, Cambridge, Massachusetts; Diana Fesmire, Sierra Elementary School, Alamogordo, New Mexico; and Layne Parmenter, Urie Elementary School, Lyman, Wyoming.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following business items:

S. 3111, to establish the Commission on Freedom of Information Act Processing Delays, with an amendment;

S. 3031, to authorize Drug Free Communities enhancement grants to address major emerging drug issues or local drug crises, with an amendment in the nature of a substitute; and

The nominations of Sharon Johnson Coleman, and Gary Scott Feinerman, both to be United States District Judge for the Northern District of Illinois, and William Joseph Martinez, to be United States District Judge for the District of Colorado, and Loretta E. Lynch, to be United States Attorney for the Eastern District of New York, Noel Culver March, to be United States Marshal for the District of Maine, George White, to be United States Marshal for the Southern District of Mississippi, and Brian Todd Underwood, to be United States Marshal for the District of Idaho, all of the Department of Justice.

NOMINATION

Committee on Rules and Administration: Committee concluded a hearing to examine the nomination of Stephen T. Ayers, of Maryland, to be Architect of the Capitol, after the nominee, who was introduced by Senator Pryor, testified and answered questions in his own behalf.

MINORITY SMALL BUSINESS OWNERS

Committee on Small Business and Entrepreneurship: Committee concluded a hearing to examine assessing access, focusing on obstacles and opportunities for minority small business owners in today's capital markets, after receiving testimony from Grady Hedgespeth, Director of Financial Assistance, Office of Capital Access, Small Business Administration; David A. Hinson, National Director, Minority Business Development Agency, Department of Commerce; Robert L. Johnson, The RLJ Companies, Bethesda, Maryland; Natalie Madeira Cofield, NMC Consulting Group, Inc., Washington, D.C.; Margaret Henningsen, Legacy Bank, Milwaukee, Wisconsin; Paul C. Hudson, Broadway Federal Bank, Los Angeles, California; and Robert W. Fairlie, University of California, Santa Cruz.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to the call.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 36 public bills, H.R. 5028–5063; and 18 resolutions, H. Con. Res. 261–262; and H. Res. 1254–1269 were introduced. **Pages H2639–41**

Additional Cosponsors: **Pages H2641–43**

Reports Filed: There were no reports filed today.

Speaker: Read a letter from the Speaker wherein she appointed Representative Blumenauer to act as Speaker pro tempore for today. **Page H2581**

Chaplain: The prayer was offered by the guest Chaplain, Rev. Dr. Clyde Mighells, Lighthouse Reformed Church, Howard, Pennsylvania. **Page H2581**

Recess: The House recessed at 11:38 a.m. and reconvened at 1:04 p.m. **Page H2593**

Oath of Office—Nineteenth Congressional District of Florida: Representative-elect Theodore E. Deutch presented himself in the well of the House and was administered the Oath of Office by the Speaker. Earlier, the Clerk of the House transmitted a facsimile copy of a letter from the Honorable Kurt S. Browning, Secretary of State, State of Florida, indicating that, according to the unofficial returns of the Special Election held April 13, 2010, the Honorable Theodore E. Deutch was elected Representative to Congress for the Nineteenth Congressional District, State of Florida. **Page H2594**

Whole Number of the House: The Speaker announced to the House that, in light of the administration of the oath to the gentleman from Florida, Mr. Deutch, the whole number of the House is adjusted to 431. **Page H2595**

Suspensions—Proceedings Resumed: The House agreed to suspend the rules and agree to the following measures which were debated on Wednesday, April 14th:

Recognizing the Coast Guard Group Astoria's more than 60 years of service to the Pacific Northwest: H. Res. 1062, amended, to recognize the Coast Guard Group Astoria's more than 60 years of service to the Pacific Northwest, by a $\frac{2}{3}$ yeas-and-nays vote of 401 yeas with none voting "nay", Roll No. 205; **Page H2595**

Recognizing the leadership and historical contributions of Dr. Hector Garcia: H. Con. Res. 222, to recognize the leadership and historical contributions of Dr. Hector Garcia to the Hispanic community and his remarkable efforts to combat racial and

ethnic discrimination in the United States of America; and **Page H2595**

Congratulating the Duke University men's basketball team for winning the 2010 NCAA Division I Men's Basketball National Championship: H. Res. 1242, to congratulate the Duke University men's basketball team for winning the 2010 NCAA Division I Men's Basketball National Championship, by a $\frac{2}{3}$ recorded vote of 390 yeas with none voting "no" and 12 voting "present", Roll No. 210. **Page H2614**

Clean Estuaries Act of 2010: The House passed H.R. 4715, to amend the Federal Water Pollution Control Act to reauthorize the National Estuary Program, by a yeas-and-nays vote of 278 yeas to 128 nays, Roll No. 209. **Pages H2585–93, H2593–94, H2595–H2609, H2610–14**

Rejected the Jordan motion to recommit the bill to the Committee on Transportation and Infrastructure with instructions to report the same back to the House forthwith with amendments, by a recorded vote of 192 yeas to 214 noes, Roll No. 208. **Pages H2611–13**

Agreed to:

Oberstar amendment (No. 1 printed in H. Rept. 111–463) that ensures that program evaluations assess whether the implementation of a comprehensive conservation and management plan is achieving its stated goals; (2) enhances public education on the connections between air, land, and water and the potential impacts on estuarine health; (3) strikes the existing statutory priority list for estuaries to clarify that existing and proposed management conferences enter or remain in the program on a competitive basis; and (4) removes individuals from the list of approved recipients for grants under this program; **Pages H2602–03**

Oberstar amendment (No. 2 printed in H. Rept. 111–463) that requires the administrator to evaluate the effectiveness of the program; identify and disseminate best practices for positive outcomes; and identify and limit redundant rules, regulations and reporting requirements; **Pages H2603–05**

Kagen amendment (No. 3 printed in H. Rept. 111–463) that requires estuary programs to include in their comprehensive conservation and management plans a coordinated monitoring strategy between federal, state, and local entities; **Page H2605**

Schauer amendment (No. 4 printed in H. Rept. 111–463) that defines "estuary" under the Clean

Water Act to include Great Lakes waters and wetlands that are similar to traditional estuaries covered by the National Estuary Program; **Pages H2605–07**

Moore (WI) amendment (No. 5 printed in H. Rept. 111–463) that adds trend monitoring of the introduction and establishment of nonnative species, including their pathways for introduction in estuarine zones, to the list of research programs the Administrator can carry out; **Page H2607**

Kratovil amendment (No. 7 printed in H. Rept. 111–463) that makes explicit that collaborative processes should be used to develop the management plan. It calls for the equitable inclusion of all relevant estuary stakeholders; the use of neutral facilitators and processes to resolve conflicts; and the inclusion and use of up-to-date information, among other considerations; and **Pages H2608–09**

Shea-Porter amendment (No. 6 printed in H. Rept. 111–463) that ensures that comprehensive conservation and management plans address the impacts and potential effects of sea level change (by a recorded vote of 294 ayes to 109 noes, Roll No. 207). **Pages H2607–08, H2610–11**

H. Res. 1248, the rule providing for consideration of the bill, was agreed to by a yea-and-nay vote of 235 yeas to 171 nays, Roll No. 204, after the previous question was ordered without objection. **Pages H2593–94**

Privileged Resolution—Motion to Refer: The House agreed to refer H. Res. 1255, raising a question of the privileges of the House, to the Committee on Standards of Official Conduct by a yea-and-nay vote of 385 yeas with none voting “nay” and 18 voting “present”, Roll No. 206, after the previous question was ordered without objection. **Pages H2609–10**

Recess: The House recessed at 5:25 p.m. and reconvened at 7:10 p.m. **Page H2614**

Order of Procedure: The House agreed by unanimous consent that it be in order at any time to take from the Speaker’s table H.R. 4851, with the Senate amendment thereto, and to consider in the House, without intervention of any point of order or question of consideration, a motion offered by the chair of the Committee on Ways and Means or his designee that the House concur in the Senate amendment; that the Senate amendment be considered as read; that the motion be debatable for one hour equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means; and that the previous question be considered as ordered on the motion to final adoption without intervening motion. **Page H2615**

Continuing Extension Act of 2010: The House concurred in the Senate amendment to H.R. 4851,

to provide a temporary extension of certain programs, by a recorded vote of 289 yeas to 112 noes, Roll No. 211. **Pages H2615–20**

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 1 p.m. tomorrow, and further, that when the House adjourns on that day, it adjourn to meet at 12:30 p.m. on Tuesday, April 20th for morning hour debate. **Page H2620**

Senate Message: Message received from the Senate by the Clerk and subsequently presented to the House today appears on page H2615.

Quorum Calls—Votes: Four yea-and-nay votes and four recorded votes developed during the proceedings of today and appear on pages H2593, H2595, H2610, H2611, H2612–13, H2613–14, H2614, H2619–20. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 11 p.m.

Committee Meetings

FINANCIAL SERVICES, AND GENERAL GOVERNMENT APPROPRIATIONS

Committee on Appropriations: Subcommittee on Financial Services, and General Government held a hearing on FY 2011 Budget Request for the U.S. Supreme Court. Testimony was heard from the following Associate Justices of the Supreme Court: Clarence Thomas and Stephen G. Breyer.

HOMELAND SECURITY APPROPRIATIONS

Committee on Appropriations: Subcommittee on Homeland Security held a hearing on DHS Cyber Security Programs—What progress has been made and what still needs to be improved? Testimony was heard from the following officials of the Department of Homeland Security: Philip Reiting, Deputy Under Secretary, National Protection and Programs Directorate; and RADM Michael Brown, USN, Deputy Assistant Secretary, Cyber Security and Communications.

INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Interior, Environment, and Related Agencies held a hearing on Voices from Our Native American Communities. Testimony was heard from public witnesses.

The Subcommittee also held a hearing on Strengthening Native American Communities: Indian Health Service FY 2011 Budget Request. Testimony was heard from Yvette Roubideaux, Director, Indian Health Service, Department of Health and Human Services.

TRANSPORTATION, AND HUD, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Transportation, and Housing and Urban Development, and Related Agencies held a hearing on Member Requests. Testimony was heard from Members of Congress.

QUADRENNIAL DEFENSE REVIEW

Committee on Armed Services: Held a hearing on the Independent Panel's assessment of the Quadrennial Defense Review. Testimony was heard from the following Co-Chairmen of the Quadrennial Defense Review Independent Panel, U.S. Institute for Peace: William J. Perry; and Stephen J. Hadley.

RESERVE PERSONNEL INITIATIVES

Committee on Armed Services: Subcommittee on Military Personnel held a hearing on supporting the reserve components as an operational reserve and key reserve personnel legislative initiatives. Testimony was heard from the following officials of the Department of Defense: Dennis M. McCarthy, Assistant Secretary, Reserve Affairs; LTG Jack Stulz, USAR, Chief, Army Reserve; VDM Dirk Debbink, USNR, Chief of Naval Reserve; LTG John F. Kelly, USMC, Commander, Marine Forces Reserve; LTG Charles Stenner, USAFR, Chief, Air Force Reserve; LTG Harry Wyatt, USAF, Director, Air National Guard; and MG Raymond Carpenter, USA, Acting Director, Army National Guard.

BALLISTIC MISSILE REVIEW; MISSILE DEFENSE PROGRAMS BUDGET

Committee on Armed Services: Subcommittee on Strategic Forces held a hearing on the report on the ballistic missile defense review and the FY 2011 National Defense Authorization Budget Request for missile defense programs. Testimony was heard from the following officials of the Department of Defense: Bradley H. Roberts, Defense Assistant Secretary, Nuclear and Missile Defense Policy, Office of the Secretary; LTG Patrick O'Reilly, USA, Director, Missile Defense Agency; and J. Michael Gilmore, Director, Operational Test and Evaluation, Office of the Secretary.

CORPORAL PUNISHMENT IN SCHOOLS

Committee on Education and Labor: Subcommittee on Healthy Families and Communities held a hearing on Corporal Punishment in Schools and its Effect on Academic Success. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Energy and Commerce: Ordered reported, as amended, the following bills: H.R. 5019, Home

Star Energy Retrofit Act of 2010; and H.R. 5026, Grid Reliability and Infrastructure Defense Act or the GRID Act.

The Committee also approved pending Committee business.

COMMUNITY REINVESTMENT PERSPECTIVES AND PROPOSALS

Committee on Financial Services: Subcommittee on Financial Institutions and Consumer Credit held a hearing entitled "Perspectives and Proposals on the Community Reinvestment Act." Testimony was heard from public witnesses.

COMBATING CLIMATE CHANGE IN AFRICA

Committee on Foreign Affairs: Subcommittee on Africa and Global Health held a hearing on Combating Climate Change in Africa. Testimony was heard from the following officials of the Department of State: Franklin Moore, Deputy Assistant Administrator, Bureau for Africa, Office of the Assistant Administrator, U.S. Agency for International Development; and Jonathan Pershing, Deputy Special Envoy, Office of the Special Envoy, Climate Change; and public witnesses.

HOMELAND SECURITY SCIENCE AND TECHNOLOGY AUTHORIZATION ACT OF 2010

Committee on Homeland Security: Ordered reported, as amended, H.R. 4842, Homeland Security Science and Technology Authorization Act of 2010.

CONGRESS' IMPACT ON STATE AND LOCAL GOVERNMENT REVENUES

Committee on the Judiciary: Subcommittee on Commercial and Administrative Law held a hearing on State Taxation: The Impact of Congressional Legislation on State and Local Government Revenues. Testimony was heard from public witnesses.

POSTAL SERVICE'S FINANCIAL CRISIS FUTURE VIABILITY

Committee on Oversight and Government Reform: and the Subcommittee on Federal Workforce, Postal Service, and the District of Columbia held a joint hearing entitled "Continuing to Deliver: An Examination of the Post Services's Current Financial Crisis and its Future Viability." Testimony was heard from the following officials of the U.S. Postal Service: John E. Potter, Postmaster General and CEO; and David C. Williams, Inspector General; Phillip Herr, Director, Physical Infrastructure Issues, GAO; John O'Brien, Senior Advisor to the Director, OPM; and Kevin Kosar, Analyst in American Government, CRS, Library of Congress.

WATER RESOURCES DEVELOPMENT ACT PROPOSALS

Committee on Transportation and Infrastructure: Subcommittee on Water Resources and Environment held a hearing on Proposals for a Water Resources Development Act of 2010, Part II. Testimony was heard from Theodore Brown, Chief, Planning and Policy, U.S. Army Corps of Engineers, Department of Defense; and public witnesses.

VETERANS EMPLOYMENT STATUS

Committee on Veterans' Affairs: Subcommittee on Economic Opportunity held a hearing on the Status of Veterans Employment. Testimony was heard from the following officials of the Department of Labor: Phil L. Rones, Deputy Commissioner, Bureau of Labor Statistics; and Raymond M. Jefferson, Assistant Secretary, Veterans' Employment and Training Service; Christine M. Griffin, Deputy Director, OPM; Willie Hensley, Principal Deputy Assistant Secretary, Human Resources and Administration, Department of Veterans Affairs; Christine A. Scott, Specialist in Social Policy, Domestic Social Policy Division, CRS, Library of Congress; and representatives of veterans organizations.

SSA FIELD OFFICE SERVICE DELIVERY

Committee on Ways and Means: Subcommittee on Social Security held an oversight hearing on SSA's field office service delivery. Testimony was heard from Barbara Bovbjerg, Managing Director, Education, Workforce and Income Security Issues, GAO; the following officials of the SSA: Patrick P. O'Carroll, Inspector General; and Michael J. Astrue, Commissioner; and public witnesses.

NATIONAL GEOSPATIAL PROGRAM BUDGET

Permanent Select Committee on Intelligence: Met in executive session to hold a hearing on the National Geospatial Program Budget for Fiscal Year 2011. Testimony was heard from VADM Robert B. Murrett, USN, Director, National Geospatial Agency, Department of Defense.

Joint Meetings

NATURAL RESOURCE USAGE

Commission on Security and Cooperation in Europe. Commission held a briefing to examine a new international convention aimed at helping resource-rich developing countries make the best economic and social use of their natural resources, receiving testimony from Joseph Bell, Hogan and Hartson, Washington, D.C.; Saleem Ali, University of Vermont, Burlington; and Karin Lissaker, Revenue Watch Institute, New York, New York.

COMMITTEE MEETINGS FOR FRIDAY, APRIL 16, 2010

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Homeland Security and Governmental Affairs: Permanent Subcommittee on Investigations, to resume hearings to examine Wall Street and the financial crisis, focusing on the role of bank regulators, 9:30 a.m., SD-106.

Committee on the Judiciary: to hold hearings to examine the nominations of Goodwin Liu, of California, to be United States Circuit Judge for the Ninth Circuit, Kimberly J. Mueller, to be United States District Judge for the Eastern District of California, Richard Mark Gergel, and J. Michelle Childs, both to be United States District Judge for the District of South Carolina, and Catherine C. Eagles, to be United States District Judge for the Middle District of North Carolina, 10 a.m., SD-226.

House

No committee meetings are scheduled.

CONGRESSIONAL PROGRAM AHEAD

Week of April 19 through April 24, 2010

Senate Chamber

On *Monday*, at approximately 3 p.m., Senate will resume consideration of the nomination of Lael Brainard, of the District of Columbia, to be an Under Secretary of the Treasury, and after a period of debate, vote on the motion to invoke cloture thereon at 5:30 p.m.

During the balance of the week, Senate may consider any cleared legislative and executive business.

Senate Committees

(Committee meetings are open unless otherwise indicated)

Committee on Appropriations: April 20, Subcommittee on State, Foreign Operations, and Related Programs, to hold hearings to examine proposed budget estimates for fiscal year 2011 for operations and programs of the U.S. Agency for International Development, 10:30 a.m., SD-192.

April 21, Subcommittee on Defense, to hold hearings to examine proposed budget estimates for fiscal year 2011 for Missile Defense Agency programs, 10:30 a.m., SD-192.

April 22, Subcommittee on Commerce, Justice, Science, and Related Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2011 for the National Aeronautics and Space Administration, 10 a.m., SD-192.

Committee on Armed Services: April 20, to hold hearings to examine ballistic missile defense policies and programs in review of the Defense Authorization request for fiscal year 2011 and the Future Years Defense Program; with

April 21, Subcommittee on Emerging Threats and Capabilities, to hold hearings to examine nonproliferation programs at the Departments of Defense and Energy in review of the Defense Authorization request for fiscal year 2011 and the Future Years Defense Program, 10 a.m., SR-222.

April 21, Subcommittee on Strategic Forces, to hold hearings to examine environmental management funding in review of the Defense Authorization request for fiscal year 2011 and funding under the American Recovery and Reinvestment Act, 2:30 p.m., SR-222.

April 22, Full Committee, to hold hearings to examine the Nuclear Posture Review, 9:30 a.m., SD-G50.

Committee on Banking, Housing, and Urban Affairs: April 22, Subcommittee on Economic Policy, to hold hearings to examine China's exchange rate policy and trade imbalances, 10 a.m., SD-538.

Committee on Commerce, Science, and Transportation: April 21, to hold hearings to examine securing the nation's rail and other surface transportation networks, 2:30 p.m., SR-253.

April 22, Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard, to hold hearings to examine the environmental and economic impacts of ocean acidification, 10 a.m., SR-253.

April 22, Full Committee, to hold hearings to examine the debt settlement industry, focusing on the consumer's experience, 2:30 p.m., SR-253.

Committee on Energy and Natural Resources: April 20, to hold hearings to examine S. 1856, to amend the Energy Policy Act of 2005 to clarify policies regarding ownership of pore space, and S. 1134, to ensure the energy independence and economic viability of the United States by promoting the responsible use of coal through accelerated carbon capture and storage and through advanced clean coal technology research, development, demonstration, and deployment programs, 10 a.m., SD-366.

April 21, Subcommittee on Public Lands and Forests, to hold hearings to examine S. 1546, to provide for the conveyance of certain parcels of land to the town of Mantua, Utah, S. 2798, to reduce the risk of catastrophic wildfire through the facilitation of insect and disease infestation treatment of National Forest System and adjacent land, S. 2830, to amend the Surface Mining Control and Reclamation Act of 1977 to clarify that uncertified States and Indian tribes have the authority to use certain payments for certain noncoal reclamation projects, and S. 2963, to designate certain land in the State of Oregon as wilderness, to provide for the exchange of certain Federal land and non-Federal land, 2:30 p.m., SD-366.

Committee on Foreign Relations: April 22, to hold hearings to examine promoting global food security, focusing on the next steps for Congress and the Administration, 10:30 a.m., SD-419.

Committee on Health, Education, Labor, and Pensions: April 20, to hold hearings to examine labor protection from premiums, 9:30 a.m., SD-430.

April 22, Full Committee, to resume hearings to examine Elementary and Secondary Education Act (ESEA) reauthorization, focusing on meeting the needs of the whole student, 10 a.m., SD-106.

Committee on Homeland Security and Governmental Affairs: April 20, to hold hearings to examine border security, 11 a.m., SD-342.

April 20, Full Committee, to hold hearings to examine the nominations of Michael D. Kennedy, of Georgia, and Dana Katherine Bilyeu, of Nevada, both to be a Member of the Federal Retirement Thrift Investment Board, Dennis P. Walsh, of Maryland, to be Chairman of the Special Panel on Appeals, and Milton C. Lee, Jr., Judith Anne Smith, and Todd E. Edelman, all to be an Associate Judge of the Superior Court of the District of Columbia, 2 p.m., SD-342.

April 21, Full Committee, to hold hearings to examine the lessons and implications of the Christmas Day attack, focusing on securing the visa process, 10 a.m., SD-342.

April 22, Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia, to hold hearings to examine challenges and lessons learned in transitioning the Federal government, 10 a.m., SD-342.

April 22, Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security, to hold hearings to examine the future of the United States Postal Service, 2:30 p.m., SD-342.

April 23, Permanent Subcommittee on Investigations, to resume hearings to examine Wall Street and the financial crisis, focusing on the role of credit rating agencies, 9:30 a.m., SD-G50.

Committee on Indian Affairs: April 22, to hold hearings to examine the discussion draft of the "Indian Energy Promotion and Parity Act of 2010", 2:15 p.m., SD-628.

Committee on the Judiciary: April 20, to hold an oversight hearing to examine the Department of Justice, Civil Rights Division, 10 a.m., SD-226.

April 21, Full Committee, to hold hearings to examine combating cyber crime and identity theft in the digital age, 10 a.m., SD-226.

April 22, Full Committee, business meeting to consider S. 1346, to penalize crimes against humanity and for other purposes, S. 657, to provide for media coverage of Federal court proceedings, S. 446, to permit the televising of Supreme Court proceedings, S. Res. 339, to express the sense of the Senate in support of permitting the televising of Supreme Court proceedings, S. 1684, to establish guidelines and incentives for States to establish criminal arsonist and criminal bomber registries and to require the Attorney General to establish a national criminal arsonist and criminal bomber registry program, and the nominations of Kerry B. Harvey, to be United States Attorney for the Eastern District of Kentucky, and David J. Hale, to be United States Attorney for the Western District of Kentucky, both of the Department of Justice, 10 a.m., SD-226.

April 22, Full Committee, to hold hearings to examine certain nominations, 3 p.m., SD-226.

Committee on Rules and Administration: April 22, to hold hearings to examine the filibuster, focusing on the history of the filibuster 1789-2008, 10 a.m., SR-301.

Committee on Small Business and Entrepreneurship: April 21, to examine the President's proposed budget request

for fiscal year 2011 for the Small Business Administration, 2:30 p.m., SR-428A.

Committee on Veterans' Affairs: April 21, to hold an oversight hearing to examine implementation of the new post-9/11 Government Issue (GI) Bill, 9:30 a.m., SR-418.

Select Committee on Intelligence: April 20, to hold closed hearings to consider certain intelligence matters, 2:30 p.m., SH-219.

April 22, Full Committee, to hold closed hearings to consider certain intelligence matters, 2:30 p.m., SH-219.

Special Committee on Aging: April 22, to hold hearings to examine the National Broadband Plan and health care technology, 2 p.m., SD-562.

House Committees

Committee on Agriculture, April 21, hearing to review U.S. agriculture policy in advance of the 2012 Farm Bill, 11 a.m., 1300 Longworth.

April 22, Subcommittee on General Farm Commodities and Risk Management, hearing to review proposals to establish exchanges trading "movie futures," 10:30 a.m., 1300 Longworth.

Committee on Appropriations, April 20, Select Intelligence Oversight Panel, executive, on National Security Agency FY 2011 Budget, 5 p.m., H-405 Capitol.

April 21, Subcommittee on Defense, on National Capitol Region, 10 a.m., H-140 Capitol.

April 21, Subcommittee on Financial Services, and General Government, on FY 2011 Budget Request for the District of Columbia, 10 a.m., 2362-B Rayburn.

April 21, Subcommittee on Homeland Security, on Member Day/Public Witnesses, 10 a.m., 2358-C Rayburn.

April 21, Subcommittee on Labor, Health and Human Services, Education and Related Agencies, on FY 2011 Budget Overview: Department of Health and Human Services, 10 a.m., 2359 Rayburn.

April 21, Subcommittee on Legislative Branch, on FY 2011 Budgets for the Library of Congress, GPO, and the Open World Leadership Center, 2 p.m., H-144 Capitol.

April 21, Subcommittee on Transportation, Housing and Urban Development, and Related Agencies, on the Status of the Federal Housing Administration including the FY 2011 Budget Request, 10 a.m., 2358-A Rayburn.

April 22, Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, on USDA, Office of Inspector General Oversight, 10 a.m., 2362-A Rayburn.

April 22, Subcommittee on Commerce, Justice, Science, and Related Agencies, on Office Justice Programs (OJP) FY 2011 Budget, 10 a.m., B-309 Capitol.

April 22, Subcommittee on Defense, on Defense Health Program/Wounded Warrior, 10 a.m., H-140 Capitol.

April 22, Subcommittee on Financial Services, and General Government, on Financial Crisis and TARP, 10 a.m., 2359 Rayburn.

Committee on Armed Services, April 20, Subcommittee on Military Personnel, hearing on implementation of the requirement to provide a medical examination before separa-

rating members diagnosed with Post-Traumatic Stress Disorder (PTSD) or Traumatic Brain Injury (TBI) and the capacity of the Department of Defense to provide care to PTSD cases, 5:30 p.m., B-318 Rayburn.

April 21, full Committee, to mark up the Implementing Management for Performance and Related Reforms to Obtain Value in Every Acquisition Act of 2010 (IMPROVE Acquisition Act of 2010), 10 a.m., 2118 Rayburn.

April 21, Subcommittee on Military Personnel, hearing on the Defense Health Program, 1:30 p.m., 2118 Rayburn.

April 21, Subcommittee on Strategic Forces, hearing on the space posture review and the Fiscal Year 2011 National Defense Authorization Budget Request for national security space activities, 2 p.m., 210 HVC.

April 22, Subcommittee on Air and Land Forces, hearing on Army and Air Force National Guard and Reserve component equipment posture, 1:30 p.m., 2118 Rayburn.

April 23, Subcommittee on Military Personnel, hearing on military resale and morale, welfare and recreation overview, 10 a.m., 2118 Rayburn.

Committee on Education and Labor, April 21, hearing on Reforming the Juvenile Justice System to Improve Children's Lives and Public Safety, 10 a.m., 2175 Rayburn.

April 22, Subcommittee on Workforce Protections, hearing on H.R. 4855, Work-Life Balance Award Act, 10 a.m., 2175 Rayburn.

Committee on Energy and Commerce, April 21, Subcommittee on Communications, Technology and the Internet, hearing entitled "The National Broadband Plan: Deploying Quality Broadband Services to the Last Mile," 10 a.m., 2322 Rayburn.

April 22, Subcommittee on Health, hearing entitled "The Environment and Human Health: the Role of HHS," 1 p.m., 2123 Rayburn.

Committee on Financial Services, April 20, hearing entitled "Public Policy Issues Raised by the Report of the Lehman Bankruptcy Examiner," 11 a.m., 2128 Rayburn.

April 21, Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises, hearing entitled "Corporate Governance and Shareholder Empowerment," 10 a.m., 2128 Rayburn.

April 21, Subcommittee on Housing and Community Opportunity, hearing entitled "Legislative Proposals to Reform the National Flood Insurance Program," 2 p.m., 2128 Rayburn.

Committee on Foreign Affairs, April 21, Subcommittee on Middle East and South Asia, hearing on Neither Appeasement nor Improvement? Prospects for U.S. Engagement with Syria, 1:30 p.m., 2172 Rayburn.

April 22, Subcommittee on Asia, the Pacific and the Global Environment, hearing on the Legacies of War: Unexploded Ordnances in Laos, 2 p.m., 2172 Rayburn.

Committee on Homeland Security, April 21, hearing entitled "Viewpoints on Homeland Security: A Discussion with the WMD Commissioners," 10 a.m., 311 Cannon.

Committee on the Judiciary, April 22, hearing on the Private Student Loan Bankruptcy Fairness Act of 2010, 11 a.m., 2237 Rayburn.

April 22, Subcommittee on the Constitution, Civil Rights, and Civil Liberties, oversight hearing on Achieving the Promise of the Americans with Disabilities Act in the Digital Age—Current Issues, Challenges, and Opportunities, 10 a.m., 2141 Rayburn.

Committee on Natural Resources, April 21, hearing on the following bills: H.R. 4445, Indian Pueblo Cultural Center Clarification Act; H.R. 1554, Fountainhead Property Land Transfer Act; and H.R. 2340, Salmon Lake Selection Resolution Act, 10 a.m., 1324 Longworth.

April 22, Subcommittee on Insular Affairs, Oceans and Wildlife, oversight hearing on A Community Perspective on Catch Shares, 10 a.m., 1324 Longworth.

April 22, Subcommittee on National Parks, Forests, and Public Lands, hearing on H.R. 4888, Cabin Fee Act of 2010, 10 a.m., 1334 Longworth.

Committee on Oversight and Government Reform, April 21, hearing entitled “The Washington Metro System: Safety, Service and Stability,” 10 a.m., 2154 Rayburn.

Committee on Science and Technology, April 21, Subcommittee on Technology and Innovation, to mark up Committee Print—National Institute of Standards and Technology programs, 10 a.m., 2318 Rayburn.

April 22, Subcommittee on Investigations and Oversight, hearing on Caught by Surprise: Causes and Consequences of the Helium-3 Supply Crisis, 10 a.m., 2318 Rayburn.

Committee on Small Business, April 21, hearing on oversight of the Small Business Administration and its Programs, 1 p.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, April 21, Subcommittee on Aviation, hearing on NextGen: Long-Term Planning and Interagency Cooperation, 2 p.m., 2167 Rayburn.

April 22, full Committee, hearing on the Department of Transportation’s Oversight and Management of Hazardous Materials Special Permits and Approvals, 10:30 a.m., 2167 Rayburn.

Committee on Veterans’ Affairs, April 22, Subcommittee on Disability Assistance and Memorial Affairs, hearing on Examining VA’s Fiduciary Program: How Can VA Better Protect Vulnerable Veterans and Their Families? 2 p.m., 334 Cannon.

Committee on Ways and Means, April 22, Subcommittee on Income Security and Family Support, hearing to examine the role of education and training in the Temporary Assistance for Needy Families (TANF) program, 10 a.m., B-318 Rayburn.

Joint Meetings

Commission on Security and Cooperation in Europe: April 22, to hold hearings to examine the link between revenue transparency and human rights, focusing on programs such as the Extractive Industries Transparency Initiative (EITI) and their ability to improve human right in resource-rich countries, 2:30 p.m., SD-430.

Next Meeting of the SENATE

2 p.m., Monday, April 19

Next Meeting of the HOUSE OF REPRESENTATIVES

1 p.m., Friday, April 16

Senate Chamber

Program for Monday: After the transaction of any morning business (not to extend beyond 3 p.m.), Senate will resume consideration of the nomination of Lael Brainard, of the District of Columbia, to be an Under Secretary of the Treasury, and after a period of debate, vote on the motion to invoke cloture thereon at 5:30 p.m.

House Chamber

Program for Friday: The House will meet in pro forma session at 1 p.m.

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